

Problems with and Objections to the
Far Rockaway Redevelopment Project
Draft Scope of Work for
An Environmental Impact Statement

CEQR No. 16DME010Q

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Note:

- This document was originally written on October 2, 2016.
- Minor editing corrections were made on October 5, 2016. They are identified with yellow highlighting, thus. Also, a blank page was inserted after this page..
- On November 16, 2016 Appendix 1 was replaced with a version containing DOT’s “answers” and my response.

Preface

I didn't know (NY State) Senator James Sanders when he lived in the Hamels Projects with my grandparents, but I knew what the projects meant. They meant (back then) windows that opened and closed. Heat in the winter. And all of the other things that we have a right to expect in an apartment. Unlike where my grandparents lived before, where, when some boys hit a baseball through their window, my father took me with him to repair the window. Certainly the landlord would not have done it.

So I know the importance of decent housing. But the Rockaways has its share of low income housing (5,000 units). And moderate income housing. And nursing home beds. And Adult Care and Senior Care facilities (5,000). If the Rockaways needs any more housing (and that is a big IF), it needs market rate housing.

But Downtown Far Rockaway doesn't need any housing. It needs stores that people want to shop at. And it needs facilities so that people can come and shop at those stores. That means it needs more traffic lanes. More competent (and perhaps fewer) traffic control devices. And it certainly needs more parking. Downtown Far Rockaway needs parking for the merchants and their employees. It needs parking for the police officers of the 101st precinct (50-80 vehicles). It needs parking for the fire fighters in "The Big House on Central Avenue (25-50 vehicles). It needs parking for the Transit Authority staff who operate the "A" train and buses. It needs parking for teachers and staff (two public school buildings, a charter school, and a yeshiva). And, if it is to succeed, it needs parking for people like me who would like to shop in Far Rockaway.

Keep in mind, I can shop where I like. I can, as easily drive to Rockaway Turnpike, Lawrence, Cedarhurst, or Green Acres. If you want me to shop in Far Rockaway, it should not be more difficult than going to the Five Towns.

My friends, the City will little note nor long remember the words that we say here tonight, but the ugly stain that this project will leave on Far Rockaway will be indelible. Let me discuss it in a bit of detail.

Executive Summary

- 1) The “Far Rockaway Redevelopment Project Draft Scope of Work for An Environmental Impact Statement”, i.e., the Far Rockaway Redesign Plan (**Plan**) was originally presented to the community as an effort to
 - a) Encourage local residents to shop in the downtown Far Rockaway area (**Area**).
 - b) Reduce or eliminate traffic problems in the Area.
 - c) Enhance pedestrian safety in the Area.
 - d) Improve mass transit to and through the Area.
- 2) As presented in the most recently available documents, the purpose of the Plan is to:
 - a) Construct a significant amount of additional housing, either all or primarily not market rate.
 - b) Make access to the Area more difficult for private passenger cars used by many local residents of Bayswater, Reeds Lane area, “West Lawrence” (the **Excluded Area**) and other portions of Far Rockaway east of Beach 35th Street.
- 3) The Plan either fails to address a number of critical issues that are vital to revitalizing the Area or has a negative effect on the Area:
 - a) It fails to recognize that the area that local residents refer to as “The Village” is not a typical New York City neighborhood, or part of a neighborhood but the downtown area for all of the Rockaways east of Beach 35th Street.
 - b) It disingenuously defines the area to exclude virtually all of the Bayswater, Reeds Lane, and “West Lawrence” (the **Excluded Area**) portions of Far Rockaway for which the Village is or should be the primary shopping district.
 - c) It either provides no encouragement or discourages local residents, particularly residents in the Excluded Area, from shopping in the Area as opposed to the Five Towns (Nassau County) because it fails to provide:
 - i) Free or inexpensive parking.
 - ii) Easy vehicular access.
 - iii) A wide variety of store types and stores within each type.
 - d) It makes existing traffic problems worse for motorists.
 - e) It does nothing to enhance pedestrian safety that cannot be done by correcting inappropriate or unlawful existing traffic control devices.
 - f) It fails to address mass transit problems:
 - i) It has no effective resolution to the operation of MTA or Nassau busses on the street.

- ii) It ignores inappropriate subway (“A” train) routing and schedules.
- iii) It fails to discuss implementation of QueensRail™.
- iv) It fails to consider reconnecting the “A” train tracks to the LIRR.
- v) It ignores the problem of jitneys on the streets.
- vi) It doesn’t explain how the Area was able to accommodate extremely large crowds on the very same streets that are now considered inadequate when tens of thousands of additional residents would move to the Rockaways during the summer and an additional million people would come out to Rockaway on a weekend.
- vii) It presumes that a 15-25% (depending on residents per dwelling unit) increase in population will address the overall preference of shoppers with disposable income to shop in the Five Towns.
- viii) It presumes that the addition of plazas and open spaces will somehow make Far Rockaway a more desirable shopping Five Towns. In fact, they may make the venue less attractive to shoppers if they become youth hangouts. And it fails to reclaim a public park between the fire house and library that was stolen by the firefighters.
- ix) It would impose buildings of between 12 and 15 stories on an area where a 6 story building is now considered very high.
- x) It fails to address the existing problem of unlawful parking by government employees, particularly NYPD, FDNY, MTA, schools, post office, and Queens Public Library.
- xi) By only considering the environmental impacts of areas within 400 feet of the Area, it ignores the effect on the overall Far Rockaway area, including maintaining and exacerbating existing shopping patterns in the Five Towns.
- xii) None of the questions raised in a May, 2016 letter have been addressed.
- xiii) **Further, it would unlawfully significantly increase segregation by race and income in the subject area.**

4) Conclusion.

- a) The Far Rockaway Redesign Plan (Plan) as expressed in the Draft involves unacceptable and unconscionable short and long term adverse environmental and social impacts.
- b) The Far Rockaway Redesign Plan (Plan) is not worthy of the expenditure of public money and should not be implemented.

Specific Issues

General Discussion

The area known as “The Village”. “Town”, or Downtown Far Rockaway is the business district of the eastern portion of the Rockaways. It has most of the characteristics of a typical suburban village or small city with a library, post office, police station, schools, transportation hub, government offices (Community Board and elected officials), hospital and associated medical offices, and shopping all surrounded by residential areas without any amenities or services other than schools. It is thus unlike most other New York City neighborhoods.

It was a thriving business district until a series of actions under taken first by Robert Moses and later by John Lindsey decimated the Rockaways generally and especially the downtown area. Specifically, Robert Moses first forced the conversion of summer housing for middle class families to year round use by poor immigrants from the American south who had no knowledge of urban ways and then bulldozed that same housing as slums. Later, a large number (for the area) of NYC Housing Authority projects were built in the area followed by extensive construction of nursing homes and domiciliary care facilities. All of this reduced the availability of disposable income to support a thriving business district.

When crime started to become a problem, instead of enforcing the law, the police adopted a policy of saying that it was a social issue that they could not address. Citizens were advised to stay home and lock their doors. When the police were called to report a crime, the typical response of responding officers was to advise people to move.

Real estate agents undertook a program of blockbusting while banks redlined the area. And many people who had moved to the area after World War II began to retire and move to Florida.

Not surprisingly, many of the remaining people began to move out and stores began to become vacant. Where once there had been as many as five car dealers in town, they all either closed or moved to the Five Towns. Two very large hardware stores closed as did three of the supermarkets and two of the banks. Restaurants and bakeries closed. Toy stores and clothing stores closed. All three movie theaters closed. Shoppers in town were menaced, stores were robbed and burglarized, and the police did nothing.

A thriving village shopping district was reduced to rubble by a variety of deliberate and negligent government actions.

Eventually the downhill slide slowed because the financial crisis halted the city’s ability to do damage and the election of Abe Beame brought a mayor who had a home in Rockaway and knew and supported the area. New construction, a reviving economy, and the arrival of

immigrants with some money from the Caribbean and Orthodox Jews from Brooklyn began to revive the area.

Now the New York city government has shown a new interest in the downtown Far Rockaway area. But this study as evidenced by the Draft demonstrates once again the incompetence of the city's processes and its heavy hands.

The response to empty stores is to construct more stores. Once again, the solution to the city's housing problems is to build low income (now called "affordable") housing in Rockaway. Traffic problems are solved by reducing traffic lanes. Parking problems are solved by reducing available parking spaces and increasing demand through more housing. Social stratification and segregation are solved by adding poor people to an area with below average incomes that, in the instant area, is almost 100% African American. Transit problems are solved by permanently preventing the reconnection of the Long Island Rail Road and the former LIRR route now operated by the subway system. Medical and police problems are reduced by restricting access to the main through street (Beach 20th Street) for emergency vehicles. Open spaces, which have been shown to be vital to the development of such thriving shopping districts as Fifth Avenue and Fifty Seventh Street in Manhattan are prescribed. Contextual Zoning is provided by building the highest buildings in the area.

Finally, the study area is framed to eliminate the existing residential areas that would use and support a thriving business district. Indeed, everything is designed to keep them away. It is, instead of the concept of a gated community, a gated business district to which shoppers are denied entry based on their residence!

Is there anything that is a benefit to the downtown Far Rockaway Village? If so, it is difficult to discern.

It is clear to an unbiased observer that this project should have been abandoned before it got underway. It is an economic and social disaster of monumental proportions in the making. Its implementation would ruin Far Rockaway for generations.

Comments on specific pages of the Draft

- 1) The Draft is (deliberately) replete with garbage terms (such as CEQR) and technical language is typically unexplained to make it as difficult as legally possibly to obfuscate the purpose of the project and make it more difficult for the average citizen, even one with an advanced degree, to comprehend the precise nature and legal basis for the Plan.
- 2) The Draft fails to include correct street addresses for any referenced properties in the area since it uses regularly hyphens in the address when no Rockaway address contains a hyphen (source: Queens Borough President's Consulting Engineer). This is just one example of the slipshod work contained in the Draft.
- 3) The Draft proposes over 3,000 dwelling units but fails to even suggest how many residents this might be. If we assume 4 residents per dwelling unit, this would increase area population by more than 12,000 people (p. 1).
- 4) The Draft proposes building in excess of 150,000 square feet of commercial space but suggests no reason to suppose that any significant portion would or could be rented to successful businesses (p. 1).
- 5) The Draft says that over 85,000 square feet of "community facility" space would be created but fails to suggest how this space would be used or how it would be paid for or maintained (p. 1).
- 6) The Draft claims that the first objective is to "re-establish Downtown Far Rockaway as the commercial and transportation hub of the Rockaway peninsula" but fails to suggest anything that will make this occur. Indeed, the proposals of the Draft, together with activities of the Department of Transportation appear designed to insure that this can not ever occur (p. 2).
- 7) The Draft claims to have been developed in response to the recommendations of a "working group" but fails to indicate how this group was created or any public process for selecting its members (p. 2). I would suggest that the members were selected for the specific purpose of creating the desired recommendations and further that these recommendations do not represent the views of the majority of local residents.
- 8) The Draft proposes disposing of the existing city parking lot on Beach 21st Street and moving the bus layover area to an unspecified location (which the Department of Transportation has indicated will be city streets). This can only exacerbate an already bad parking problem (p. 3).
- 9) The Draft states, without any support, that the subway changed the make-up of the Rockaways when, in fact, it did nothing to add to available transportation since it merely replaced and operated over the former Long Island Rail Road right-of-way (p. 5).
- 10) The Draft says that "in the later part of the 20th century, Far Rockaway began to lose its appeal" when in fact what happened was a deliberate policy by various city administrations to punish the Rockaways (p. 5). The Rockaways lost its appeal when mile after mile was

decimated by the city's "urban renewal" process which converted a thriving area into a no man's land of desolation.

- 11) The definition of the business district omits Cornaga Avenue, a significant part of the area. The omission merely serves to highlight the incompetent and self-serving nature of the report (p. 6).
- 12) The Draft claims that poor pedestrian circulation is a problem but:
 - a) fails to explain why Far Rockaway was able to thrive with the very same circulation prior to city intervention in the Rockaways, or,
 - b) how the pedestrian circulation will be improved by the Plan (p. 6).
- 13) The Draft says that the streetscapes are "uninviting" but again fails to say why or what to do about them (p. 6).
- 14) The Draft claims that Far Rockaway is an opportunity for transit oriented development
 - a) without defining what this is,
 - b) explaining how this Plan will enhance such development,
 - c) suggesting any way of improving transit, or explain how reducing the population of Five Towns residents who come to the area to use the subway will aid such development (p. 6). Fewer Five Towns residents will use the area because available parking will be reduced.
- 15) Proposed zoning would fail to provide adequate parking for the new residents, further exacerbating the parking problem. The assumption that residents in the new housing would be substantially different than the rest of the community is simply absurd, without any basis in fact or available studies (pp. 6-7).
- 16) Existing parking requirements for one and two family houses generally result in a net decrease in available parking in an area because:
 - a) off street parking generally removes on street parking because of the curb space occupied by driveways,
 - b) garages are rarely used for parking because they are inconvenient or converted to unlawful apartments, and,
 - c) driveways are not used for parking because they are too steep (p. 7).
- 17) The discussion under the "Purpose and Need" heading is pure nonsense. Are Fifth Avenue or 57th Street in Manhattan unsuccessful shopping districts because of a lack of open space, a lack of pedestrian plazas, or a geometric pedestrian circulation problem? In fact, nonsense fails to do the discussion justice. It is the fanciful language of professional charlatans, with no basis in fact, and no supporting evidence. Nothing in this discussion, or anywhere else in the Draft suggests any reason to even suppose that implementing the Draft will achieve any of the "goals" (p. 9).

- 18) There is no evidence or support for the inclusion of “Goal 2: Reposition the area as a mixed use district . . .” or how it benefits residents of the Rockaways (p. 9).
- 19) There is no evidence or support for the inclusion of “Goal 3: Activate the public realm . . .”, what it means or how it benefits residents of the Rockaways (p. 9).
- 20) There is no evidence or support for the inclusion of “Goal 4: Improve the quality of life . . . through access to community services, education, and quality jobs”, what this means, what services would be provided or how, what education would be provided, or to whom, or where the jobs would come from (p. 9).
- 21) There is no evidence or support for the inclusion of “Goal 5: Build the capacity of community organizations and support local business”, what this means, how it would be accomplished or how it benefits residents of the Rockaways (other than organization managers) if it could be accomplished (p. 9).
- 22) There is no discussion (“redlining”) of the effect of the proposed zoning changes (p. 10).
- 23) There seems to be a suggestion that additional nursing homes, domiciliary care facilities, and / or SROs would be created (p. 11). Rockaway already has a more than adequate quantity of such facilities. Additional facilities should be built in Laurelton, Rosedale, and the Upper East Side before more are built in Rockaway/
- 24) The Draft suggests that it is desirable to permit additional construction within the lines of mapped streets. In fact, that is extremely undesirable. Existing streets are not wide enough for existing traffic, much less additional traffic generated by rejuvenation of the Village (p. 16).
- 25) The Draft proposes the replacement of the recently renovated Food Dynasty supermarket, one of two surviving supermarkets in Far Rockaway (there once were five or six supermarkets in Far Rockaway) (p. 17).
- 26) The “Planning Principals” are not implemented in any way by the Draft (p. 17).
 - a) It fails to explain what “meaningful (to whom, other than the planners), lively new gathering and civic spaces” would be created.
 - b) It discusses contextual buildings, but none of the proposed construction is in context.
 - c) It claims to improve the pedestrian network, but, as usual fails to explain how.
 - d) It says that new roadways will be integrated but fails to explain what this means. The most significant roadway improvement, realigning Beach 19 Street / Smith Place / Foam Street is not even considered.
 - e) It contains garbage language claiming to “physically and visually connect pedestrians” to what specific items and how is left to the imagination.
 - f) The Draft claims that taller, out of context buildings will be “concentrated” in the middle of a very small site when, in fact, the site is only two blocks wide and while they will be in the center, they will also be at the edge of the site.

- 27) A new north / south street, Fools Ally, would connect Mott Avenue to Nameoke Avenue. To what benefit is not explained. Supposedly it would provide a path between the subway and the Long Island Rail Road which is not now available via Redfern Avenue (p. 18).
- 28) The downtown Far Rockaway area already suffers from a lack of parking so the Draft proposes to further reduce parking by:
- a) Moving the bus layover area to the streets, and,
 - b) Selling the parking lot (p. 19).
- 29) The Draft proposes to increase air pollution by increasing the amount of time that vehicles cruise for parking spaces. Alternatively, if the reduced parking causes people to simply decide not to shop in the area, it would decrease the opportunity for creating a successful business district. (p. 19).
- 30) There is much discussion of increased development, but no explanation of why anyone would want to rent these stores (p. 20).
- 31) The Draft suggest that City and State financing would be used to create “affordable housing” in violation of federal law since such housing would undoubtedly increase the racial and economic segregation of the Area (p. 22).
- 32) The Draft discusses building affordable housing as opposed to market rate housing but fails to provide an evidence or even discussion of how this would benefit the rejuvenation of the downtown Far Rockaway Area (The Village) (p. 23).
- 33) The Draft presumes that DOT plans will be implemented but much of what DOT proposes is unlawful and may not be accomplished under existing state and federal law. And certainly presumed federal funds will either not be available or will be “clawed back” due to multiple, repeated violations of the United States *Manual of Uniform Traffic Control Devices* by the City (p. 24)
- 34) What is ODMHED (p. 26)?
- 35) .The Rezoning Area and the Study Area are entirely inappropriate for this project. They presuppose that the area under discussion is just like any small group of blocks in New York City. In actual fact, Far Rockaway is more like a suburban village. That is why the downtown area is called The Village, as the Draft well recognizes. It is the heart of **the** Bayswater, Reeds Lane, and “West Lawrence” residential areas (the **Excluded Area**) which have no shopping of their own. As is typical of a suburban village, it contains the post office, banks, library, fire house, police station, government offices, and shopping. This is unlike other city neighborhoods such as the Upper East Side, Upper West Side, etc. which may have a random bank or post office or police station but do not have the concentration and arrangement of these in a small geographic area forming a village center. The selected area is artificial and can not stand (p. 27).
- 36) The area is partly selected (unlawfully?) to support desired socioeconomic analysis (p. 28).

- 37) One of the reasons for creating low income housing is to avoid addressing the Step 1 criteria, but this will adversely affect the business prospects of the proposed shopping district (p. 29).
- 38) The Draft is very likely to affect real estate values in the Excluded Area since it will almost completely prevent access to the Downtown Far Rockaway area for them. It is likely to have a significant adverse effect on property values (p. 29)
- 39) The Draft concludes that the addition of 150,000 square feet of stores would not affect the existing retail shopping market but fails to state that this would be a significant fraction of the existing retail space. The conclusion appears to be unwarranted absent supporting data (p. 31).
- 40) Contrary to the conclusions of the Draft (Community Facilities) an increase of upwards of 12,000 lower income residents is quite likely to increase the need for police services. It is noteworthy that none of those involved in the Draft or DOT planning have seen fit to discuss their plans with the local police commander (p. 31).
- 41) The conclusions under Police / Fire Services are unwarranted and untrue. The Draft proposes what certainly is a sizeable new neighborhood. See the above discussion of the need for police services in the previous comment (p. 33).
- 42) Task 10: Hazardous Materials fails to evaluate the effect of the Inwood Materials Terminal at 1 Sheridan Boulevard in Nassau County on the proposed area. This facility generates a significant quantity as airborne silica dust in the area (p. 37).
- 43) Task 13: Energy fails to evaluate the effect of the energy demand on Bayswater from which electricity is distributed via overhead wires (p. 40).
- 44) Task 14: Transportation fails to evaluate (Traffic):
 - a) The availability and usefulness of emergency evacuation routes (p. 40).
 - b) The Doughty Boulevard intersections with Central Avenue, Brunswick Avenue, and Redfern Avenue (p. 41).
 - c) The spillback of traffic into Nassau County on Sheridan Boulevard / Beach Channel Drive (p. 41).
 - d) The unavailability of Beach Channel Drive at the New York City / Nassau County line at high tide (p. 41).
 - e) The failure to make traffic counts on Sunday. Traffic differs considerably on Friday afternoons and on Sundays due to the large Orthodox Jewish population (p. 42).
- 45) There is no analysis of the effect of existing unlawful (*Vehicle and Traffic Law* §1680) traffic control devices and the result of their correction (p. 43).
- 46) The Transit heading fails to evaluate:
 - a) The effect of permanently preventing the reconnection of the Long Island Rail Road tracks at Nameoke Avenue to the subway tracks at Mott Avenue (p. 43).

- b) The effect of additional demand for subway service on the limited capacity of the Cranberry Street tunnel connecting the “A” and “C” line in Brooklyn to Manhattan (p. 43).
 - c) QueensRail™ (p. 43).
- 47) The discussion of parking is clearly absurd and inadequate. Parking in the Village is already inadequate by any measure. Some parking considerations include (p. 45):
- a) Parking for the merchants and their employees (?? vehicles).
 - b) Parking for the police officers of the 101st precinct (50-80 vehicles).
 - c) Parking for the fire fighters in “The Big House” (engine 328 engine 264, and truck 134) on Central Avenue (25-50 vehicles).
 - d) Parking for the Transit Authority employees who operate the “A” train and buses (?? vehicles).
 - e) Parking for teachers and staff (two public school buildings (PS 235 and IS 53), a charter school, and a yeshiva) (?? vehicles).
 - f) Parking for the staff at the Far Rockaway branch library (?? vehicles).
 - g) Parking for all of the proposed new residents. Car ownership in Far Rockaway typically ranges from one to as many as four vehicles depending on the age of children and their work locations. Travel to Nassau and Suffolk county jobs generally requires a car.
 - h) Parking for shoppers. If it is to succeed, it needs parking for people like me who would like to shop in Far Rockaway (?? vehicles).
- 48) Task 45: Air Quality fails to evaluate the effect of DOT’s plans to widen sidewalks, narrow streets and make vehicular navigation of the Area more difficult. It further fails to evaluate the effects of inadequate parking (p. 46).
- 49) The Air Quality section fails to evaluate the effect on air quality of DOT traffic “calming” devices such as speed humps with cause additional braking, acceleration, and tire impacts (p. 46).
- 50) Stationary sources, under the proposed methodology, is unlikely to identify the Inwood Materials Terminal at 1 Sheridan Boulevard in Nassau County as a pollution source. This facility generates a significant quantity as airborne silica dust (p. 48).
- 51) Task 17: Noise fails to consider the effect of street noise from children playing in the streets on the desirability of shopping in the new stores (p. 50).

- 52) Task 18: Public Health is likely to be adversely impacted if even more of the residents in the Excluded Area increase their trips to the Five Towns (p. 51).
- 53) Task 19: Neighborhood Character will be significantly adversely affected by the Draft proposals, both in the Study Area and the Excluded Area (p. 51)
- 54) The list of blocks and lots is inadequate for the ordinary citizen to reasonably identify the areas under consideration (Appendix 1).
- 55) The type size used in the charts is too small for the average person to read without a magnifying glass. Further, typography and graphics do nothing to aid the legibility of the charts (if they are intended to be legible) (Appendix 1).

Summary

- 1) The Draft provides no encouragement for local residents to shop in the Area (The Village / Downtown Far Rockaway) as opposed to the Five Towns (Nassau County) which provide:
 - a) Free or inexpensive parking.
 - b) Easy vehicular access.
 - c) A wide variety of store types and stores within each type.
- 2) It makes existing traffic problems worse for motorists.
- 3) It does nothing to enhance pedestrian safety that cannot be done by correcting inappropriate or unlawful existing traffic control devices.
- 4) It fails to address mass transit problems:
 - a) It has no effective resolution to the operation of MTA or Nassau busses on the street.
 - b) It ignores inappropriate subway (“A” train) routing and schedules.
 - c) It fails to discuss implementation of QueensRail™.
 - d) It fails to consider reconnecting the “A” train tracks to the LIRR. It would actually forever prevent their reconnection.
- 5) It ignores the problem of jitneys parked on the streets and their adverse effect on traffic.
- 6) It doesn’t explain how the Area was able to accommodate extremely large crowds on the very same streets that are now considered inadequate when tens of thousands of additional residents would move to the Rockaways during the summer and an additional million people would come out to Rockaway on a weekend.
- 7) It presumes that a 15-25% (depending on residents per dwelling unit) increase in population will address the overall preference of shoppers with disposable income to shop in the Five Towns.
- 8) It presumes that the addition of plazas and open spaces will somehow make Far Rockaway a more desirable shopping venue than the Five Towns. In fact, they may make the venue less attractive to shoppers if they become youth hangouts. And it fails to reclaim a public park between the fire house and library that was stolen by the firefighters.
- 9) It would impose buildings of between 12 and 15 stories on an area where a 6 story building is now considered very high.
- 10) It fails to address the existing problem of unlawful parking by government employees, particularly NYPD, FDNY, MTA, schools, post office, and Queens Public Library.

- 11) By only considering the environmental impacts of areas within 400 feet of the Area, it ignores the effect on the overall Far Rockaway area, including the Excluded Area, including maintaining and exacerbating existing shopping patterns in the Five Towns.
- 12) It provides no evidence to support its conclusions.
- 13) None of the questions raised in a May, 2016 letter has been addressed.
- 14) Adoption of the Draft would worsen existing problems in the Downtown Far Rockaway area. It would do nothing to rejuvenate the area nor would it further any of its own stated Goals. It would forever prevent improved rail service and condemn Far Rockaway to a century of failure.
- 15) Further, it would unlawfully significantly increase segregation by race and income in the subject area.

Appendix 1 – Questions Submitted to the Department of Transportation in May, 2016 (and not answered as of September 30, 2016 – but see **Notes** below and at the start of the document)

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/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? **NYSDOT.**
 - 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 NYSDOT.**

- 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 anticipate 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 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 passible 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.**