

**Brooklyn Borough President Recommendation**

CITY PLANNING COMMISSION

120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271

[CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov)



**INSTRUCTIONS**

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

**APPLICATION#:** SPRING CREEK PARK ADDITION – 190291 PCK

An application submitted by the New York City Departments of Citywide Administrative Services (DCAS) and Parks and Recreation (NYC Parks) for the following land use actions: Requesting the acquisition of a mapped but unbuilt portion of Drew Street between the center line of Spring Creek and the unbuilt extension of 157<sup>th</sup> Avenue, and four vacant and unimproved privately-owned sites, in Block 4585, including Lots 165, 167, and 225, bordering the Brooklyn-Queens borough boundary along Ruby Street/75<sup>th</sup> Street, north of 157<sup>th</sup> Avenue, for assignment to NYC Parks to facilitate the ecological restoration of Spring Creek Park by NYC Parks, in partnership with the United States Army Corps of Engineers (USACE), in the Spring Creek section of Brooklyn Community District 5 (CD 5).

BROOKLYN COMMUNITY DISTRICT NO. 5

BOROUGH OF BROOKLYN

**RECOMMENDATION**

APPROVE  
 APPROVE WITH  
MODIFICATIONS/CONDITIONS

DISAPPROVE  
 DISAPPROVE WITH  
MODIFICATIONS/CONDITIONS

SEE ATTACHED

\_\_\_\_\_  
BROOKLYN BOROUGH PRESIDENT

May 24, 2019

\_\_\_\_\_  
DATE

## **RECOMMENDATION FOR: SPRING CREEK PARK EXPANSION– 190177 PCK**

The New York City Departments of Citywide Administrative Services (DCAS) and Parks and Recreation (NYC Parks) submitted an application for the following land use actions: Requesting the acquisition of a mapped but unbuilt portion of Drew Street between the center line of Spring Creek and the unbuilt extension of 157<sup>th</sup> Avenue, and four vacant and unimproved privately-owned sites, in Block 4585, including Lots 165, 167, and 225, bordering the Brooklyn-Queens borough boundary along Ruby Street/75<sup>th</sup> Street, north of 157<sup>th</sup> Avenue, for assignment to NYC Parks, to facilitate the ecological restoration of Spring Creek Park by NYC Parks, in partnership with the United States Army Corps of Engineers (USACE), in the Spring Creek section of Brooklyn Community District 5 (CD 5).

On May 1, 2019, Brooklyn Borough President Eric L. Adams held a public hearing on this disposition request. There were no speakers on the item.

In response to Borough President Adams' inquiry regarding the incorporation of New York City Department of Environmental (DEP) rain gardens, the representative stated that NYC Parks is considering the inclusion of bioswales according to a separate Federal grant for improving the eastern section of the park in a manner that supports ecological restoration. It was further noted that NYC Parks is in discussions with DEP to pursue according to the agency's standards.

In response to Borough President Adams' inquiry regarding the inclusion and participation of minority- and women-owned business enterprises (MWBEs) and locally-owned business enterprises (LBEs) in the process of construction on this site, the representative clarified that City and Federal protocol calls for compliance with the Historically Underserved Business Zone (HUBZone), which includes CD 5. In addition, such inclusion is a standard requirement for City contracts.

In response to Borough President Adams' inquiry regarding the extent to which the Ruby Street perimeter is secured from vehicles and whether upgrades such as guard rails and/or sidewalks might be possible, the representative noted that the ecological restoration project excludes such improvements, though NYC Parks would discuss the matter with the New York City Department of Transportation (DOT).

In response to Borough President Adams' inquiry as to whether it might be possible to include lighting and seating along Ruby Street, the representative noted that this would not be out of the question and would need to be coordinated with DOT based on public outreach considerations.

### **Consideration**

CB 5 approved this application on May 22, 2019.

The proposed land use action would affect 0.95 acres on sites located at in East New York, including the Spring Creek section. The requested site acquisition action would result in the inclusion of these properties as part of the intended Spring Creek Park improvements that would be facilitated in a partnership between NYC Parks and the USACE Spring Creek North Ecosystem Restoration Project. The restoration project's purpose is intended to improve the environmental quality of Spring Creek and its associated ecosystem project. This would include 13 acres of intertidal marsh and more than 22 acres of marine upland habitat. Invasive plant species would be removed with such areas replanted with native plant species.

The surrounding context for the site to be acquired is predominantly marshland of Spring Creek Park, but for the lot fronting Ruby Street/75<sup>th</sup> Street, which consists of multi-family semi-detached homes in the Lindenwood section of Queens. Spring Creek Park's Ruby Street/75<sup>th</sup> Street perimeter is improved with a woven-wire fence, though the street right-of-way improvement is limited to asphaltic street paving along the side of the park.

Borough President Adams supports the restoration land in the jurisdiction of NYC Parks compromised by urban activities and resulting growth of invasive vegetation species for productive uses. He believes that the partnership between NYC Parks and USACE would improve the environmental quality of Spring Creek and its associated ecosystem project for the betterment of Jamaica Bay's water quality, which would be an enhancement for marine life as well as associated upland species.

The restoration activities would also provide for workforce opportunities associated with grading of the land to optimize its function as an inter-tidal wetland and neighboring marine upland habitat, inclusive of the removal of invasive species and the planting of native species.

It is Borough President Adams' policy to advocate for locally-based employment associated with land use actions and government spending. The acquisition of the five properties by NYC Parks provides an expectation that the Spring Creek North Ecosystem Restoration Project would be advanced inclusive of workforce participation.

Borough President Adams is concerned that too many Brooklyn residents are currently unemployed or underemployed. It is his policy to promote economic development that creates more employment opportunities. According to the Furman Center's "State of New York City's Housing and Neighborhoods in 2015," double-digit unemployment remains a pervasive reality for several of Brooklyn's neighborhoods, with more than half of the borough's community districts experiencing poverty rates of nearly 25 percent or greater. Prioritizing local hiring would assist in addressing this employment crisis.

Additionally, promoting Brooklyn-based businesses, including those that qualify as locally-based enterprises (LBEs) and minority- and women-owned business enterprises (MWBEs), is central to Borough President Adams' economic development agenda. This site provides opportunities for NYC Parks to retain a Brooklyn-based contractor and subcontractor, especially those who are designated LBEs consistent with Section 6-108.1 of the City's Administrative Code, and MWBEs that meet or exceed standards per Local Law 1 (no less than 20 percent participation).

Participation by the USACE ensures compliance with the Federal HUBZone program, an effort to attract businesses by offering preferences and set asides to qualifying businesses for Federal agency contracts. To qualify, a business must be located in the zone and employ at least 35 percent of its workforce from the HUBZone.

Borough President Adams believes that NYC Parks would be expected to be responsible for coordinating based on the HUBZone Federal requirements. Therefore, there would be reasonable opportunities to address LBE/MWBE participation in the development process.

Borough President Adams supports the proposed development. He calls on NYC Parks to explore the incorporation of pedestrian safety measures, seating, and stormwater management practices.

### **Advancing Stormwater Management Policies**

It is Borough President Adams' flood resiliency policy to encourage developers to introduce best practices that would manage stormwater runoff such as incorporating permeable pavers and/or establishing rain gardens that advance DEP green infrastructure strategy. Borough President Adams believes that adjacent roadway surfaces are potential resources that could be transformed through the incorporation of rain gardens, which provide tangible environmental benefits through rainwater collection, improved air quality, and streetscape beautification. Tree plantings can be consolidated with rain gardens as part of a more comprehensive green infrastructure strategy. Rain gardens would divert stormwater from the City's water pollution control plants.

According to the "NYC Green Infrastructure 2017 Annual Report," green infrastructure plays a role in addressing water quality challenges and provides numerous economic, environmental, and social benefits.

The extensive park frontage that already exists along Ruby Street/75<sup>th</sup> Street, in combination with the remainder of frontage intended to be acquired, presents an opportunity to incorporate one or more rain gardens between 156<sup>th</sup> and 157<sup>th</sup> avenues. Such installation could help advance the water quality released into Jamaica Bay during wet weather and should be viewed as a component of the USACE Spring Creek North Ecosystem Restoration Project for the purpose of improving the environmental quality of Spring Creek and its associated ecosystem project. In addition, the installation of a rain garden would provide for a significant streetscape.

Borough President Adams believes it is appropriate for NYC Parks to engage with the DEP Office of Green Infrastructure regarding such installation within the street right-of-way and with the DOT as a means to coordinate improvements within its jurisdiction.

The City Council should further seek demonstration by NYC Parks of its commitment to coordinate with DEP and DOT regarding the installation of DEP rain gardens, in consultation with CB 5 and local elected officials.

### **Streetscape Improvement Policies**

Borough President Adams' policy is to make neighborhoods more welcoming for pedestrians through various beautification measures that make streets more aesthetically appealing. As part of this policy, he seeks opportunities to provide seating and street lighting.

Borough President Adams supports DOT's CityBench program, which aims to increase the amount of public seating on New York City's streets, particularly in areas with high concentrations of senior citizens. These benches make streets more comfortable for pedestrians, especially those who are disabled or elderly.

While the expressed primary function for Spring Creek Park improvements is to facilitate the USACE Spring Creek North Ecosystem Restoration Project, for the purpose of improving the environmental quality of Spring Creek and its associated ecosystem project, there are community residents who would enjoy the opportunity the park's perimeter would offer to foster appreciation of the natural environment inclusive of wildlife.

Borough President Adams believes that the provision of street seating through DOT programs might be an appropriate community amenity that could be integrated along the perimeter of Spring Creek Park's Ruby Street/75<sup>th</sup> Street frontage between 156<sup>th</sup> and 157<sup>th</sup> avenues. It could be coordinated should a sidewalk be constructed or if the grounds were graded and landscaped to promote the seating as a place to appreciate the natural environment and wildlife. Such seating should be supplemental by the installation of street lighting to promote pedestrian safety. In addition, as an added safety precaution from vehicular traffic, consideration should be given to the construction of a sidewalk with a curb or installation of additional guard rails, as they exist at the 75<sup>th</sup> Street/Ruby Street street end near 156<sup>th</sup> Avenue.

Borough President Adams believes that such street furniture should be coordinated by NYC Parks with DOT, where benches might be appropriately located through the DOT CityBench and/or Street Seats programs, which recently received additional funding to further their efforts throughout the city. Such enhancements should be considered in consultation with CB 5 and local elected officials prior to agreeing to take action.

The City Council should further seek demonstration by NYC Parks of its commitment to coordinate with DOT to consider utilizing its CityBench and/or Street Seats programs to provide for seating, lighting, sidewalks, or guard rails along the Ruby Street/75<sup>th</sup> Street Spring Creek Park perimeter between 156<sup>th</sup> and 157<sup>th</sup> avenues.

**Recommendation**

Be it resolved that the Brooklyn borough president, pursuant to Sections 197-c and 201 of the New York City Charter, recommends that the City Planning Commission (CPC) and City Council approve this application.

**Be it Further Resolved:**

That the New York City Department of Parks and Recreation (NYC Parks) advise the New York City Council of the following:

- a. Coordination with the New York City Department of Environmental Protection (DEP) and the New York City Department of Transportation (DOT) regarding the installation of DEP rain gardens, in consultation with Brooklyn Community Board 5 (CB 5) and local elected officials
- b. Engage with DOT to:
  - i. Consider utilizing its CityBench and/or Street Seats programs to provide for seating along the Ruby Street/75<sup>th</sup> Street Spring Creek Park perimeter between 156<sup>th</sup> and 157<sup>th</sup> avenues
  - ii. Consider the installation of street lighting and sidewalks or guard rails along the undeveloped western edge of the Ruby street/75<sup>th</sup> Street right-of-way between 156<sup>th</sup> and 157<sup>th</sup> avenues