

DRAFT Minutes
Chinatown Working Group Meeting
October 2, 6:30pm, 275 Cherry Street Community Room

Voting members present: Asian American Arts Centre (Robert Lee); Bowery Alliance of Neighbors (Mitchell Grubler); Chinatown and Lower East Side Artists Against Displacement (Nancy Linn, Wayne Liu); Chinese Staff and Workers Association (David Tieu); Committee Against Anti-Asian Violence (Chester Thai, Melanie Wang, Chen Yo, Zhi Qin Zheng); Good Old Lower East Side (Jessie Ngok); National Mobilization Against Sweatshops (Francisca Benitez).

Also present: Matthew Chin; rob hollander (Lower East Side Residents for Responsible Development); Elizabeth Moy (NYU); Selina Poznak (CDP); Paula Segal (CDP-Urban Justice Center); Irene Shen (LESON); Audrey Ward (resident); Susan Yung (FROGG);

Meeting called to order at 6:45pm, David Tieu facilitating.

David (CSWA): [Gives an overview of the history of the CWG Plan: it was an attempt to include the entire LES community so as not to divide the community. The current city administration rejected the CWG Plan. Meanwhile, Community Board 3, Councilperson Chin and the Department of City Planning have taken up one piece of the Plan (area A, the traditional core of Chinatown) to the exclusion of the rest of it, leaving the waterfront (area D in the CWG Plan) vulnerable to developments that violate the legal constraints of its Large Scale Residential District designation.]

Fran Benitez (NMASS): How do we shift from plan-creation to plan-implementation?

Mitchell Grubler (BAN): What is the status of current legal actions?

Paula Segal (Urban Justice Center senior attorney): Three developers (JDS, L&M, Starrett City) have bought parcels within a Large Scale Residential District which we know as the LES East River waterfront. Although the Urban Renewal District designation on this district has expired, the Large Scale Residential District designation does not expire. It includes many special requirements -- use, parking, etc. -- that the developers have to comply with. (Starrett City's previous development in Brooklyn included race-based rules which were challenged in court and SC lost.)

When the developers submitted their construction Pre-Application to the Department of City Planning (DCP), DCP decided that their plans were a minor change of the LSRD, so they didn't ask them to apply for a Uniform Land Use Review Process (ULURP), a process that includes public hearings, Borough President and DCP review, and City Council approval. But [in response to community resistance] DCP asked the developers to prepare an Environmental Impact Statement (EIS). Because the developers are not going through the legal process of ULURP, we can sue them if they apply [since their plans will not have been approved by City Council].

If the developers apply, Urban Justice, with its clients GOLES, CAAAV and Land's End Tenants Association, are prepared to sue them in court. We wrote to DCP informing them of our intention of suing

should the developers apply. The developers are now three months behind their schedule. We believe that the developers may be dragging their feet because they now see the obstacles including the LSRD constraints, community resistance and law suits.

Mitchell: What can CWG do?

Paula: Most effective would be to rezone the area. The CWG Plan would have to be translated into zoning. Anyone can apply to rezone, but it requires shadow studies and writing text for each of the parcels one-by-one. This is a lot of work, but we can try to get pro bono assistance. A community applicant is exempt from many of the fees that DCP usually requires.

Irene Shen (LESON/CSWA): If we push the entire CWG Plan, the LSRD would be protected. It might be easiest to implement a height cap over the entire area, as was done in the EV/LES rezoning,

Melanie Wang (CAAAV): The CWG Plan asks a height cap of 35 stories for the waterfront. Implementing the Plan would undermine the profit expectations of the developers.

Irene: Is GOLES working with Councilmember Chin's plan for the core of Chinatown?

Melanie: No. CAAAV is pushing the whole plan. This is what's happening with Chin's effort to work with CB3 and DCP: CB3 Land Use Committee last spring met with DCP. DCP refused to move forward. The Land Use committee reacted by creating a sub-committee on Chinatown, the Chinatown Neighborhood Planning Committee. This sub-committee met to schedule its meetings. They have not yet met. I am a member of the committee. The sub-committee left the boundaries of Chinatown undetermined. Gigi Li is coordinating the meeting. CB3 working with BP get outside planners. Members include Gigi Li, Chair, Jonathan Chu, MyPhuong Chung, Trever Holland, Mae Lee, Wellington Chen (Public Member), Wayne Ho (Public Member), Melanie Wang (Public Member), Justin Yu (Public Member). My role is to expand their plans to be more inclusive.

Rob Hollander (LESRRD): Wellington is a developer, financier and architect.

Mitchell: Jonathan Chu is a developer.

Irene: Who are the Land Use members? The community seems to be opposed to the dividing up of the CWG Plan. How do these committee members represent the community voice?

Melanie: The membership can be found on the CB3 website.

Fran: What can we do?

Rob: Different groups can use different tactics but we should coordinate our tactics with all our members and the community groups so we don't undermine each other, and we should ask the community groups what actions would be supportive of the community efforts.

Fran: Let's come to the next meeting with ideas on what we can do and what tactics would be useful to each other.

rob: I second that motion.

Melanie: We view the law suit as a delay tactic that won't prevent the developments. CAAAV and GOLES are working together to ask that CB3 and the Borough President join us as applicants on the CWG Rezoning Plan for area D alone. We understand that there are complications in such a strategy, but if it were done fast before the developers dig their trenches, it would limit the scale of development. We announced this in the public comment session at the last Land Use meeting in September. We got this on the agenda for this month, Wednesday, October 18, 6:30, 82 Rutgers Slip.

Jessie: There's also a fee waiver that we can obtain through the Borough President.

Melanie: They have not yet agreed to our request, but have shown interest. Given the immediate necessity of preventing development on the waterfront that is already in the process of moving forward, we and many tenants feel this is a necessary resistance.

Irene: LESON wants to stop waterfront towers entirely. The LSRD requires many special permits that DCP would have to give to developers. We believe that we can stop them from obtaining those authorizations. That would stop the development plans entirely. It would require pressure in the form of testimonies at the hearings for the special permits and authorizations. There are several items in the LSRD that these development plans violate: sunlight resources, traffic, parking, etc. If we get behind this effort we wouldn't have to break up the CWG Plan. Then we could unify the community in favor of a comprehensive rezoning that would not divide the use community.

Paula: The hearing was supposed to happen in December, but the developers are three months behind so at the soonest that hearing won't happen until March. Everyone should testify. If DCP ignores the community testimony, then we will sue. We're hoping that the Planning Commissioner won't want to face such community and legal obstacles.

The rest of the meeting was concerned with when to meet again, October 6 or October 13. We will survey the members on their preference via Doodle.

Also the Website Committee will meet to discuss what to do about web presence.

The minutes from the last meeting were approved by all the members present from the last meeting without objection.

Following several announcements, the meeting was adjourned at 8:20pm.

Respectfully submitted,
rob hollander
CWG Sec'y