

City Planning Commission Response to EDC Downtown Far Rockaway Plans

Calendar of May 24, 2017 - Items #19-26

Filing Information and revision history

Submitted by Eugene Falik on behalf of the Bayswater Civic Association

This document is a response to the proposals made by the New York City Economic Development Corporation and the New York City Department of Housing Preservation & Development (collectively the City in this document) to “revitalize” the Far Rockaway Village (Downtown Far Rockaway in their terminology). It concludes that their proposals are misguided and will not have the desired result but will adversely impact the area for generations.

Revised on June 1, 2017 to correct minor editing errors.

Submitted to:

- Queens Community Board 14
- Queens Borough President Melinda Katz
- **New York City**
CITY PLANNING COMMISSION
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- Additional Comments
- Submitted by: Eugene Falik on behalf of the Bayswater Civic Association

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Preface

We believe that the process imposed by the Community Board, the Borough President, and the City Planning Commission is fundamentally flawed and biased in favor of the City's submission and against individuals generally and organized groups such as the Bayswater Civic Association in particular.

The process is said to have started with a steering committee. In fact, that is not true. The process started when Council Member Donovan Richards secured the mayor's agreement to spend \$91 million dollars for infrastructure spending that the mayor had an obligation to spend anyway in return for the Council Member's support for this housing project. And make no mistake. **It is a housing project, no more and no less. It is not intended to benefit the Far Rockaway central business district and will not provide any benefit.** It will, on completion, provide several thousand additional shoppers to the adjacent Five Towns of Nassau County.

The process included three public meetings which focused primarily on automobile access and parking. Housing was only mentioned peripherally. Certainly not as the primary purpose of the project. The general public only learned of the primary purpose of the project at the third meeting when we were told that there would be a meeting within the week to discuss the scoping study which proposed 3,300 apartments. And comments on that study were due in a short time, on Rosh HaShonah!

At meetings of the Community Board and its committees, the proponents (Economic Development Corporation – EDC) were essentially allowed unlimited time (over an hour each time) for their presentation. Opponents were allowed much less time. At the meeting where the Community Board accepted the plan, each speaker was allowed only one minute. Certainly not enough time to provide a comprehensive explanation of the flaws of this plan after the EDC had taken over an hour to promote it.

But, despite the environment that was overwhelmingly favorable to the EDC, the Community Board was, overall, opposed to the EDC plans. They only voted in favor of it under great compulsion, believing that that (1) the plan would proceed regardless of their vote, (2) that by conditioning their approval on a number of limitations (see Appendix) they would be able to exercise some limitations, and (3) a yes vote would give them some future influence. Certainly a **“yes” or “no” poll of members or Community Board 14 would reveal that the majority are opposed to housing on the parking lot sites.**

The EDC took significantly less time at the Borough President's office than at the Community Board meetings, but was still permitted to make their full presentation.

The conditions at the City Planning Commission were, if possible, even more outrageous. On Monday, May 22, 2017 the proponents were able to fully explain their plan. In addition, the Commissioners were taken on a tour of the area with no notice or participation by any the

opponents. If members of the Bayswater Civic Association had been permitted on the tour, we would have pointed out a great many of the shortcomings and failures of this plan. But we were not even made aware of the tour even though EDC and the Department of City Planning had our contact information.

Perhaps most striking was that there was no serious explanation at any time why one would suppose that adding 3,300 apartments with 8,000 people would do anything to revitalize the Far Rockaway central business district. It seems to be a given – almost a part of the planners “religion” that adding residents will make things better even though we believe that it is unlikely to have that effect even if the project is developed as EDC envisions.

We believe that it is likely that the market rate apartments will ultimately house subsidized tenants and we will see conditions degenerate as they have done in many other areas of the Rockaways. This has happened most recently in the Roy Reuther houses at 711 Seagirt Boulevard where elderly tenants are being harassed and menaced by drug addicts, homeless and others who have been moved in to fill vacant apartments. An article from the *Wave* appears in the Appendix.

More to the point, there are many other places to build housing in the city in general and Rockaway in particular. Our central business district is not the appropriate location. If there is an imperative to build more housing, the city could construct 50 or even 100 story buildings in Arverne East where they would not adversely impact the Village.

The downtown Far Rockaway central business district is a place for business. For stores that people want to shop in, and can get to. Not for housing at the expense of shoppers.

We believe that there are two additional, procedural factors that the Commission should consider.

First of all, while it is extremely difficult to challenge government actions in New York state under Article 78 of the New York Civil Practice Law and Rules this proposal seems intended to create a successful challenge. There is nothing in the existing record to so much as suggest why or how the proposed actions (rezoning) will benefit the Far Rockaway central business district (the Village or “Downtown Far Rockaway”), the stated objective of the actions. This decision in favor of the rezoning is arbitrary and capricious, without substantial evidence in its support – indeed, without any evidence in its support.

Second, we believe that the proposal, and the procedures in support of it to date, violate federal law including the Fair Housing Act (42 U.S. Code Chapters 8, 8A), Civil Rights Law (42 U.S. Code Chapter 21), regulations of the Federal Railroad Administration (Transportation Act of 1966) – [there is a railroad right-of-way from Nameoke Avenue to Mott Avenue, through the Shopping Center] as well as the Constitution (First and Fourteenth Amendments).

We propose that it would be in the best interests of the City of New York as well as residents of the Rockaways for the Commission to address the concerns that we have raised.

Oral Testimony

When I was a project leader at Exxon and Mobil, I learned that big, complicated problems can be best solved by a continuous process of breaking them into smaller pieces until we have pieces that can be easily comprehended, with well-defined inputs and outputs.

So the question here is what to do with the Far Rockaway business district. The Village, or Town, as we call it.

I won't go into the whole process here which is discussed in a bit of detail in the written submissions, but the first question that you must determine is, what the purpose of these submissions is. Is it to revitalize the Village, or is it to build housing regardless of the impact on Far Rockaway?

There is a long history of dumping on Rockaway beginning with Robert Moses. Our income and education levels have been pushed down by city actions for generations. Count our nursing home beds. Public housing units, and other measures of a community's desirability.

So decide. Will you dump on Rockaway again, or will you truly act to revitalize it?

If you want to revitalize the shopping district, you will turn down the conversion of our only parking areas into housing. If you wish to continue dumping on us, approve the EDC plans.

But I believe in the essential goodness of people, so I believe that you will turn down this plan. If that is the case, then let us consider exactly what the Village's problems are and are not.

So what is necessary for a successful business district? Let's consider each of the following:

1. People with discretionary income. There has been and continues to be a substantial number of residents in the areas east and west of the Village (Bayswater and Reads Lane / West Lawrence) with money to spend. And they do spend it. In the Five Towns of Nassau County.
2. Ability to get to and from the stores. This has been a continuing problem and it has been made worse with every DOT action. We drive. It is faster to drive to Lawrence and Cedarhurst than to Far Rockaway.
3. Ability to park a car – at a reasonable cost for a reasonable time. There is a shortage of parking, made worse by some 200-300 spaces used by government vehicles and employees. And rates and the cost of dealing with the PVB are punishing particularly compared with free or low cost parking and minimal fines in the Five Towns.
4. Stores that sell products that we want and merchants who want us.

And then the magic happens.

So will the magic happen and our village will be revitalized, or will housing be dumped on us and our village be destroyed for generations more. You will decide.

There isn't time in this presentation to discuss more, but please read our response to the ECC Draft Scope and Draft EIS, as well as the Community Board's conditions which will be submitted, or are available on-line at www.solutionsny.nyc/downtownfarrock.html.

Additional Comments

EDC's Actions

The Economic Development Corporation has justified the proposed rezoning by reporting on a set of “**Goals**” that purportedly resulted from community meetings. We (most of the members of the Board of the Bayswater Civic Association) were at all of the public meetings that they held. While the **Goals** appeared on a slick brochure, virtually all of the discussion at these meetings centered on transportation and traffic, not housing. And questions about housing certainly did not reveal anything about the intended location or scale.

These **Goals** are as follows:

Draft EIS Goals:

- **Goal 1:** Re-establish Downtown Far Rockaway as the commercial and transportation hub of the Rockaway peninsula;
- **Goal 2:** Reposition the area as a mixed-use district, including new mixed-income housing;
- **Goal 3:** Activate the public realm with new connections and public open space;
- **Goal 4:** Improve the quality of life for residents through access to community services, education and quality jobs; and
- **Goal 5:** Build the capacity of community organizations and support local businesses.

Let's discuss the **Goals** one at a time:

Goal 1. Of course we would like to see the Village re-established as the commercial and transportation hub of the Rockaway peninsula, but the problem with the EDC proposals is that they do nothing to further this objective. In fact, they would ensure the effective demise of the area as a shopping district.

Goal 2. Of course the very act of changing the zoning would reposition the area as a mixed-use district, including new mixed-income housing. That is the definition of the zoning. In fact, this is the only Goal that the EDC proposal furthers. The question for the Commission to determine is this smart, effective, desirable city planning? We submit that it is not desirable but in fact destructive.

Goal 3. Certainly activating the public realm with new connections and public open space sound like a worthy Goal, but the question that must be answered is what and how. As the Draft EIS makes plain, open space will actually be reduced. An officer of the EDC told me that they want the Village to be “alive” after 5 P.M. In fact, I took my mother-in-law to a physician in Cedarhurst on a recent weekday for a 6 P.M. appointment. Cedarhurst, one of the very successful Five Towns was dead but Far Rockaway was very much alive! So the question once again that must be asked is what they mean. Do they want the Village to be like Williamsburg or SoHo? This is a bedroom community of families. People come home from work, go home, have dinner, help the children with homework, and go to bed. They don't sit around in sidewalk cafes looking for dates or hook-ups until 1 A.M. That may be life as the EDC staff and contractors live, but it is not, and never has been the life of Far Rockaway residents.

Goal 4. Improving the quality of life for residents through access to community services, education, and quality jobs is a terrific undertaking, but again, no mention of what this means, or how it will be accomplished. They want to bring in 8,000 additional residents but make no provision for the education

of residents' children. Will the quality of life be improved by providing hangout spaces for adolescents? And even if it is good for the adolescents, will it chase customers away from the shopping district? There is no thought here of how it will make life better for anyone. Do the owners of private one and two family homes have a shortage of space? Is there inadequate open space at the NYCHA Redfern project?

Goal 5. This **Goal** seems to be something lifted out of a text book on urban planning. What is the connection between “building the capacity of community organizations” and “supporting local businesses”? What are the community organizations whose capacity they wish to build? And what is the capacity that they seek? Not a word in their documents. But the final piece of the EDC **Goals** is the most telling. They want to support local business. We, certainly believe that would be a great thing to do but once again, the EDC has not a word on how to achieve this objective. In fact, we believe that the proposed rezoning would have quite the opposite effect. Removing all available public parking from the Village where automobiles are the primary means of transportation would condemn the Far Rockaway central business district to death.

Roadmap for Action

The City developed a “Roadmap for Action” as a “comprehensive response” to the Working Group’s goals and recommendations.

The “Downtown Far Rockaway Roadmap for Action” includes the following five strategies, including:

- Identifying new opportunities for mixed-income housing;
- Improving transportation infrastructure and transforming public space;
- Strengthening existing commercial corridors, small businesses, and connections to jobs;
- Expanding upon community services and cultural assets; and
- Rezoning the downtown area to unlock development potential for commercial and residential uses.

“The Proposed Actions would affect an approximately 22-block area of the Downtown Far Rockaway neighborhood of Queens.”

So once again let us examine each stop on the EDC “Roadmap for Action.”

Stop 1. EDC wants to identify new opportunities for mixed-income housing. Well, they certainly have identified open spaces where apartment buildings could be built. Not a very difficult task if the objective is to build apartments. Considerably more difficult if the objective is, as they say, to revitalize the Village.

Stop 2. Once again, EDC says that they want to improve the transportation infrastructure and transform public space. Of course building fifteen story buildings in an open area where the highest building is six stories would transform public space. But the Commission must decide if the transformation that they propose is in the public interest or is desirable to anyone in the community.

As to the question of improving the transportation infrastructure, the kindest term that could be used is fraud. The only alteration that they propose that would improve transportation is the addition on one Q 22 bus per day. Every other proposal will make transportation in the area worse.

Consider some of the transportation “worsenings” that they propose:

- Addition of a traffic signal at Beach Channel Drive and Birdsall Avenue.
- Making traffic lanes narrower.
- Eliminating traffic lanes.
- Moving the bus lay over area to the street.
- Removing parking spaces.
- Creating additional parking demand via added apartments with inadequate parking.

In contrast to the EDC’s anti-transportation proposals, consider our proposals which would benefit those using mass transit as well as automobiles.

Stop 3. The EDC wants to strengthen existing commercial corridors, small businesses, and connections to jobs but they don’t say how they will accomplish these tasks. At one point they say that they don’t like the street pattern but, as usual, fail to say what is wrong with it. Are grid patterns bad? Should the street pattern consist of concentric circles? They don’t say. Further, they ignore the fact that the Shopping Center was built with a rear exit, but the exit was closed to prevent those intent on criminal activity and harassment from having an escape path. Of course our commercial corridors and small businesses would be strengthened by the addition of shoppers but they don’t propose any way to accomplish this. Instead, they urge spending NYC taxpayer money to provide additional shoppers to the Five Towns.

The statement that they want to provide “connections to jobs” is, perhaps the most absurd in view of the fact that not only will they fail to improve transportation, but initially they proposed to restrict access to St. Johns Hospital, the largest employer in the area. The fact is that most people in the Far Rockaway area work outside of the Rockaways. We do have some factories which were seriously impacted by Superstorm Sandy, but they are coming back. If EDC intends to bring social service jobs to the area to minister to the homeless, handicapped, and disadvantaged who the city has housed in Rockaway since Robert Moses, and who they will place in this new housing, let them say so. But otherwise they are providing no connections to jobs.

Stop 4. It always sounds good to expand upon community services and cultural assets, but the proof of the pudding lies in the details. EDC says that they have been told that people want a movie theater and a bowling alley as examples of cultural facilities that the community needs. The fact is that Far Rockaway once had three movie theaters, Rockaway Beach had one, and Cedarhurst another but the plain fact is that people don’t go to the movies in the way that they once did. Even the Green Acres multiplex is struggling. Falcaro’s bowling alley in Cedarhurst closed many years ago. So we must ask once again, what are the EDC people talking about? Will they create a performance space for the Metropolitan Opera and the New York Philharmonic? I would very much like to see that in town, but I will not hold my breath waiting for it. So what are the community services and cultural assets that they are talking about?

Stop 5. Finally, the EDC wants to rezone the downtown area to unlock development potential for commercial and residential uses. Well, that is the flip side of Stop 1, and is what this whole proposal is about. There is no desire, there is no intention to revitalize “Downtown Far Rockaway.” The only desire is to build more apartments in the most objectionable way to the local population. And, as usual, the proposal will disadvantage those most disadvantaged among us. My family has several cars and we can continue to shop in the Five Towns, drive to Rockville Center for dinner, etc. Will the sidewalk cafes that they envision be used by the residents of the NYCHA Redfern project?

We submit that regardless of what the EDC says in their PowerPoint presentations and slick brochures (which they have not made a part of the formal record) the fact is that their only intention here is to build apartments on some open space. They could build an equal or more apartments at Arverne East. Indeed,

one may be surprised that they haven't suggested building on the Bayswater Park property or the O'Donahue Park parking lot.

(My) Summary of the City's proposals

- Sell the DOT parking lot. Move buses to the street.
- Create an urban renewal area.
- Build 1,700 apartments in the Shopping Center (urban renewal area) and 3,300 overall in Downtown (8,000 residents).
- Build 15 story buildings “in context with the neighborhood” where the tallest building is the RDRC 6 story building
- Provide open spaces by placing all of the Village in shadow.
- Permit construction in mapped streets.
- Create private streets.
- Less than 1 parking spot per apartment, even for market rate apartments.
 - a. New apartments are likely to create a demand for an additional 1,000 on street parking spaces.
- Widen sidewalks and narrow roadways.
- Fail to address parking requirements. Between 200-400 spaces are needed for government vehicles and employees alone. Additional spaces will be needed for residents of the new apartments, in addition to spaces provided in the buildings. Shoppers are unlikely to use underground parking because of safety concerns, and the need to move a car as one goes from store to store.
- **No plans** for improving local resident access to Downtown:
 - a. Improve traffic flow so that access to the Village is quicker than the Five Towns.
 - b. No low cost, readily accessible parking.
 - c. No reactivation of the “Bayswater Bus.”
- **No plans** for improving transportation, such as:
 - a. Bringing the LIRR to Mott Avenue.
 - b. Implementing QueensRail™ (reactivating the former LIRR Rockaway Beach Line).
 - c. Having all “A” trains come to Rockaway and all “C” trains go to Lefferts Boulevard.
 - d. Extending the Q 52 bus to Far Rockaway.
 - e. Restoring Beach Channel Drive to two lanes, at least southbound from the NYC / Nassau line to Mott Avenue.
 - f. Restoring Rockaway Freeway to two lanes.
 - g. Improving Edgemere Avenue / Rockaway Beach Boulevard to two lanes.

Comment [EF1]:

Our understanding of the Village's Problems

It seems plain that a successful shopping district requires access to it by customers with income to spend and stores offering products that the customers wish to buy, at prices they are willing to pay, and knowledge by the customers of the available products, and access to the stores.

The above sentence appears to be “a proposition too plain to be contested” (Marbury v. Madison [1803]) yet the EDC proposals do just that. In order for our Village’s business district to be revitalized, the following are required:

- **Customers** with disposable income. Both Bayswater and the Reeds Land / West Lawrence areas have middle class residents with average to above average incomes.
- **Access.** The city has worked assiduously over the past decades to inhibit access to the Village. Virtually every traffic control action has made access more difficult and time consuming to the point where it is often quicker to drive to the Five Towns than the Village.
- **Parking.** Once a customer arrives in the Village, it is difficult to find an appropriate parking space. There are few legal parking spaces. Metered spaces are far more expensive than in the Five Towns and parking violation penalties far more severe. The EDC has made much of the low usage rate of the DOT parking lot but they have ignored the fact that it is frequently paved with broken glass, has a large sinkhole (occupying several parking spaces), and is viewed by many as unsafe (including the police).
- **Stores** offering products that the customers want at prices that they are willing to pay. The city has little influence over the available stores, but one assumes that if appropriate customers were available, stores would open to serve them. The city does have some influence over some of the “businesses” in the area. The city could work with the Postal Service to improve the Far Rockaway post office, and if they refuse, take legal action. The building is a dark, dingy, dump especially compared to Lawrence. Clerks are unfriendly, and lines are long. And customers are overwhelmingly non-white (vs. customers in Lawrence). Does the Postal Service practice racial discrimination or is the difference just random chance? Chase is not as bad, but the Far Rockaway branch is definitely inferior to the ones in the Five Towns. Fixing these would bring casual traffic to the Village that would stop in to other stores.
- **Store information and knowledge** would also help revitalize the area. Rockaway Beach eating establishments have a “Taste of Rockaway” event twice a year (<https://www.rockawayunion.org>). What does Far Rockaway do? Nothing. Do the merchants ever have any promotional material in the weekly shoppers handouts delivered to customers’ doors? Do they send out promotional materials to the *Wave* or *Rockaway Times*? Do they send anything to the Bayswater Civic Association for promotion on its web site (<http://www.bayswatercivic.org/calendar.html>)? Never. The saying is that you can lead a horse to water but you can’t make him drink. Perhaps this is an area where the EDC could bring its promotional skills to bear with great effect. But it has not even considered this.

Our Proposals for Addressing the Problems

Lighting

Street lighting in the area should be dramatically improved. The Five Towns downtown areas have increased street lighting levels in their shopping areas while the city has recently decreased lighting levels in the Village. Lighting is an important part of people's feelings of security. Again, illumination levels must at least meet the levels of the competition.

Street lighting levels should be at least twice the levels prior to the conversion from high pressure sodium lamps to LEDs. The conversion resulted in a significant decrease in lighting levels.

Security

Also, an important reason why Far Rockaway was abandoned was security. There was a time when any trip to the Village was a dangerous adventure. That situation has now been reversed. Indeed, the NYPD is a demonstrably more competent police organization than the Nassau County police department but the city must undertake to convince local residents of that fact. It may be unpleasant, but the NYC government should undertake direct comparisons. How many holdups does it take before each department apprehends the perpetrator? How many muggings before the criminal is brought to justice?

Public Space

Reopen the park adjacent to the fire house for the public's use.

Close the walkway between Beach 20th and Beach 21st Streets and constrict stores facing both streets.

Mass Transit

The City's proposal talks of Far Rockaway as a "transit hub" but does nothing to reestablish it as the hub that it once was. In fact, by reducing available all day parking for commuters from the Five Towns and Atlantic Beach, it will be less of a hub. And more drivers will use automobiles.

The following proposals would improve mass transit for all:

- Provide all day commuter parking. The EDC says that the DOT parking lot is underutilized. Set aside some spaces for 12 hour parking – with a statement that there will be no summonses issued when there is a mass transit disruption..
- Have all "A" trains terminate in the Rockaways and all "C" trains terminate at Lefferts Boulevard.
- Implement QueensRail™ (reactivation of the old Rockaway Beach line) to reduce the travel time to midtown Manhattan and provide access to the central Queens shopping district (www.QueensRail.org).
- Extend the Q 52 route to Mott Avenue at least until QueensRail is completed.

- Maintain a central, off street, bus terminal / layover facility.
- Provide space in the bus facility for “Dollar Vans.”
- Extend the LIRR from its terminus on Nameoke Avenue to its former location at Mott Avenue (joined with the “A” train).
- Modify the route of the Rockaway Park subway shuttle to provide real Rockaway service by having it run between Far Rockaway / Mott Avenue and Beach 116 Street. It would be far quicker than the Q22 bus.
- Provide a Far Rockaway jitney between downtown, Bayswater, Reeds Lane / West Lawrence, and the Seagirt Boulevard area. Perhaps extend it to Beach 35 Street to connect to the ferry shuttle.
- Run the ferry to Beach 32 Street at Bayswater Machaelis Park.

Parking

There are a number of steps that would alleviate the Village’s parking problems:

- Pave Morse Court and build a parking facility for police vehicles, impounded vehicles, police employee cars, and Fire Department employee cars in the vacant area at end of Morse Court.
- Consider making space in the Morse Court facility available to the post office for both official vehicles and employees.
- Impose command discipline on NYPD and FDNY employees who continue parking on the street.
- Maintain the existing public parking lot between Beach 21st and Beach 22nd Streets.
- Take over the shopping center parking lot owned by the Rita Stark Estate (but not the stores) and run it as a DOT facility.
- Provide a three hour parking limit in the Village.
- Limit parking fees to the cost of operating the system, certainly no more than \$.25 per hour. Consider the English system of requiring motorists to put a sign in the window stating when they parked and when the time has expired instead of using meters to time parking periods.
- Relocate the taxi office at the Beach 22nd Street entrance to the DOT parking lot so that it has a view of the parking lot. This would enhance safety and encourage use of the lot.
- Arrange to have the Sanitation Department regularly sweep the DOT lot.

Road Conditions

The downtown area, as a concentrated business area has always had and is likely to continue to have traffic problems, but there are several actions that the City can take to make them more bearable:

- Modify the entrance and exit to the shopping center parking lot so that the entrance is a continuation of Beach 21st Street and the exit faces Beach 22nd Street.
- Take some space from the DOT parking lot to allow vehicles to more easily pass vehicles picking up and discharging passengers at the subway.
- There is a taxi stand at the Beach 22 Street entrance to the DOT parking lot. Move it to the center of the lot so that it would provide some observation and improve the sense of security for users.
- Remove “Dollar Vans” from the streets when they are not actually picking up or discharging passengers. If they fail to comply, issue summonses for parking, driving so slowly as to block traffic, engine idling, disobeying an officer when told to move on, etc.
- Remove the bus stop adjacent to McDonald’s so that busses do not block the Beach Channel Drive / Mott Avenue intersection.
- At the Beach Channel Drive / Mott Avenue intersection:
 - Create a right turn lane for southbound traffic on Beach Channel Drive turning into Bayswater.
 - Create a right turn lane for northbound Beach Channel Drive turning into the Village.
 - Bring the intersection into MUTCD compliance by providing overhead turn lane signs.
 - Maintain pavement makings on a regular basis.
 - Adjust the yellow interval to account for the width of Beach Channel Drive as required by the MUTCD.
- At the Beach Channel Drive / Freeway / Regina Avenue intersection:
 - Install directional signs on Beach Channel Drive southbound (Beach Channel Drive / Freeway) so that they are visible to vehicles before reaching the traffic light.
 - Install signal heads on the Freeway supports so that they are visible to vehicles stopped at the light.
- Modify the traffic signals on Mott Avenue so that vehicles don’t stop at every intersection.
- Consider modifying Smith Street so that it is a continuation of Beach 19th Street by having it pass to the east of the Chase Bank building.
- Widen Beach Channel Drive to two lanes in each direction by removing the bike lanes.
- Consider permitting right turns on red in the Rockaways as is done in adjacent Nassau County.

- Traffic signals throughout the area, but on Beach Channel Drive in particular should be timed so that a motorist traveling at the legal speed limit normally does not have to stop. They definitely should not be timed, as they are now, so that when there is little traffic, a vehicle traveling in excess of 60 mph can make all the lights. Traffic light timing must comply with applicable federal and state law. It may not be used for speed control, but it ought not to encourage speeding. The *Vehicle and Traffic Law* states that its purpose is to provide for the maximum safe use of the streets. That should be the goal.

Marketing

- Restaurants and bakeries could have tasting events such as Rockaway Beach's A Taste of Rockaway (www.RockawayUnion.org).
- The merchants could have periodic inserts in the shopper flyers.
- There could be advertorials in local papers featuring various types of merchants (one week food stores, next restaurants, clothing stores, etc.).

Housing

Housing should not be a part of any plan to revitalize the downtown Far Rockaway Village.

Other Actions

A considerable number of Bayswater and Reeds Lane / West Lawrence residents could be drawn to the area by making public services more attractive to them. These include:

- There should be short term, free parking in front of the police station.
- The City's Law Department should be engaged to remedy the service at the post office. The U.S.P.S. is engaged in a clear policy of racial discrimination in terms of levels of service, including waiting times, treatment of customers, lighting (it's the dingiest postal facility in the area), as well as mail delivery. If the City forced the Postal Service to upgrade conditions, people would more likely use Far Rockaway instead of Lawrence, bringing potential shoppers to the area. Short term free parking in front would also help.
- The Fire Department should have fire marshals make regular inspections of the stores. Stores that block fire exits, such as Food Dynasty, should be shut down on the spot as is done in Nassau County. Effective fire code enforcement would make local stores more like their Five Towns brethren, and more inviting for residents who have shopping options.
- Ask Jamie Dimon, Chase CEO, to improve conditions at the Far Rockaway branch so that Rockaway residents would not use Five Towns branches. If he refuses a meeting with the city, raise the issue at the Annual Meeting. Note this is probably not a matter that can be resolved at a lower level.

A final consideration to the City's plans should be the overall future of retail in general. An article, "Is American Retail at a Historic Tipping Point?" in the *New York Times* on April 15,

2017 (<https://nyti.ms/2odz8xo>) suggests that there will be dramatically fewer retail stores and jobs in the future as more people purchase on-line. “There is a rolling crisis that has emerged in the last couple of years as store closings are being announced,” Mr. Cohen said. “People are losing their jobs and have no other place to go.” The City should not be preparing to expand retail when the evidence is that world is disappearing. It should be making the existing Village more workable and shopper friendly.

Conclusions

The Downtown Far Rockaway central business district, the Village, definitely needs revitalization but the proposals put forth by the New York city Economic Development Corporation do nothing to achieve that end. Their **Goals** and **Roadmap for Action** would, if anything, inhibit the area's revitalization.

You, members of the City Planning Commission, must decide if you would see our Village revitalized or destroyed for the sake of a few thousand units of housing that could be built anywhere else. Rockaway is a barrier peninsula that is not inherently suited for dense housing but the city has chosen it for high rise apartments, nursing home beds, and facilities for domiciliary care facilities far out of proportion to its fair share of the city's land area or population. A shopping district requires people with spendable income yet the city has continually depressed the area's income level.

The EDC proposals smack of the same logic as used by supporters of the QueensWay park. A leader of the QueensWay movement says at each public meeting that I have attended, that it is too difficult for his children to walk on Woodhaven Boulevard, a wide street with wide sidewalks, to Forest Park. The addition of 47 acres of rail right-of-way would make Forest Park (528 acres) infinitely more accessible. Never mind that QueensRail™, reactivation of the old Rockaway Beach Line would benefit tens of thousands of people every day. Certainly parks are important, but would any reasonable person suggest ripping up Queens Boulevard or Woodhaven Boulevard and planting grass? In the same way, certainly housing is important. But the Village's only parking lots are not the proper place for it.

Quite a number of people spoke at the public hearing in favor of the EDC proposal. But, except for the NYC paid speakers, those in favor spoke for revitalization, not housing specifically, unless they had something to gain directly. Discussions with almost anyone in Town result in expressions of disbelief when they are informed of EDC's proposals. When it was brought up at the 101st Precinct Community Council, almost universally the comment was "you're kidding." Merchants are either unaware of the plans, or express opposition.

And even EDC's estimate of new jobs is not truthful. They say that they expect 500 jobs to be created, but in other places in their DEIS they say that 250 jobs will be eliminated, so there is a net increase of only 250 jobs. Of course 250 jobs is not to be sneezed at, if they really develop. But that is a big IF. Further, EDC ignores the loss of retail jobs on Manhattan's Fifth Avenue and our citation of several recent *New York Times* stories cited in our DEIS Response discussing the demise of retail stores caused by the rise of the Internet shopping.

There are many actions that the city, and you as its Planning Commission, could take to revitalize the area. They are discussed above, in “Our Proposals for Addressing the Problems.” The one action that will not help to revitalize the area is building housing on our parking lots. The Bayswater Civic Association as well as most of the area’s residents ask you to reject the proposed rezoning.

Appendices and Enclosures

Appendix 1 — Response to the Draft Scoping Study. This document, *Far Rock redesign-Draft Scope*, will be submitted separately. It is also available at <http://www.solutionsny.nyc/Far%20Rock%20redesign-Draft%20Scope.pdf>. This document also contains an appendix with a number of questions posed to the Department of Transportation which were not, in general, satisfactorily answered.

Appendix 2 — PowerPoint presentation opposing the EDC proposal, *DEIS Response*, will be submitted separately. It is also available at <http://www.solutionsny.nyc/Far%20Rock%20DEIS%20Response.ppsx>.

Appendix 3 — Response to the Draft Environmental Impact Statement opposing the EDC proposal, *Far Rock DEIS Response*, will be submitted separately. It is also available at <http://www.solutionsny.nyc/Far%20Rock%20DEIS%20Response.pdf>.

Appendix 4 — Community Board 14 Ad Hoc Committee on Downtown Far Rockaway

Community Board 14's Ad Hoc Committee's suggestions and conditions for Community Board approval which appear below. It is also available at

<http://www.solutionsny.nyc/Far%20Rockaway%20CB%2014%20Ad%20Hoc%20Committee.pdf>

- Meeting on Thursday, February 16, 2017 to review EDC plans to:
 - sell city parking lot
 - build up to 3,300 apartments with less than 1 parking space/apartment
 - not provide parking spaces for city vehicles and employees
 - not provide adequate shopper parking
 - not improve traffic or parking conditions
 - not improve mass transit
- Bayswater Jewish Center -
 - 2355 Healy Avenue at Dickens Street, Far Rockaway 11691

Issues:

- 1) Building height and density is excessive
 - a) building height should be limited to 8 stories, maximum
 - b) number of units -
 - i) 1,100 in the urban renewal area
 - ii) 3,300 in the rezoned area
 - c) count of available parking spaces?
- 2) Require a zoned elementary school, with pre-K
 - a) will the school have a playground?
- 3) Parks -
 - a) there should be a park and playground, with rest rooms
 - b) [my comment] no discussion on recapturing the park between the library and firehouse stolen by FDNY as a parking lot
 - c) [my comment] no discussion of the old Sanitation lot at the northwest corner of Nameoke Avenue and Brunswick use as a community garden
- 4) Traffic -
 - a) widen streets / roadways
 - b) adjust traffic signal timing
 - c) need wider sidewalks
 - d) [my comment] didn't address proposal to permit construction in the bed of mapped streets
 - e) [my comment] didn't address private streets

- f) [my comment] didn't address that the new north / south street between Redfern Avenue and Central Avenue will not be open to traffic from Mott Avenue and Dix Avenue
 - g) [my comment] didn't address the fact that the new north / south street will not be straight, creating sight lines that will reduce feelings of safety
- 5) Bus Staging
- 6) Shopping Center
- a) the committee believes that the Stark estate, or a new owner, can build up to the requested density as of right -
 - b) that is NOT TRUE as area currently is not zoned for ANY residential
- 7) Parking -
- a) request 75%, expecting it to be cut down
 - i) [my comment] committee is ignoring how many cars will thus be added to the streets, further reducing available shopper parking
 - ii) [my comment] market rate apartments are likely to follow trends of existing Bayswater and Reeds Lane / West Lawrence where there are typically 1.5 or more cars per apartment
- 8) Apartment Occupancy
- a) income levels (family of 3) -
 - i) 40% of apartments market rate (\$85,000+)
 - ii) 60% of apartments "affordable" -
 - (1) 20% of the affordable - 30% of AMI (\$24,480)
 - (2) 80% of the affordable - 60% of AMI (\$48,960)
 - b) at least 40% of the apartments should be owner occupied
- 9) Commercial uses to be limited to the first floor -
- i) this is in the belief that permitting second floor offices would result in higher buildings (since additional floors would be needed to pay for costs not understanding that commercial rents typically exceed residential rents
 - b) Zoning outside of the urban renewal area should be limited to the existing context (6 stories, max)
- [my comment] There should be a defined and marked evacuation route that does not flood

Appendix 5 — Questions Submitted to the Department of Transportation

Submitted in May, 2016– These questions are also included in the Draft Scope document. Originally, we understood them to be the focus of the Downtown Far Rockaway Revitalization project. Note that in general, none of the issues have been addressed.

Questions and issues involving the Far Rockaway redesign plan.

Note:

Original text (questions) are in black.

DOT responses are in red.

My comments on the DOT responses are in blue.

My comments are not yet complete because I have not been able to contact all of the emergency service providers yet. Neither the local NYPD precinct, nor EMS was contacted.

- 1) Pedestrian Safety is an important consideration.
 - a) Is this more important than traffic flow? **We strive for a balanced approach when it comes to traffic congestion and pedestrian safety concerns.**
 - b) How many pedestrian deaths were there in the study area in each of the past ten years? **From 2009-2016, there was one pedestrian fatality in the immediate area. Note, per DOT's Queens Borough Pedestrian Safety Action Plan, which was released as part of Vision Zero, Mott Avenue and Beach Channel Drive is a Vision Zero priority intersection. Please see attached for injury data, per the Vision Zero View database. If the intersection is so important, (1) why wasn't the right turn lane from Beach Channel Drive southbound to Mott Avenue promised by Maura McCarthy implemented? (2) Why are there unlawful traffic control devices (lane markings on the pavement without signs) installed? (3) Why was a bus stop installed on Mott Avenue, adjacent to McDonald's, on a one lane road where traffic back up into the intersection unless vehicles go into the opposing traffic lane to pass stopped buses?**
 - c) How many pedestrian injuries were there in the study area in each of the past ten years? **See attached.**
 - d) Of the injuries, how many were serious? **See attached.** Were the incidents spread all over the study area, or only at a few or only one location? **See attached for geographic locations.**
 - e) Were MUTCD traffic control devices in effect at the location (e.g., traffic control devices at the Mott Avenue / Beach Channel Drive intersection are not NYS MUTCD compliant – the state MUTCD Supplement prohibits lane markings absent signs). **DOT uses a detailed process called an intersection control study to determine if traffic signals or multi-way stop signs are appropriate for a location. DOT collects data and compares it to**

nationally recognized standards to determine if it is appropriate to install a traffic signal or a multi-way stop. If the data does not meet the criteria, DOT will not install a traffic signal or multi-way stop sign. In these instances, DOT frequently finds other ways to improve traffic conditions. This is not responsive. DOT's analysis methodology is not relevant to the results. Why are so many of the traffic control devices unlawful (i.e., not MUTCD + NYS Supplement compliant)? See www.solutionsny.nyc/, particularly <http://solutionsny.nyc/signs.html>.

- 2) What plans are under consideration to link the subway and LIRR tracks, as they were linked in the past? NYC DOT is not aware of plans. We advise contacting MTA.
- 3) How is it possible to widen the sidewalk and simultaneously maintain or increase the number of traffic lanes? Due to changes in state and federal regulations we are able to reduce the width of travel lanes to accommodate expanded sidewalk dimension without the need for additional right-of-way. The proposed travel lanes are consistent with local residential and commercial streets. So when the existing streets were constructed (1898 – 1950) regulations required wider streets than today? How wide are existing traffic lanes vs. what is being proposed?
- 4) Will all traffic control devices be MUTCD (federal and state) compliant (unlike the current situation)? It is NYC DOT practice to follow MUTCD guidelines in its work. The NYS Vehicle and Traffic Law, section 1680, requires all traffic control devices installed in the state to comply with the US MUTCD + the NYS Supplement. Installing non-compliant devices is a traffic infraction. These are not “guidelines.”
- 5) Will there be NYC Administrative Code compliant pedestrian ramps at all intersections? Yes, all ramps will be construction in accordance with the current regulations under the Americans with Disabilities Act. Again, this is not responsive. The Administrative Code requirements are in addition to the ADA. Will Administrative Code compliant ramps be installed (unlike on other DDC projects)?
 - a) Indicate those crosswalks where there will not be a separate pedestrian ramp to each crosswalk. No crosswalk will be installed without a pedestrian ramp.
- 6) What is the advantage of moving busses from a parking lot onto the street? This is based on community request due to the current conditions of the MTA bus turnaround. People feel more comfortable on the sidewalk along Beach 21st Street. Can you identify the “community request”? Even if the bus stop is on the street, why can't the layover area be off street?
 - a) If this is a good idea, when will it be implemented in other areas, such as Parsons Boulevard in Jamaica? DOT is open to having similar conversations with other local communities as we did with the Far Rockaway community. Can you really find a PE who will say that it is a good idea?
 - b) Won't this reduce the number of parking spaces? New on-street parking on the west side of Beach 21st Street will be installed to mitigate loss to parking along the east side of Beach 21st Street. The bus facility will also be signed to allow for parking during offpeak

hours. If parking is ok on the west side of Beach 21 Street when DOT wants to recover from a bus stop move, why shouldn't it be permitted today?

7) Public Safety issues.

- a) Have the commander and executive officer of the 101st police precinct been consulted about the plans? See below. Discussions with both indicate that they have not been consulted.
- b) What is their opinion? DOT's Queens Borough Commissioner's Office has been in regular contact with the 101st Precinct about crash-prone locations in their command. As you know, DOT and NYPD work closely on achieving our shared goals of street safety for all street users under Vision Zero. No, I don't know that at all. Who has DOT consulted at the 101 precinct?
- c) Has the FDNY EMS chief for the 47th battalion been consulted? DOT's practice is to review projects with FDNY; we will follow-up with additional meetings as we move ahead with final design. Again, who has DOT consulted at FDNY?
- d) What is his opinion? Again, DOT and its agency partners, including NYPD and FDNY work closely to achieve our shared goals for enhancing safety for roadway users. Again, who has DOT consulted at FDNY?
- e) Have the captains of the FDNY companies located on Central Avenue been consulted? All street geometry changes are reviewed by FDNY. The local companies have the opportunity to weigh in on concerns. We will ensure that Engine 328 and Ladder 134 are briefed on this project. Again, who? What about Engine 264?
- f) What is their opinion? To date, we have not heard of any concerns. Who have you made aware of your plans?

8) Lighting.

- a) The presentation said that the latest LED lighting would be installed.
- b) What will the lighting level directly under the luminaires vs. midway between them: i) On the near sidewalk?
 - ii) In each lane of the roadway? iii) On the far sidewalk? iv) How do the above values compare to the existing high pressure sodium lighting?
- v) At other LED lighting installations, there are wide differences in lighting levels directly under the luminaires vs. midway between them. Will this be the case with the new lighting?

New York City is a densely-populated urban city and therefore, lighting standards are designed to provide adequate lighting for both motorists and pedestrians. Current lighting design is based on the standards recommended by the Illuminating Engineering Society

of North America (IESNA), which has provided lighting standards since 1906. These standards are widely utilized by major cities worldwide.

In 2009, the New York City Department of Transportation (DOT) partnered with the United States Department of Energy (USDOE) and the Climate Group as part of a global study to evaluate the benefits of LEDs in a city environment. Separate studies were conducted to collect data on the performance of LEDs installed under pilot programs on both the FDR Drive and Central Park. These tests measured factors such as illumination, color, energy consumption and other factors.

Based on the results of these pilots (and other tests completed by USDOE), our technical staff developed LED specifications that conform to the standards of the IESNA, the USDOE, and the Municipal Solid-State Street Lighting Consortium. These specifications, which have been widely accepted by major cities and utilities, provide increased visibility and safety, and result in reduced energy and cost, reduced maintenance, and environmental improvements. The LED lights have a life expectancy of 20 years. The specified color temperature, 4000K, is a natural white (neutral) color that is more efficient than warmer colors and is installed by many major cities around the world. DOT's goal is to upgrade street lighting borough wide with LEDs in the next year. Could you please address the specific questions that were asked? It is well documented that the human eye does not adapt quickly to sudden changes in illumination levels such as those that typically result from DOT's LED lighting installations.

- 9) How much of the funding is from federal sources? **We have a total of 1.9M FHWA funding.**
- b) How much of the funding requires certification of compliance with the federal MUTCD? **The entire project will be compliant. Unlike existing Far Rockaway traffic control devices?**
- c) Who will certify compliance? **NYS DOT.**
- d) Is this person a NYS licensed Professional Engineer who is qualified to so certify? **Yes.**
- e) Is this person aware of 18 U.S. Code 1001? **Yes Who is this person?**
- f) What will happen if the federal funding does not materialize or is withdrawn? **It is an earmark specific for this project. Federal funding is always (pursuant to law) contingent on MUTCD compliance. Earmark or not, failure to comply must result in loss of funding or "clawback."**
- 10) What studies are available of air quality both prior to DOT's modification of the Henry Barnes era traffic controls, current traffic controls, and traffic controls that are expected under the proposal? **Under the National Environmental Policy Act, we are required to complete Air Quality analysis. This document is under review at NYS DOT.**
- b) What plans are there to remediate the situation if air quality becomes worse? **Under NEPA if air quality thresholds are exceeded, we would be required to provide**

mitigations. We do not anticipated that this project will cause a change to current air quality of the area. Again, what if air pollution becomes worse, even though NEPA thresholds are not exceeded?

11) Trees.

- b) What kinds of “trees” or bushes will be planted? This will be refined in final design. We have licensed landscape architects in NYS preparing plans for the project. As the design progresses we will be back in the community to share details on planting.
- c) Will there be a variety of species? Yes.
- d) Will there be a variety of heights (e.g., oaks, maples, fruit trees)? Yes.

12) Parking.

- b) How many parking spaces are there currently on the street? 209 within the project area.
- c) How many parking spaces will there be under the proposed plan? 216 full time, + an additional 21 spaces that will be available during off-peak hours throughout the district.
- d) How many spaces will there be in public lots? There will be a reduction of 12 spaces under the project in the DOT municipal lot.
- e) How many spaces will be available in private lots? Unclear. NYC DOT does not have jurisdiction on private property.
- f) In view of the project costs, has the use of eminent domain been considered to make private lots available to the public? No.
- g) Will the public lots be maintained (cleaned regularly, paving repaired, etc.)? That is a separate operational effort not related to the capital project.
- h) Will the public parking under the subway tracks be reclaimed from the Transit Authority? Not under this effort.
- i) What will be done to insure that commuter vans do not usurp parking or roadway spaces? Commuter vans will have designated locations on Beach 22nd and Redfern Ave for pickup/drop-off and layover. And if they choose to continue their use of Mott Avenue, what will you do?
- j) What will be done to insure that municipal employees (NYPD, FDNY) comply with parking regulations? We are coordinating with NYC agencies on the changes.
- k) Will parking meters be operated at cost? Yes.
- l) What is the cost of operating parking meters?
 - i) Parking rates for vary across the five boroughs. Parking rates are posted on each parking meter, and the legal parking duration is posted in the top left hand corner of the green meter signs. Legal parking durations vary from 1 hour to 12 hours. Parking meters do not have to be paid on Sundays. New York City uses some of the most sophisticated parking equipment available today. All meters accept coin payment.

Select meters accept credit cards. Many meters allow you to pre-pay for parking using the NYC Parking Card, which you can purchase online.

Again, what is the cost of operating parking meters? Regardless of the sophistication of the meters, is it more expensive to collect parking meter fees in some areas than others? If not, why are the rates different in different locations? Are the parking meters an unlawful charge for the use of public streets, rather than a method to regulate how long people park?

m) Will DOT sell or abandon any additional parking as it abandoned the Beach 19th Street lot? **No** This statement appears to be contrary to the Draft Plan. ____

13) Bike lanes.

b) Will there be any other bike lanes beside Beach 20th Street? **No. The bikeway will only be on Beach 20th and Central Ave.**

c) How will bike riders get to and from the Beach 20th Street bike lanes? **Through the Access to Opportunity study, we are currently reviewing possible connections and will work closely with the Community Board and other local stakeholders and groups to discuss potential planning to connect to Downtown Far Rockaway area. Is this study available for review? If so, where? If there are no bike lanes added to other streets, will the bike riders just ride in regular vehicle lanes?**

d) Will bike lanes on Beach Channel Drive be removed? **No. They will remain in a new shared configuration through the intersection of Mott Avenue and Beach Channel Drive.**

14) Will Beach Channel Drive at the NYC / Nassau County line be regraded so that it is possible at high tide in a rain? **Outside of the limits for this project.**

15) Will the public park between the library and the firehouse be reclaimed? **We are currently investigating the ownership of the parcel.**

b) If it is allowed to remain (unlawfully) as a parking lot, will it be available to the public? **Unclear.**

Appendix 6 — Significant extracts from the EDC Proposed Zoning

Comments are shown in red.

Notwithstanding community objections, the requested zoning allows buildings 175 feet tall (15-17 stories) “in context with the neighborhood” where the highest building is 6 stories..

136-323 Private street

for the purposes of #floor area# regulations, private streets shall be considered part of a #zoning lot#.

We believe that private streets are inherently evil and have no place in the city of New York. Certainly not in our business district. And, if there are streets, then they can not be counted in a building’s FAR unless the purpose is, as we believe here, to just dump as many apartments as possible into a small area..

(d) The portion of the central street between Mott Avenue and the southerly cross street shall be reserved for a publicly accessible open space improved pursuant to the provisions of 136-324 (Publicly accessible open space requirements). Vehicular access shall be limited to emergency vehicles only, and the minimum dimensions for road beds and sidewalks of this Section shall not apply.

If a street is necessary here, then it must be open to the public. If public access is not needed, then the street is not needed.

Article XIII - Special Purpose Districts

Chapter 6 Special Downtown Far Rockaway District

136-00 GENERAL PURPOSES

48

The “Special Downtown Far Rockaway District” established in this Resolution is designed to promote and protect the public health, safety and general welfare of the Downtown Far Rockaway community. These general goals include, among others, the following specific purposes:

There is no mention of how this is to be accomplished.

(a) strengthen the commercial core of Downtown Far Rockaway by improving the working and living environments;

There is no mention of how this is to be accomplished. More jargon from text books without any comprehension.

(b) support the development of vacant and underutilized parcels in Downtown Far Rockaway with a mix of residential, commercial and community facility uses;

Once again, no explanation except that parking lots will be turned into apartments where the “best use” for the community is parking.

(c) encourage the design of new buildings to blend into the existing neighborhood fabric by providing a transition in height between the downtown commercial core and the lowerscale residential communities;

It should be obvious to anyone that a fifteen story building easily blends into a neighborhood of two story homes and five to six story office buildings.

(d) establish a center to the downtown with lively new gathering and civic spaces along Mott Avenue that complement and strengthen the existing neighborhood;

Once again, this is an attempt to make over our Village into their Williamsburg or Soho. Noice enough areas if that is where you want to live, but we have chosen a suburban enclave within a great city.

(e) encourage the development of affordable housing;

Well, certainly they propose building housing. Probably, if history is any guide, all low income (see article from the *Wave*).

(f) expand the retail, entertainment and commercial character of areas around transit nodes to enhance the area’s role as a local transportation hub;

As previously noted, there are no plans to improve transit – either mass transit or automobile transit.

(g) integrate new roadways into an improved pedestrian and vehicular network with key north-south and east-west connections;

They state that the pedestrian network is inadequate, but never state how or why. We agree that the vehicular network has a number of problems exacerbated by a variety of DOT actions, but EDC proposes no improivemnets.

(h) ensure the provision of adequate accessory parking that reflects both the automobile ownership patterns of the neighborhood and public transit access;

Once again, the EDC proposal misses the mark. We don’t believe that any underground parking that they create will be used by shoppers because of safety concerns as well as cost. And they will create a demand for more parking than they supply.

(i) enhance the pedestrian environment by relieving sidewalk congestion and providing pedestrian amenities; and

The last time that the city relieved sidewalk congestion, they widened sidewalks on Beach 20th Street and removed a parking lane, seriously impacting merchants on the street.

(j) promote the most desirable use of land and building development and thus conserve and enhance the value of land and buildings, and thereby protect the City's tax revenues.

Well, of course one must decide what the most desirable use of land is. That is the Commission's charge. We would propose that while the city may realize higher taxes on the apartments (or may not, after various tax breaks), the value of properties in Bayswater and Reeds Lane / West Lawrence will be adversely affected. Thus, there will be no net benefit to the city's tax revenues and there may well be a loss. And sales tax income will be adversely affected as even more shopping moves to the Five Towns.

According to this flyer, even tenants without the “market rate” income can rent market rates apartments with government vouchers. They no doubt need housing, but do they have the disposable income to revitalize the Village?

LAWFUL SOURCE OF INCOME
Protections under the NYC Human Rights Law

Your Public Assistance and Housing Vouchers Should Always Be Accepted Towards Rent and Security Deposits

The NYC Commission on Human Rights protects you from lawful source of income discrimination in housing. “Lawful source of income” is a protected category under the NYC Human Rights Law and includes any federal, state, or local public or housing assistance towards the payment of rent, such as Section 8, Living in Communities (LINC), Supplemental Security Income (SSI), HIV/AIDS Services Administration (HASA), Family Eviction Prevention Subsidy (FEPS), Special Exit and Prevention Supplement (SEPS), Veterans’ GI Bill, among others. Security deposits and one-time emergency grants (“one shot deals”), which help people who can’t meet an expense due to an unexpected situation or event, are also included in this category.

By enforcing and educating on the NYC Human Rights Law, the Commission is ensuring that our most vulnerable communities can have access to housing in New York City. The Commission is the only City agency with the power to prosecute landlords and brokers for this type of discrimination. Landlords and brokers can be fined and aggrieved or prospective tenants may be awarded compensatory and emotional distress damages.

5 Things You Need To Know:

- **If you live or are seeking to rent in a building with 6 or more units, you are protected.** Illegally subdivided units can meet the 6-unit threshold.
- **Brokers, landlords and any other housing agent cannot discourage you from applying for an apartment because you wish to pay your rent or security deposit with a form of public assistance.** Your public assistance or voucher income does not disqualify you or place you in a disadvantageous position when applying for an apartment.
- **“No Vouchers Accepted” ads are illegal.** It is unlawful for landlords and housing agents to publish any type of online, print, or broadcast advertisements that indicate a refusal to accept public or housing assistance programs, or vouchers.
- **Your landlord cannot refuse or delay making repairs to your home** because you pay rent with a form of public or housing assistance.
- **You have the right to be free from harassing, discriminatory, or threatening behavior or comments based on your protected status,** including from other tenants in your building.

Phrases like this could indicate discrimination based on your lawful source of income:

- “We accept everything except LINC.”
- “Your Section 8 Voucher counts as income so you don’t meet the earned income requirement.”
- “That landlord doesn’t accept H.A.S.A.”
- “You were supposed to tell me first you collect Section 8.”

If you have experienced lawful source of income discrimination, report it. Contact the NYC Commission on Human Rights by calling 311 and asking for the Commission or call the Commission’s Infoline at (718) 722-3131. For more information and to download Fair Housing materials, visit NYC.gov/HumanRights.

NYC.gov/HumanRights
f @ NYCCHH

NYC Commission on Human Rights

This is an all too typical example of what has happened to housing in the area when landlords could not fill apartments with the tenants that they were intended for.

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The Wave

Rockaway's Newspaper Since 1893

50¢

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Unlucky Living At 711

By Gail Johnson

The tenant meeting held on Thursday, May 11 at The Sand Castle, located at 711 Seagirt Ave. and commonly known as "711," turned the tide for its residents.

According to tenants, what was once marketed as a top of the line senior living community has turned into an island of isolation.

The meeting, held inside the Roy Reuther Senior Center, was filled with more than 60 tenants - many in wheelchairs or holding on to walkers - there to voice their concerns about what they characterized as the poor quality of their lives in the development.

They also bemoaned the fact that the management of the

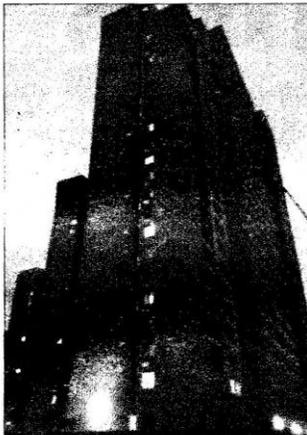


Photo By Gail Johnson

Once considered a top-of-the-line senior living development, tenants say that 711 Seagirt Ave. is a place where many are "afraid to live."

building, Sarasota Gold, LLC, has refused to attend any of their meetings.

"In the five years I have lived here, they have attended two meetings," said one tenant.

Looking for help, they contacted Anthony "Tony" Herbert - a candidate for NYC Public Advocate - to attend their tenant meeting and contact the necessary agencies to assist them.

Tenant President Edith Quinones, Vice President Gail Brannum, along with police officers from the 101st Precinct Maura Moore and Petrogalia, all listened to the tenants' concerns.

The prevailing theme from

continued on page 17

Unlucky Living At 711

continued from page 1

those who spoke was that they said they felt unsafe in the building, and afraid to live there.

Complaints ranged from unknown people entering the building at all hours of the day and night and roaming the stairwells, hallways and atriums, to homeless people squatting in the lounge and sleeping there at night. Some said they are afraid of the drug dealers in the elevators.

Tenants say the intercoms to enter the building do not work and that there is inadequate security at the front desk. (There was no one on duty when this reporter entered the building to attend the tenant meeting. The door was open.)

One wheelchair-bound tenant spoke of her fears.

"I live with an aide," she said. "In the middle of the night there are people banging on my door. I am afraid."

Another tenant complained that the maintenance department does not have the necessary supplies it needs to do the repairs needed in her apartment. One tenant said that while waiting the half hour for her daughter to arrive to take her on an outing, she sat in the entry of the building alone; there were no security personnel on duty.

Many of the tenants voiced complaints about treatment by the on-site convenience store and pharmacy owner. There are reports of price gouging on the days when seniors receive their

social security and disability checks and manufacturer prices printed on items being covered with higher price stickers.

After the tenants voiced their concerns about the deplorable conditions of the buildings, Herbert addressed the crowd.

"You should not have to live like this," he said. "I pledge to you that I will do the work. This is a call to action. I will go after the city funding that the owners receive to ensure that they are doing their job. I will chastise their (bleep) to get them here to hear your concerns. Next Sunday, May 21, I will hold an emergency community rally here at 1:00 p.m. If you want change, you have to be willing to come out in support. I want 900 people outside these buildings. I don't want to stand in front of these buildings in a rally by myself."

In a telephone interview, Herbert said that "he would call in all the necessary agencies, the Buildings Department, the Department of Health, the Department of Consumer Affairs, the Mayor's Office and the Borough Command to help these people who seem to have been forgotten. We're going to sound the alarm."

The Wave has learned from sources that Saratoga Gold has contacted several tenants and told them "there would be additional security and maintenance staff on premises. Management also told the tenants that they would attend the next meeting.