



February 18, 2021

Steven Banks
Commissioner

Kyle Athayde
Chairperson, Manhattan Community Board 6
211 East 43rd St, Suite 1404
New York, NY 10017

Joslyn Carter
DHS Administrator

33 Beaver Street
New York, NY 10004

Dear Chairperson Athayde,

212 361 7963 tel

Thank you for your recent correspondence regarding the proposed Department of Homeless Services (DHS) facility at 118 East 40th Street and the Fair Share analysis conducted for the site.

The Fair Share Criteria, adopted by the City Planning Commission in accordance with the City Charter, attempts to foster an equitable distribution of public facilities throughout the City by establishing a standard review process that must be considered by City agencies when selecting sites for new City facilities.

The Fair Share Criteria does not set numerical limits on the City's ability to site new facilities in community districts – rather, this review process requires the City to consider the relative fairness and burdens (as well as benefits) of the decision to site a new City facility during the decision-making process and disclose those considerations in an accompanying Fair Share Statement, which is a required document that describes how the proposed action satisfies the Fair Share Criteria.

In the Fair Share Analysis, DHS considers the criteria developed by the City Planning Commission that are embodied in Title 62 of the Rules of the City of New York. More specifically, these criteria include a consideration of the City's stated need for the facility, the size of the facility, the facility's ability to provide efficient and cost-effective delivery of services, the distribution of similar facilities throughout the City, the concentration of facilities providing similar services, the site's accessibility to public and vehicular transit, the potential effect of the facility on neighborhood character, the proposed facility's consistency with the Borough President's strategic policy statements and the Community Board's statement of district needs, and the consideration of alternative sites. In conducting this analysis, DHS utilizes data maintained by the Department of City Planning to identify other City facilities within a 400-foot and half-mile radius of a proposed site. Temporary emergency relocation hotels utilized by DHS during the COVID-19 pandemic are acknowledged in the Fair Share analysis, but these sites are not factored into the actual review process, as they are temporary locations that will be closing as soon as Health officials determine it is safe for DHS to return clients residing in these facilities to DHS shelter locations.

In analyzing the concentration of facilities providing similar services, the Fair Share Analysis also includes a map as well as a list of facilities, illustrating and naming City and non-City facilities within a 400-foot and half-mile radius of the proposed shelter – in this context, this particular part of the analysis is not limited by the political boundaries of neighborhood or Community District. Instead, this particular part of the analysis simply looks at the immediate geographical surroundings, regardless of political boundary.

Furthermore, DHS uses the most recently updated data set in analyzing whether the proposed shelter in combination with other similar facilities would have a significant negative impact on the neighborhood character. The 2015 data set for bed-to-population ratios that DHS relied upon in the Fair Share Analysis was provided by the City’s Department of City Planning, as required by the Fair Share Criteria, and was the most up-to-date data set available at the time the Fair Share Statement was issued.

As you may know, the specific addresses of shelters citywide are generally protected by NYS Social Service Law and cannot be shared.

Thank you for your partnership on this issue and we look forward to continuing to work together to support our neighbors experiencing homelessness during these challenging times.

Sincerely,

A handwritten signature in black ink, appearing to read "Joslyn Carter". The signature is fluid and cursive, with the first name "Joslyn" and the last name "Carter" clearly distinguishable.

Joslyn Carter, LCSW
DHS Administrator