

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

JOINT COMMITTEES ON LOWER MANHATTAN REDEVELOPMENT &
TRANSPORTATION

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February 5, 2009

Start: 10:14am

Recess: 1:35pm

HELD AT: Committee Room
City Hall

B E F O R E:

ALAN J. GERSON, JOHN C. LIU
Chairpersons

COUNCIL MEMBERS:

David Yassky
Rosie Mendez
Mathieu Eugene
Diana Reyna
G. Oliver Koppell
Daniel R. Garodnick
Jessica S. Lappin
Darlene Mealy
Vincent Ignizio
Miguel Martinez

A P P E A R A N C E S (CONTINUED)

Lyle Frank
Counsel
Lower Manhattan Redevelopment Committee

Phillip Hom
Counsel
Transportation Committee

Patrick Mulvihill
Political Analyst
Lower Manhattan Redevelopment Committee

Andrew Winters
Director
Mayor's Office of Capital Project

Seth Meyers
Mayor's Office of Capital Projects

Assistant Chief James Waters
Commanding Officer
NYPD Counter Terrorism Bureau

Luis Sanchez
Borough Commissioner
Department of Transportation

Josh Kraus
Department of Transportation

David Crane
Transportation Committee Chair
Community Board 3

Susan Stetzer
District Manager
Community Board 3

John Fratta
Community Board 1

Jeanie Chin

Civic Center Residents Coalition

Danny Chen

Civic Center Residents Coalition

Jan Lee

Civic Center Residents Coalition

John Ost

Civic Center Residents Coalition

A P P E A R A N C E S (CONTINUED)

Triple Edwards
Concerned Resident

Margaret Chin
Concerned Resident

Toby Turkel
Concerned Resident

Heung Stam
Concerned Resident

Stephanie Pinto
Concerned Resident

2 [Gavel Banging]

3 CHAIRPERSON LIU: Welcome to
4 today's hearing of the City Council's Committee on
5 Lower Manhattan Redevelopment and Committee on
6 Transportation. This is a joint hearing of these
7 two Committees. My name is John Liu. I have the
8 privilege of chairing the Transportation Committee
9 and the added bonus of co-chairing today's hearing
10 with Council Member Alan Gerson, who is the
11 Chairperson of the Lower Manhattan Redevelopment
12 Committee.

13 We've convened today's hearing for
14 the purpose of examining the Department of
15 Transportation's plans in reconfiguring Chatham
16 Square. They call it the Chatham Square Park Row
17 Improvement Project. There has been a great deal
18 of concern in the community about the process that
19 has led up to this point. And also about the
20 substance of the changes that have been proposed.

21 Today's hearing, we hope to flesh
22 out many of those issues. We will hear from the
23 Department of Transportation. We have
24 representatives also from the Mayor's Office and
25 the New York City Police Department. And we will

2 hear from a large number of concerned community
3 activists and nearby residents.

4 This is an issue that has been
5 going on since September 11th, the terrible day in
6 which the tragic attacks on our City and indeed
7 our Nation occurred. And in the aftermath of the
8 September 11th attacks, the City saw it fit to
9 undertake certain actions.

10 One action that has raised a great
11 deal of community concern has been the closure of
12 Park Row which by most understanding was intended
13 originally to be temporary. And now with this
14 configuration, it seems to be more and more
15 permanent. That has obviously raised a great deal
16 of concern. And that is an issue that cannot be
17 ignored in view of this discussion on the
18 reconfiguration of Chatham Square.

19 I'll turn it over to my co-chair
20 for today, Council Member Alan Gerson. I'll note
21 that we've been joined by Council Member Matthew
22 Eugene of Brooklyn and Council Member Oliver
23 Koppell of the Bronx. And I want to thank the
24 staffs to our Committees for putting all this work
25 together including the Counsel to the Committee--

2 well I will pass that over to Council Member Alan
3 Gerson to make the acknowledgements. Council
4 Member Gerson, Chairman Gerson.

5 CHAIRPERSON GERSON: Hello? You're
6 giving me the hard work. Mr. Chair, yeah. Mr.
7 Chair thank you, thank you for your leadership in
8 convening this Joint Hearing. And beyond, before
9 an ongoing, on an ongoing basis your leadership in
10 particular to Lower Manhattan and our Committee in
11 dealing with our special issues in this special
12 time of need with respect to our traffic and
13 transportation, structure and infrastructure and
14 indeed for your brilliant leadership Citywide, Mr.
15 Chair. We're better off because you chair our
16 Traffic and Transportation Committee.

17 I also want to acknowledge those
18 who have organized this morning's very important
19 Joint Hearing. The Counsel to the Lower Manhattan
20 Development Committee which I chair, Mr. Lyle
21 Franks, to my left. The Counsel to the Committee
22 on Transportation, Mr. Phil Hom and I just should
23 add, Mr. Chair, it's been a privilege and a
24 productive one working with your team, especially
25 Mr. Hom on these matters. And our Policy Analyst,

2 Mr. Patrick Mulvihill. And as always I want to
3 thank our Sergeant at Arms and our City Hall
4 technicians for their all-important work.

5 Mr. Chair, as we all know as New
6 Yorkers, we are a City in which our streetscape
7 and particular our special interest sections
8 define so much of our physical character, social
9 character, our cultural character, Herald Square,
10 Times Square, Columbus Circle, Grand Army Plaza,
11 the Grand Concourse and Fordham Roads, I could go
12 on, Victory Boulevard. Chatham Square is the
13 iconic and physically significant as well as
14 socially iconic and significant intersection of
15 Lower Manhattan and Chinatown.

16 Any redesign, reconfiguration
17 deserves, needs to be undertaken with the same
18 reverence, care and community consensus building
19 which we would undertake with any of those other
20 Squares and intersections which I mentioned. The
21 Bowery, prior to the closure which you noted Mr.
22 Chair, Park Row; those are the 5th Avenues, the
23 Park Avenues of Lower Manhattan and Chinatown.

24 Their streetscape and their
25 configuration is critical to our economy as well

2 as to our quality of life and our very character.

3 Any changes in those major streets, any permanent
4 changes, demands to be done with the same care and
5 reverence and community consensus building that we
6 would do with respect to Park Row, with respect to
7 Park Avenue or 5th Avenue or any of the other grand
8 boulevards of our City.

9 Part of this hearing will determine
10 or part of the purpose of this hearing will be to
11 determine whether or not that community consensus
12 has been achieved, whether or not that care in
13 careful approach, careful does not preclude
14 expeditious, expeditiousness in our approach has
15 been undertaken with respect to this Chatham
16 Square plan.

17 And I would dare say Mr. Chair from
18 all the information we received so far, that is
19 not the case. And we need to continue the
20 process. And I hope this hearing will result in
21 an agreement with the Administration on next steps
22 which will not immediately proceed to bidding for
23 a final configuration but will proceed to an
24 expedited but a thorough and ongoing series of
25 steps to allow for full community input, full

2 expert input, to result in a plan which serves not
3 only Chinatown and the Civic Center but all of
4 Lower Manhattan and indeed all of our City because
5 this intersection and the traffic flow pertaining
6 to it pertains and carries significance for our
7 entire City.

8 I will have more to say on this and
9 more questions to ask on this as this hearing
10 proceeds, of course. I do want to note this
11 though. This hearing is not about whether or not
12 Park Row should be opened today or tomorrow or
13 even in the very near future. We have had those
14 hearings. I would predict we will have those
15 hearings again.

16 But this hearing is about whether
17 or not we should allow for the possibility of the
18 reopening of Park Row some time in the future,
19 should conditions permit. And we can discuss and
20 debate what those conditions would be at the
21 appropriate hearing. But it is important that we
22 have the proper plan in place that allows for the
23 best possibilities and opportunities for this
24 community.

25 And that is for the possibility

2 that must include for the possibility of down the
3 line the reopening of Park Row. And so one of the
4 points we want to find out in this hearing, we
5 want to explore in this hearing in addition to the
6 full range of community input and the full issues
7 involving the particular changes that are proposed
8 or not proposed, but we will insist that any plan
9 allow for that possibility of the reopening of
10 Park Row down the line.

11 So with that Mr. Chair, you
12 acknowledged the Committee Members present. I
13 know other Committee Members will be joining us
14 shortly. I look forward to a productive hearing
15 and one that will not be a one-way dialog with
16 folks from the Administration telling us in the
17 community what will happen but a mutual dialog in
18 which we can figure out what the next steps can be
19 to come up with the best plan for what should
20 happen.

21 Thank you very much Mr. Chairman.

22 CHAIRPERSON LIU: Thank you very
23 much Chairman Gerson. We are going to hear
24 testimony from officials of the Bloomberg
25 Administration. Then we will hear from a

2 substantial number of activists. I expect that
3 this hearing will be adjourned at 1:00 P.M. to
4 make room for another hearing that is scheduled to
5 take place. And we will get, we will strive to
6 get everybody's input into this process. And at
7 some point when we hear from the activists we will
8 have to make time constraints just so we can hear
9 everybody's point of view.

10 I want to turn it over to the
11 representatives. I suppose we are going to hear
12 direct testimony from the representatives of the
13 Mayor's Office of Capital Projects. Okay. I will
14 note from the outset that you have, we thank you
15 for presenting a thorough, complete and lengthy
16 written testimony. I would expect that you're not
17 going to read all 12 pages and that you summarize
18 your 12 pages of testimony within a 10 to 15
19 minute opening statement, at which point we will
20 ask you questions. Please proceed.

21 [Pause]

22 ANDREW WINTERS: Is this on? Okay
23 thank you. Sure. Good morning Chairman Liu,
24 Chairman Gerson, members of the Transportation and
25 Lower Manhattan Redevelopment Committees. My name

2 is Andrew Winters. I'm the Director of the
3 Mayor's Office of Capital Projects. I'm joined
4 here today by Seth Meyers, also from the Mayor's
5 Office, by Assistant Chief James Waters,
6 Commanding Officer of the New York City Police
7 Department's Counterterrorism Bureau, and I'm also
8 joined by Lower Manhattan Borough Commissioner
9 Luis Sanchez and Josh Kraus from the Department of
10 Transportation.

11 Thank you for inviting us here
12 today to testify at this Joint Oversight Hearing
13 on the Chatham Square Park Row Improvement
14 Project. Chairman Liu, as you've noted, the
15 remarks that we have are lengthy. We would like
16 to do a comprehensive presentation not only to
17 discuss the process that got us to this point but
18 also the substance of the project that we're
19 proposing. We will try to go through it quickly
20 and we'll try to skip some of these elements but
21 we want to make sure that before we get to the
22 point of questions and debate, everybody fully
23 understands how we got here and what the project
24 is.

25 CHAIRPERSON LIU: Sure, but keep it

2 to 15 minutes please.

3 ANDREW WINTERS: I'm not sure we
4 can do that in 15 minutes--

5 CHAIRPERSON LIU: [Interposing]
6 You've got 12 pages of testimony here. This is
7 going to take close to an hour. We're not going
8 to spend an hour of this three hour hearing just
9 to hear your initial testimony. There has been a
10 great deal of information already on this and so
11 we're not starting off in Kindergarten here. So I
12 would go to the most salient points of your
13 testimony. Thank you.

14 ANDREW WINTERS: Okay. The
15 Security Plan including the closure of Park Row
16 was implemented by the U.S. Marshall Service and
17 the NYPD in November 2001. In connection with the
18 legal action initiated by a group of Civic Center
19 and Chinatown residents, an environmental review
20 was undertaken and ultimately a full Environmental
21 Impact Statement for the closing of Park Row was
22 prepared. The EIS took a hard look at the entire
23 project including the impacts of security
24 closures.

25 During a public and transparent two

2 year process the City evaluated whether Park Row
3 could be reopened and determined that this was
4 infeasible. The series of lawsuits regarding the
5 Park Row closure and the required environmental
6 review was finally ended with the signing of the
7 settlement agreement in May 2008 which included a
8 number of important mitigation commitments that
9 the City is working to meet.

10 I want to talk about the project
11 objectives for a moment. The Chatham Square Park
12 Row Improvement Project seeks to implement the
13 mitigation measures detailed in the EIS to the
14 maximum extent possible. The project intends to
15 do the following: increase mobility and reinforce
16 connections to and through Chinatown; improve
17 pedestrian safety and the quality of the
18 pedestrian environment; reduce traffic congestion
19 in Chinatown; enhance and create parks and plazas
20 in a community greatly in need of more public,
21 open space; and upgrade existing security devices
22 surrounding the perimeter of the security zone.

23 I'm on page 3.

24 The public process to plan
25 improvements in Chinatown in response to the

2 security plan has been underway since early 2004.
3 That year, the Lower Manhattan Development
4 Corporation commissioned a wide-ranging study of
5 Chinatown's access and circulation. And study
6 team comprised of three urban planning and
7 engineering firms made recommendations based on
8 both qualitative and quantitative analyses.

9 These recommendations were
10 summarized in a report and made public on LMDC's
11 website. The recommendations were also vetted in
12 a series of public meetings held in the spring of
13 2004 that culminated in a Chinatown Community
14 Workshop in June of that year. The final
15 Chinatown Access and Circulation Report
16 recommended reconfiguring Chatham Square and
17 creating a promenade along Park Row to improve
18 conditions in the area.

19 The LMDC's proposal was well
20 received by the community and City agencies alike.
21 Many key stakeholders believed that the proposed
22 realignment and improvements merited further
23 study. So the LMDC engaged traffic engineering
24 firm, Parsons-Brinkerhoff to test the feasibility
25 of this concept. Their analyses determined that

2 the proposed Chatham Square reconfiguration was
3 indeed feasible and provided a detailed concept
4 plan to guide future planning processes.

5 The City's EIS process began in
6 2005 and was a transparent and public process. At
7 the initial phase of the EIS the City held a
8 public scoping meeting and two subsequent public
9 meetings were held in 2006 to review and comment
10 on the draft EIS. These public meetings took
11 place in Chinatown with translators present to
12 facilitate full communication with local
13 stakeholders.

14 At these meetings and through
15 written comments the City received a great deal of
16 feedback on the Chatham Square reconfiguration.
17 These comments were considered by the final EIS
18 which was circulated to local officials, community
19 stakeholders and was available on the NYPD
20 website.

21 Throughout the process the City
22 team actively sought out public comments and
23 worked to incorporate them into the designs, where
24 feasible. For example, the proposal originally
25 recommended moving the bus stop on Park Row into

2 Chatham Square and using a lay-by lane for bus
3 pickup and drop-off. After considering community
4 feedback the bus stop was put back onto Park Row
5 and the lay-by lane was dedicated to truck loading
6 and unloading and community parking. Likewise the
7 City modified its original concept for Park Row
8 based on feedback from residents of Chatham Green
9 and Chatham Towers.

10 The original concept provided for
11 only one lane in each direction but local
12 residents explained that busses and residents
13 could be delayed behind trucks being screened at
14 the NYPD checkpoint. To prevent that we
15 incorporated an additional southbound lane running
16 through the checkpoint area that allows busses and
17 Chatham Green residents to move through without
18 delay while trucks are checked in a parallel lane.
19 These are just two examples of the ways in which
20 the public outreach process has resulted in
21 modifications to the plan over the last several
22 years.

23 I'm going to turn it over to Seth
24 Meyers, also from the Mayor's Office to walk you
25 through the specifics of the project.

2 [Pause]

3 SETH MEYERS: Thank you Andrew.

4 The road restrictions put in place by the security
5 plan have resulted in poor conditions in Chatham
6 Square. Today the Square is confusing, traffic is
7 snarled and pedestrian crossings pose a challenge
8 for everyone, especially children and seniors.

9 Unfortunately there have been 22
10 accidents in Chatham Square over the past 2 years
11 despite the near constant presence of NYPD traffic
12 enforcement agents on hand to ensure that traffic
13 flows as smoothly and safely as possible--

14 CHAIRPERSON GERSON: [Interposing]

15 Excuse me. It would just be helpful, and we
16 appreciate the fact, as Council Member Liu
17 suggested that you read excerpts of your prepared
18 testimony so I encourage you to continue to do so
19 but it would be helpful if you could just tell us
20 what page you're reading from as you change pages.

21 SETH MEYERS: Yeah I'm on page 5
22 under existing alignment.

23 COUNCIL MEMBER EUGENE: Mr.

24 Chairman, since you interrupted, while I can see
25 the map to some degree from here, it's--I think it

2 would be helpful if we had copies of these
3 photographs and maps in front of us. I realize
4 that if they haven't made them we can't do it for
5 now, but I think for the future it would be
6 useful. I see you have some here. Do we have
7 copies of those?

8 CHAIRPERSON LIU: These are our
9 own--

10 COUNCIL MEMBER EUGENE:

11 [Interposing] Oh.

12 CHAIRPERSON LIU: --our own
13 documentation.

14 COUNCIL MEMBER EUGENE: Well I
15 just--it's almost impossible to really see any
16 detail on these maps. So I don't know why we
17 can't have copies--

18 CHAIRPERSON LIU: [Interposing]
19 Well, do you want to share the copy that you have
20 with you, in front of you?

21 CHAIRPERSON GERSON: Mr. Chair, the
22 Sergeant has just apprised me that the Mayor's
23 Office is making copies as we speak. And that's a
24 very good--

25 COUNCIL MEMBER EUGENE:

2 [Interposing] Thank you.

3 [Pause]

4 CHAIRPERSON GERSON: It needs to
5 come from the Administration so it's official
6 without question.

7 CHAIRPERSON LIU: Please proceed.

8 SETH MEYERS: Thank you. The
9 project proposes a realignment of Chatham Square
10 that our analysis shows will improve traffic and
11 pedestrian conditions and improve safety for
12 everyone. The existing alignment of Chatham
13 Square was designed primarily to move traffic
14 efficiently along a north/south corridor created
15 by The Bowery and Park Row. When Park Row was
16 closed southbound traffic seeking a route downtown
17 was forced to make a series of complicated
18 maneuvers to connect with St. James Place.

19 Motorists that might have used
20 northbound Park Row to access the Chatham Square
21 intersection were diverted to other routes,
22 primarily St. James Place. To travel north from
23 St. James Place to The Bowery requires a series of
24 turning movements and starts and stops.

25 Even before the closure of Park Row

2 the existing alignment of Chatham Square did not
3 permit efficient east/west movements. To travel
4 from Worth Street to East Broadway, a motorist
5 needs to travel a serpentine route through the
6 intersection. Due to its complex configuration
7 the Square creates poor sight lines for both
8 pedestrians and drivers. It is not an intuitive
9 intersection to navigate. These favors combined
10 with long cross walks and multiple turning
11 movements create an inhospitable environment for
12 pedestrians of all ages.

13 An area with a large population of
14 school children and seniors, a condition at
15 Chatham Square, are cause for great concern. The
16 City seeks to remedy those problems with this
17 project.

18 The proposed reconfiguration will
19 align The Bowery with St. James Place and Worth
20 Street with East Broadway to create a direct
21 connection for both the north/south and east/west
22 movements through the Square. At a basic level
23 this realignment replaces one complex intersection
24 with two simpler, safer and more intuitive
25 intersections. The proposal will offer improved

2 visibility for motorists and pedestrians, shorten
3 the length of crosswalks and reduce the number of
4 vehicles forced to make turning movements that
5 create pedestrian/vehicle conflicts. By
6 simplifying the design of Chatham Square, we will
7 be able to move vehicle traffic more efficiently
8 and improve vehicle level of service while
9 improving pedestrian safety.

10 The concept behind the proposed
11 reconfiguration has undergone extensive review by
12 three independent professional traffic engineers.
13 The plan was analyzed and endorsed by the well-
14 respected engineering firms of Parsons-
15 Brinkerhoff, and Philip Habib and Associates. The
16 proposal was then further refined by DOT's traffic
17 engineers and safety specialists. Community Board
18 3 retained an independent traffic consultant,
19 Brian Ketcham, to study the intersection design as
20 well. Mr. Ketcham has agreed that the proposal
21 achieves a marked improvement over existing
22 conditions and this assessment is memorialized in
23 CB3's resolution on the project.

24 The intersection design has already
25 been reviewed by the New York City Fire Department

2 and New York City Transit who both confirm that
3 the reconfiguration would improve their
4 operations, travel times and maneuverability. The
5 positive feedback that we have received in this
6 extensive peer review gives us a great deal of
7 confidence in the soundness and technical merit of
8 the proposed plan.

9 I'm going to skip ahead to the
10 bottom of page 6. This concept was tested by both
11 Philip Habib and Brian Ketcham, CB3's independent
12 traffic consultant. Each of these consultants has
13 created their own traffic models and both models
14 show no backup or delay associated with a narrower
15 Bowery, which is one of the actions that we're
16 proposing to reduce The Bowery from three lanes to
17 two.

18 Given the recent focus on calming
19 traffic in Chinatown, we should add that narrowing
20 wide streets such as The Bowery and reducing
21 crossing distances is one of the most reliable and
22 effective tools we have to improve pedestrian
23 safety. And we've considered that as a critical
24 factor in our decision making.

25 The movement of articulated busses

2 through the intersection has been raised as an
3 issue and a subject of debate with the community
4 members. They've expressed some concern whether
5 these busses can safely make a series of turns
6 through the Square and whether they would clog the
7 intersection. We've looked at that issue very
8 closely and using software called Auto Turn which
9 is an industry standard for turning simulation,
10 we've shown that busses indeed can make that turn.
11 And we have an approval letter from the New York
12 City Transit which states that they see no
13 problems with any turning movements inside of the
14 Square.

15 Philip Habib and Associates has
16 incorporated articulated busses into their
17 simulations and show that they pose no trouble for
18 the traffic network. It's our understanding CB3's
19 traffic consultant has also done the same analysis
20 and come back with the same positive result.

21 The City team has focused a
22 tremendous amount of energy on pedestrian safety.
23 And we've taken community concerns to safety
24 especially to heart. We've already discussed how
25 the proposed realignment improves upon each of the

2 conditions that make Chatham Square a challenge
3 for pedestrians. Visibility is improved and
4 intersections are normalized in a way that
5 resolves the worst pedestrian conflicts with
6 vehicles that exist today. The project also
7 shortens crossing distances. These four crossings
8 across The Bowery that we're showing here, and The
9 Bowery is a busy, wide street, average out to
10 about 83 feet. Recent pedestrian counts show
11 these crossings at East Broadway and Worth Street,
12 98 feet and 76 feet respectively, are the busiest
13 crossings in the Square.

14 The reconfigured Chatham Square
15 would reduce the number of--the crossings to an
16 average length of 56 feet, that's a 32% reduction
17 in crossing distance. It would also add a median
18 in The Bowery, acting as a buffer for pedestrians
19 and reducing jaywalking. One specific case,
20 however, the redesign does lead to an increased
21 number of crossings. In order to cross St. James
22 Place and the southeastern tip of the Square,
23 pedestrians cross one single crosswalk today, but
24 in the future they would cross to a pedestrian
25 refuge island before crossing St. James Place.

2 And if they wanted to travel southbound, they
3 would then have to cross Oliver Street again.

4 While we understand that three
5 crossing is less convenient than one, we believe
6 that our reconfiguration will significantly
7 improve safety for pedestrians. In the existing
8 Square, vehicles turn around a blind corner at St.
9 James Place, which can result in conflict with
10 pedestrians in the crosswalk. The green arrow
11 there shows the sightline of the driver making
12 that difficult and not intuitive turn onto St.
13 James Place, and the red arrow shows the
14 pedestrians that would be crossing the crosswalk.

15 [Pause]

16 SETH MEYERS: Our reconfiguration
17 would create significant improvement to those
18 sightlines by directly lining up the streets as
19 they move through the Square.

20 The open space design, by
21 redesigning the Square we actually create a
22 greater opportunity for enlarged open spaces and
23 that's what we're showing here. The current open
24 space in Chatham Square is about 11,000 square
25 feet. By realigning The Bowery we can create a

2 space that's about 27,000 square feet. That
3 creates a great opportunity for a real asset in
4 the heart of Chinatown. A lot of open space,
5 green planted areas which this area really needs
6 and deserves.

7 Over the course of several years
8 and several dozen meetings with the public we've
9 had many opportunities for meaningful exchanges
10 with the stakeholders over the details of our
11 proposal. We've learned a lot from what they've
12 told us. And we've been please to make
13 modifications to our plans based on their
14 feedback.

15 I'd like to run through a few of
16 these now: retention; parking lanes on St. James
17 Place; Oliver Street remaining northbound--I'm
18 sorry?

19 [Off mic]

20 SETH MEYERS: Yes. I'm on the
21 bottom of page 8 under public review
22 modifications. Oliver Street remaining
23 northbound; the creation of a lay-by lane on The
24 Bowery for truck loading and unloading;
25 modifications to the security checkpoint to

2 improve efficiency and throughput and avoid
3 delays; maintaining a bus stop in its current
4 location on Park Row; we added event space
5 surrounding the Kimlau Memorial Arch; we
6 determined a Lin Ze Xu statue location, it's
7 aligned with East Broadway and event space around
8 it; and introducing refuge islands for increased
9 pedestrian safety.

10 Even as we prepared to implement a
11 well-vetted design, I'm now at the top of page 9;
12 we continued to be committed to listening to the
13 community. Following the Community Board Hearing
14 last December, CB3 developed the Chatham Square
15 Reconstruction Task Force that has been working
16 with air traffic engineer, Brian Ketcham, to
17 analyze the details of our plan and make
18 additional recommendations.

19 The City has met several times with
20 Mr. Ketcham, and we've provided him with access to
21 many of the studies and analyses that support our
22 design and planning decisions. Indeed we are now
23 responding to additional data request made by
24 Brian Ketcham, Mr. Ketcham, including pedestrian
25 counts, new in-depth studies and great detail

2 about the Brooklyn Bridge Rehabilitation Project.

3 Likewise we are looking forward to
4 the recommendations of the Chatham Square Task
5 Force which we have committed to carefully
6 consider. CB3 is sponsoring a meeting on February
7 23rd at which the Task Force will present its
8 findings.

9 This project aims to transform a
10 congested and unsafe and relatively unattractive
11 Square into a safe, functioning and attractive
12 center of Chinatown. In keeping with the Mayor
13 and DOT's vision, it would replace excess street
14 space with pedestrian friendly, community open
15 space.

16 When Park Row was opened, it was
17 heavily used by traffic from the Brooklyn Bridge
18 and by busses as a convenient layover area. It
19 did not provide an attractive space for the
20 community, pedestrians or cyclists. Today, open
21 only to emergency vehicles, authorized vehicles
22 and transit busses, Park Row is overly wide and
23 underused. By reducing approximately half of the
24 roadway, we can make a barren and unattractive
25 Park Row into an attractive area, providing

2 community open space, a pleasant connection for
3 pedestrians and cyclists via a landscape
4 promenade, while still allowing transit busses to
5 move between Chinatown and Downtown. The design
6 of the promenade proposes rows of trees, planting
7 beds, and areas for sitting and gathering.

8 South of Pearl Street the project
9 proposes to create a pedestrian ramp that would
10 run from Park Row up to One Police Plaza. This
11 would allow pedestrians to have an easy walk up
12 the ramp to the Plaza by arriving either at the
13 Civic Center or continuing on to the City Hall
14 Brooklyn Bridge Subway Station. By extending the
15 promenade treatment underneath the One Police
16 Plaza Overpass, we will enable pedestrians to walk
17 along Park Row to Chatham Square to Frankfurt
18 Street for the first time. That creates a very
19 strong and attractive connection.

20 Finally the project will improve
21 the security structures around the perimeter of
22 the Civic Center at six intersections. The
23 devices that exist today are not attractive, were
24 installed with a sense of urgency and little
25 emphasis on esthetics or pedestrian movement.

2 Under the plan the security structures that appear
3 forbidding would be replaced with more attractive
4 devices integrated into the landscape and designed
5 with pedestrians and the community in mind. These
6 upgrades will also reduce the noise impact of the
7 existing barriers.

8 I'd like to talk a little bit about
9 schedule. The project has been divided into two
10 phases. The first phase of work is the road work
11 to realign Chatham Square and Park Row, as well as
12 install upgraded security devices. As a part of
13 this first phase we'd also perform work necessary
14 to install a new 42 inch distribution water main
15 to support the Third Water Tunnel Project. This
16 work is critical to the implementation of the
17 Third Water Tunnel Project and would proceed even
18 absent a proposal to reconfigure Chatham Square.

19 The City is preparing to advertise
20 a bid for this phase of work in the next two
21 weeks. Construction would start in the summer of
22 2009. We're expecting the water main and related
23 utility work to span roughly 27 months, and the
24 work to reconfigure the roadway to take roughly 3
25 to 4 months after that.

2 The second phase of the project
3 deals with open space and the pedestrian ramp, the
4 design is expected to be complete this summer and
5 we would big and award and then start construction
6 in early 2010.

7 We've finalized our construction
8 plans and have taken steps to ensure that our work
9 is well-coordinated with other projects that are
10 proceeding in Lower Manhattan, particularly the
11 planned rehabilitation of the Brooklyn Bridge.
12 Due to the poor condition of the Bridge, that
13 project is of critical importance and cannot be
14 delayed.

15 Project managers working on that
16 effort have already performed a significant amount
17 of traffic planning and analysis and still more is
18 to come before the project begins in mid-2010. We
19 were able to take advantage of the detailed
20 traffic models that were developed to analyze the
21 Brooklyn Bridge Project to test different
22 scenarios.

23 We looked at both projects, the
24 Chatham Square and the Brooklyn Bridge Project,
25 and determined that if they proceeded

2 simultaneously, there could be substantial traffic
3 congestion in Lower Manhattan, potentially
4 spreading across the span of the Manhattan Bridge
5 and into Brooklyn. To ensure proper coordination
6 and minimize traffic congestion during
7 construction, the City assembled a group including
8 the Departments of Transportation and Design and
9 Construction, as well as their traffic consultants
10 that developed a plan that minimizes overlap and
11 allows both projects to move forward. This plan
12 was presented to the experts at the Lower
13 Manhattan Construction Command Center for their
14 input and guidance.

15 In short the City's plan relies on
16 our ability to begin work in Chatham Square this
17 summer so that the critical infrastructure work
18 that needs to take place along with Brooklyn
19 Bridge Detour Route is completed and that section
20 of roadway that's needed for the Brooklyn Bridge
21 detours will be ready by mid-2010. We've
22 presented this plan to the community several
23 times, starting with CB3's Transportation
24 Committee in November of last year.

25 These projects, like any others

2 that involve traffic diversions, will result in
3 some inconveniences to drivers and the surrounding
4 community. That being said, we've done our best
5 to ensure that these inconveniences are kept to a
6 minimum. In addition to the Command Center we've
7 been working with the Police Department and the
8 Transportation Department's Office of Construction
9 Mitigation and Coordination to ensure that
10 appropriate numbers of traffic cameras, variable
11 message boards and traffic enforcement agents are
12 in place to keep traffic flowing and moving
13 smoothly and safely.

14 To talk about next steps and
15 conclude, the City's project team is continuing
16 our dialog with the community. CB3 has formed a
17 Transportation Task Force to review the traffic
18 realignment, and we've agreed to consider their
19 comments and suggestions. We're scheduled to have
20 another public meeting to review their findings on
21 February 23rd. We look forward to the continued
22 discussion regarding the open space designs and
23 additional community input that will result.

24 We understand that while
25 improvements may offer many benefits to the

2 Chinatown community, there is concern about the
3 impacts of construction. The City has been
4 preparing to outline a multi-faceted construction
5 mitigation plan, while many of these benefits and
6 services are available to all communities where
7 the City's doing construction, we are committed to
8 explaining and planning the mitigation strategy
9 with the community well in advance of the start of
10 construction.

11 [Pause]

12 SETH MEYERS: I'd like to conclude
13 now. Park Row has been closed for nearly seven
14 years, and nearly five years have passed since the
15 Chatham Square reconfiguration concept was first
16 proposed by the LMDC in a community based process.
17 This proposal has been thoroughly studied,
18 publicly vetted, carefully refined, endorsed by
19 traffic experts, and submitted to rigorous
20 environmental review. It has been reviewed,
21 refined and continues to be reviewed through
22 public comment and feedback. Indeed the public
23 has had substantive input in the final design.
24 And the City is advancing a multi-agency task
25 force to help mitigate the impacts of

2 construction.

3 Meanwhile the threat analysis
4 requiring the closure of Park Row has not changed.
5 And Park Row will continue to be closed for the
6 foreseeable future. The Chatham Square Park Row
7 Project represents a significant public investment
8 that would deliver a number of important benefits
9 to Chinatown and the surrounding neighborhoods.
10 The project will increase mobility, access and
11 connections to and through Chinatown, improve
12 pedestrian safety, decrease traffic congestion and
13 reduce vehicle conflicts, as well as bring new
14 open space to a community greatly in need of it.
15 It will also significantly improve upon the
16 appearance of the existing security zone.

17 We look forward to continuing to
18 work with the Council, other local elected
19 officials, and the community to continue the
20 revitalization of Chinatown. Thank you for the
21 opportunity to speak with you today. We would be
22 happy to answer any questions you may have at this
23 time.

24 CHAIRPERSON LIU: Well thank you
25 very much for the abbreviated testimony. I'll

2 note that that itself took 25 minutes. So I'm
3 happy that you were able to pull off the most
4 salient facts of the 12 page testimony. And we do
5 appreciate the 12 page testimony.

6 We've been joined by members of the
7 Committees, Council Member Jessica Lappin of
8 Manhattan, Council Member Darlene Mealy of
9 Brooklyn, Council Member Daniel Garodnick of
10 Manhattan. And we have questions from Chairman
11 Gerson.

12 CHAIRPERSON GERSON: Thank you Mr.
13 Chair. I will limit my initial round of
14 questioning to ten minutes and then I'll defer to
15 the Chair and my colleagues. I'm quite confident
16 following the initial rounds I'll return with
17 additional follow-up questions.

18 You say you've been at this for a
19 number of years, since 2004, something like that,
20 you know, I would imagine that if the City were to
21 undertake--going back to my opening statement, a
22 major reconfiguration of Herald Square or Sheridan
23 Square or Times Square, Grand Army Plaza, one of
24 the other great Squares of our City, we would, as
25 we've done in other major land reconfigurations,

2 we might start off or at some point in the process
3 have an open design competition or a process in
4 which the community and interested experts or non-
5 experts, interested parties, were asked to submit
6 their visions of the reconfiguration of an iconic
7 place.

8 And, you know, as we've done with
9 other parks and other reconfigurations and most
10 recently Governor's Island, those submissions
11 would be displayed and open for public comment and
12 the City would pick and choose and amalgamate, you
13 know, the best ideas with ongoing public comment.

14 Has there, in all the years in
15 which you've been at this, at least intensely
16 since '04, has there--have I missed something?
17 Has there been a call for a design competition or
18 design submission for input or an open public
19 design competition rather than just a response to
20 a plan submitted by the City? Has that taken
21 place?

22 ANDREW WINTERS: Well let me just
23 start by saying that actually, very, very few
24 projects that the City undertakes are done through
25 a public design competition. But let me turn it

2 over--

3 CHAIRPERSON GERSON: [Interposing]

4 But some significant ones are and have been. You
5 want me to go through the list?

6 ANDREW WINTERS: No. But I--

7 CHAIRPERSON GERSON: [Interposing]

8 Okay because we're timed. But so, has a design
9 competition taken place for Chatham Square? Can--

10 ANDREW WINTERS: [Interposing]

11 Certainly not, certainly not a design competition
12 as I said--

13 CHAIRPERSON GERSON: [Interposing]

14 Okay. That's my question--

15 ANDREW WINTERS: --that's very
16 unusual. But I think it's important to say that
17 as part of the normal City planning process, the
18 planning of a project like this, there is a
19 beginning, is going to the community and having
20 public outreach and meetings.

21 CHAIRPERSON GERSON: Well we're
22 going to talk about that in a minute--

23 ANDREW WINTERS: [Interposing]

24 Okay.

25 CHAIRPERSON GERSON: --but there's

2 a problem right there in what you've said. You
3 talk about a normal City design process, a major
4 reconfiguration of a major intersection that is
5 such a significant impact, physically,
6 economically, culturally, is not a normal process.
7 It's not something we do. It's not a street
8 repair. It's not adding or subtracting a lane.
9 It's not adding, you know, additional parking.
10 It's not a normal part of the work we do on our
11 streetscape. It's something special. It's
12 something that's going to affect us for
13 generations. It's on the order of--imagine if we
14 were to have a wholesale reconfiguration of any of
15 those other places I mentioned.

16 So it seems to me that this
17 deserves not a normal process but a heightened
18 process taking and tapping into the wonderful
19 creativity that is available throughout our City
20 and in this particular community. And clearly
21 from your testimony when there was no design
22 competition or the equivalent process, that has
23 not happened.

24 But let's talk about the process
25 that has happened. When--

2 SETH MEYERS: [Interposing]

3 Chairman? Can I just--

4 CHAIRPERSON GERSON: [Interposing]

5 Yes.

6 SETH MEYERS: --respond and say
7 that there was an extensive planning process
8 involving a great deal of community input and
9 truly and charette and brainstorming session that
10 was started by the LMDC in 2004--

11 [Audience reaction]

12 CHAIRPERSON GERSON: [Interposing]

13 Well we're going to have--

14 SETH MEYERS: --that produced two
15 studies that were distributed publicly by the
16 LMDC. That was followed up by an EIS process that
17 the City did. And subsequent to that, our project
18 team has been speaking with three dozen groups in
19 several town hall meetings--

20 CHAIRPERSON GERSON: [Interposing]

21 But see what you just said? Subsequent to that.
22 Subsequent to what was prepared by the so-called
23 experts or bureaucrats, and I don't say that
24 pejoratively, I say that descriptively, subsequent
25 to that. My point was if we were at this for so

2 many years, and this is such a significant
3 undertaking, a better, a suitable process would
4 have involved, could have involved, and maybe can
5 still to some extent, we're talking about grand,
6 new open spaces that's going to serve the
7 community. Some kind of a more open design
8 competition or open call for design, that we have
9 done in so many other successful undertakings in
10 Lower Manhattan, as well as elsewhere, Pier 40,
11 Governor's Island, The South Street Seaport
12 Charette. I mean I could go through the list.
13 And that's just in my District.

14 But let's talk about the process
15 that did happen. When was the current plan,
16 first, or let me, when was any plan, then we'll
17 get to the current plan, when was any plan for the
18 Chatham reconfiguration first posted on a City
19 agency website for public review?

20 [Pause]

21 SETH MEYERS: I believe there was a
22 design published--posted on DOT's website in late
23 November of this year.

24 CHAIRPERSON GERSON: Late November
25 of this year. November of '08 for the record.

2 ANDREW WINTERS: Well you're
3 talking about this specific design here. But we
4 would--we should get back to you with a document
5 showing when various different iterations of this
6 design were made public. Because as we say, the
7 process has gone back to 2004.

8 CHAIRPERSON GERSON: Made public on
9 an official website?

10 ANDREW WINTERS: Again we would
11 have to get back to you on the specifics on that.

12 CHAIRPERSON GERSON: Do you know
13 if--I don't know--specifically there are many ways
14 of making a project public, but specifically on a
15 website, was there any posting prior to November
16 '08?

17 ANDREW WINTERS: Again we'll have
18 to get back to you with specifics--

19 CHAIRPERSON GERSON: [Interposing]
20 You don't know that offhand?

21 ANDREW WINTERS: --on that. I
22 don't know that off the top of my head.

23 CHAIRPERSON GERSON: My--I think I
24 know that. I don't think there was.

25 SETH MEYERS: Part--no, well part

2 of our difficulty in answering is because there
3 are a series of design statuses or development
4 stages. The design--

5 CHAIRPERSON GERSON: [Interposing]
6 When was the first time anything was posted on a
7 City agency website?

8 SETH MEYERS: An EIS process
9 started in 2005--

10 CHAIRPERSON GERSON: [Interposing]
11 Not the EIS. A design plan--

12 ANDREW WINTERS: [Interposing] Well
13 that is--that's exactly--

14 CHAIRPERSON GERSON: --when was the
15 first--

16 ANDREW WINTERS: --where the--some
17 of the designs--

18 CHAIRPERSON GERSON: --the EIS for
19 Park Row, for the Park Row closure. I understand
20 that. When was the first time a design for the
21 reconfiguration of Chatham Square was posted on
22 the website? You testified November '08. Are you
23 changing your testimony?

24 SETH MEYERS: I'm--the November
25 2008 date is the final plan that we came up with.

2 Our latest--

3 CHAIRPERSON GERSON: [Interposing]

4 Was any plan posted on a website prior to that--

5 SETH MEYERS: [Interposing] That's
6 what I'm saying is--

7 CHAIRPERSON GERSON: --you know,
8 this room, Mr. Chair, you'd better notify the next
9 Committee, we're going to be at this all day if
10 simple questions can't get a simple response. Was
11 any plan for the Chatham reconfiguration, any
12 design, posted on a website prior to November of
13 '08?

14 ANDREW WINTERS: Again I think we
15 should get back to you--

16 CHAIRPERSON GERSON: [Interposing]
17 Okay. That's an answer.

18 ANDREW WINTERS: --because it's
19 important to remember that this project was
20 initiated by the Lower Manhattan Development
21 Corporation which is not a City agency--

22 CHAIRPERSON GERSON: [Interposing]
23 Good.

24 ANDREW WINTERS: --so you're asking
25 specifically about City agencies which is why we

2 need to look at it very carefully.

3 CHAIRPERSON GERSON: Okay. Well
4 let's talk about the Lower Manhattan Development
5 Corporation with the three minutes I have left.
6 And what I said I would--in the time I said I
7 would limit myself. When you say, I take it this
8 plan proposes to utilize funding made available
9 through the Lower Manhattan Development
10 Corporation, correct?

11 ANDREW WINTERS: Partially, yes.

12 CHAIRPERSON GERSON: Partially,
13 yes. Thank you. And I believe funding was made
14 available to the City of New York through LMDC,
15 through an agreement that was signed in December
16 of 2006, is that correct?

17 ANDREW WINTERS: Yes.

18 CHAIRPERSON GERSON: By the way Mr.
19 Chair, that was two days before a change in the
20 Administration in Albany, was the final two days
21 of the Pataki Administration. With that being
22 said, I have a copy of this agreement with me, in
23 front of me, I'm sure you're quite familiar with
24 it since the City signed it. And according to the
25 timetable set forth in this agreement, the

2 agreement called, or the timetable called for the
3 posting, my counsel will assist me, of a project
4 description on the web in October, 2007 which is
5 roughly one year prior to when you testified the
6 plan was posted on the web.

7 Now when were copies of the Chatham
8 Square reconfiguration proposal, not the EIS for
9 Park Row, but when were copies for Chatham Square
10 reconfiguration, hard copies, first distributed to
11 let's say the public libraries of Lower Manhattan?

12 ANDREW WINTERS: Again we'd like to
13 get back to you with a specific list of dates of
14 distribution. We don't have those off the top of
15 our heads--

16 CHAIRPERSON GERSON: [Interposing]
17 Were they ever distributed to the public libraries
18 of Lower Manhattan?

19 ANDREW WINTERS: Again we would
20 have to get back to you.

21 CHAIRPERSON GERSON: Yeah. Well,
22 you know, I have a very capable Chief of Staff
23 named Tammy To [phonetic], and she just this
24 morning--and she does great work by the way.
25 She's really very, very, very outstanding and very

2 thorough. And this morning she spoke with the
3 branch manager for the Chatham Branch Library. We
4 have a branch library with the same name as the
5 Square that's being reconfigured. That branch
6 manager never heard of or never--doesn't recall
7 being contacted by any City agency and doesn't
8 know anything about any, any plans to be posted or
9 distributed or made available through the library.

10 And the reason that's relevant is
11 because, again, under the LMDC agreement, signed
12 by the City, as of October '07, help me here Mr.
13 Chair--oh. Make project descriptions available on
14 the web and libraries. And later on it specifies
15 the libraries of Lower Manhattan. And that's
16 again more than a year ago. And that hasn't
17 happened.

18 Now let me finish up on this point.
19 I understand sometimes things take a little longer
20 for very legitimate reasons. So let's say there
21 was a legitimate reason for delaying the public
22 disclosure requirements that should have been met
23 by October 1, '07 to November '08. In the scheme
24 of things that's not inherently so terrible.

25 The timetable though allows for a

2 nine month period between the public disclosures
3 of October '07 and the development and the
4 finalization of a detailed scope and schedule for
5 the project which was supposed to have taken place
6 in June 30th, '08. So if I'm doing my math,
7 October 1, '07 to June 30th, '08 which is roughly
8 where we are now in terms of the content, was
9 around 9 months. So therefore, and obviously
10 people felt that there was a period of time, you
11 know, 9 month incubation period to allow for
12 thorough analysis and digestion and community
13 input. So following the spirit and the intent of
14 that, if we're now--in November of '08, we were
15 where we should have been October 1, '07;
16 shouldn't the bidding for the contract and the
17 finalization be delayed until 9 months from
18 November '08 to allow for the full process that
19 this agreement anticipated?

20 ANDREW WINTERS: Again we will look
21 at the schedule. We will look at the milestones
22 that have been hit and we will get back to you on
23 the specific dates.

24 CHAIRPERSON GERSON: Okay Mr. Chair
25 I have a lot more to question but I did say I

2 would limit myself for the first round, so I
3 reserve the right to return. And I turn the mic
4 back to you. Thank you.

5 CHAIRPERSON LIU: Thank you. Thank
6 you Council Member Gerson. The fact of the matter
7 is Mr. Winters, and Mr. Meyers--

8 CHAIRPERSON GERSON: [Interposing]
9 I'm sorry. I did need to acknowledge that from
10 the Lower Manhattan Development Committee, we have
11 been joined by Council Members Rosie Mendez and
12 David Yassky who have, you know, been--played a
13 very important role in our committee's work
14 including with relation to Chatham Square. Thank
15 you.

16 CHAIRPERSON LIU: Thank you very
17 much. So gentlemen, you've testified on a couple
18 of, a number of times that there has been a full,
19 I think I'm using your words, full and open and
20 transparent process over the last five years that
21 this redesign was taking place. And I believe
22 Chairman Gerson, his questions are relatively
23 basic. And they speak to your demonstration that
24 in fact the process has been open and transparent.

25 We have reports that none of the

2 information was available until a couple of months
3 ago. That the plan was not online. We're
4 checking the libraries as required under this
5 agreement. They're not in the libraries. So how
6 do you, how do you support your statements that in
7 fact the process has been open and transparent?

8 ANDREW WINTERS: Well again I would
9 like to say that the planning process began in
10 2004, very similar to many other planning
11 processes with a definition of a problem and a set
12 of issues, a series of public meetings to solicit
13 input, to have experts there, to listen to what
14 the community has to say, and for the community to
15 listen to how the experts look at it.

16 And over time the plan was
17 developed through a series of traffic engineering
18 studies, through a series of landscape studies. I
19 think, again, we would look back to the EIS which
20 was started in 2005 and ran through 2007, which is
21 a very clearly defined public process that's
22 mandated by law that we followed. All of the
23 documents that you're seeing here in terms of a
24 traffic plan were vetted and publicly shown
25 through that process.

2 Again I'm not relying only on the
3 EIS, that was just a piece--

4 CHAIRPERSON LIU: [Interposing]
5 Well--

6 ANDREW WINTERS: --of a longer
7 process.

8 CHAIRPERSON LIU: --give us an
9 example. Give us an example of how you showed or
10 displayed the plan. Apart from the schematics not
11 being available until, or I should say the
12 schematics becoming available on the website in
13 November, which is just about two, maybe at most
14 three months ago, what other way--

15 ANDREW WINTERS: [Interposing] Well
16 I mean--

17 CHAIRPERSON LIU: --did the public
18 have a chance to look at what the plan was and
19 provide comment on it?

20 ANDREW WINTERS: Well--

21 CHAIRPERSON LIU: [Interposing]
22 Just give me an example.

23 ANDREW WINTERS: The EIS process.
24 That's--it's where you have a series--you have a
25 scoping session, you have a series of public input

2 sessions and then you have a draft EIS--

3 CHAIRPERSON LIU: [Interposing] All
4 right. So--

5 ANDREW WINTERS: --which is
6 presented publicly--

7 CHAIRPERSON LIU: --what's the
8 rough timeframe--

9 ANDREW WINTERS: --in those
10 materials.

11 CHAIRPERSON LIU: --the
12 approximately timeframe of that EIS process then,
13 you're talking about--

14 ANDREW WINTERS: [Interposing] Well
15 it was from 2005 through 2007.

16 CHAIRPERSON LIU: And was there a
17 specific hearing that you're talking about?

18 ANDREW WINTERS: Sure. That's
19 mandated by law that there be a minimum of--

20 CHAIRPERSON LIU: [Interposing] And
21 what was the subject of those hearings? What was
22 the title of those hearings? Could you?

23 SETH MEYERS: Excuse me. It was
24 the One Police Plaza Environmental Impact
25 Statement.

2 CHAIRPERSON LIU: Okay. So One
3 Police Plaza Environmental Impact Statement.
4 That, the general public would automatically
5 correlate to reconfiguration of Chatham Square?

6 SETH MEYERS: I don't understand.

7 CHAIRPERSON LIU: I mean we're--you
8 know, your thing says Chatham Square Park Row
9 Improvement Project. You've testified that for
10 five years you've conducted an open and
11 transparent process. That the public has had
12 plenty of opportunity to look at the plans, to
13 provide input on the plans, I'm just asking a
14 simple question. What was the name of that
15 hearing that you held as part of the EIS process?

16 ANDREW WINTERS: Again, the EIS
17 itself has a specific title but I think it's
18 always been understood, and certainly through the
19 public outreach that began in 2004, that the
20 closure of Park Row had outsized implications for
21 Chatham Square specifically. So I don't think
22 there's any mystery to a Chatham Square--the
23 Chatham Square connection because that's part of
24 the dialog. Again that began more than a year
25 earlier than that and was in fact brought by--

2 through a suit against the City--

3 CHAIRPERSON LIU: [Interposing]

4 Okay. So that's your testimony. That people
5 should just have known that that was--that that
6 Environmental Impact Study including the hearing--
7 the public hearings that were part of that process
8 would have automatically included a
9 reconfiguration of Chatham Square. That's your
10 testimony.

11 ANDREW WINTERS: Again I can't
12 speak for what the public would know but what I'm
13 saying is--

14 CHAIRPERSON LIU: [Interposing] No,
15 I'm asking you your testimony.

16 ANDREW WINTERS: Well the public
17 outreach from 2004 on linked the closure of Park
18 Row with the redevelopment of Chatham Square and
19 the reconfiguration of Chatham Square, that was
20 part of the ongoing dialog and certainly part of
21 the lawsuit that was brought against the City.

22 CHAIRPERSON LIU: Okay. Well at
23 least you've made that very clear, and I think we
24 will hear some opinions about that very clear
25 statement a little bit later. And what about your

2 interactions with Community Board 3? Exactly what
3 has been the interaction?

4 SETH MEYERS: In what way?

5 CHAIRPERSON LIU: Well you, in your
6 testimony, you've also alluded to the Community
7 Board and their approval or at least non-
8 opposition.

9 SETH MEYERS: No--

10 ANDREW WINTERS: [Interposing] I
11 don't think we said that.

12 SETH MEYERS: --yeah, I don't--
13 that's not exactly how we described it. We've
14 worked extensively with Community Board 3, many
15 stakeholder groups in the Community Board as well
16 as holding public town hall meetings. Most
17 recently, working with Community Board 3, we held
18 a public meeting where they were there and the
19 followed up with series of Community Board
20 meetings where they reviewed the plan.

21 What we stated was Community Board
22 3 hired a transportation consultant to review our
23 plan which we shared with him and had several
24 subsequent meetings to follow up and review
25 exactly what we were proposing. And his

2 conclusion was that this was a marked improvement
3 over what exists today. And that is what we said
4 in our testimony.

5 CHAIRPERSON LIU: Okay. But there
6 has not been a position taken by Community Board
7 3?

8 SETH MEYERS: Well Community Board
9 3 did issue a resolution, yes.

10 CHAIRPERSON LIU: And what was the
11 substance of that resolution?

12 SETH MEYERS: They voted to reject
13 the project.

14 CHAIRPERSON LIU: Okay.

15 SETH MEYERS: And I believe citing
16 that, I believe citing that they wanted to reopen
17 Park Row as part of the conditions.

18 CHAIRPERSON LIU: Okay. And did
19 you state in your testimony here that there was--
20 so in other words you would then have to say that
21 you hold fast to your claim that there has been a
22 thorough review process in the community. And
23 that the City would proceed with this project even
24 though there is no manifestation of community
25 support.

2 SETH MEYERS: What we've tried to
3 demonstrate here today is that we've met with
4 dozens of groups, the Community Boards, elected
5 officials, and we tried to listen to them and
6 incorporate their changes to the best of our
7 abilities. And we've given several examples of
8 how those comments were given to us through the
9 early planning process in 2004, the EIS process
10 and then the planning process and design process
11 that we're going through right now.

12 CHAIRPERSON LIU: Is there any
13 source that you can state in the community that
14 supports this reconfiguration?

15 SETH MEYERS: We've spoken to many
16 people that see a lot of the advantages of what
17 we're doing in terms of the open space, in terms
18 of--

19 CHAIRPERSON LIU: [Interposing]
20 They--

21 SETH MEYERS: -- - - connection, in
22 terms of the improved safety for pedestrians and
23 improved traffic efficiency.

24 CHAIRPERSON LIU: Okay but not the
25 Community Board.

2 SETH MEYERS: The Community Board
3 did vote to reject this proposal.

4 CHAIRPERSON LIU: Okay. So the
5 Community Board doesn't support it. Now my
6 understanding is that Community Board 1 is the--I
7 think it's like a block or two off?

8 SETH MEYERS: A small segment of
9 the project area is in Community Board 1--

10 CHAIRPERSON LIU: [Interposing] All
11 right.

12 SETH MEYERS: --that's correct.

13 CHAIRPERSON LIU: How about
14 Community Board 1? How does that Community Board
15 feel about this particular project?

16 SETH MEYERS: community Board 1
17 also issued a resolution rejecting the project.
18 And again they stated that unless our project was
19 going to reopen Park Row they did not want to
20 support it.

21 CHAIRPERSON LIU: All right. So
22 two Community Boards have soundly rejected the
23 proposal. You say that there are some elements
24 that have cited advantages to the reconfiguration
25 of Chatham Square that the City has laid out. Can

2 you cite any of those entities?

3 SETH MEYERS: I'd like to get back
4 to you with a formal list of them.

5 CHAIRPERSON LIU: Really? So as of
6 this point there does exist a formal list?

7 SETH MEYERS: I have notes that I'd
8 like to look at.

9 CHAIRPERSON LIU: Okay. So you
10 have your notes. You're going to give us copies
11 of your notes?

12 SETH MEYERS: I will give you a
13 summation of my notes.

14 CHAIRPERSON LIU: Okay. I think
15 it's fair to say that you actually don't have any
16 list of organizations--

17 [Audience laughter]

18 CHAIRPERSON LIU: --I mean--please.
19 You don't have a list of organizations, in fact in
20 this Committee, and we've conducted extensive
21 outreach on this particular issue also. And it
22 certainly has not been only within the just the
23 last couple of months. This has been an issue
24 that our Joint Committees has looked at for years.
25 And we know of no organization or entities that

2 explicitly support what the City is trying to do.

3 What we are aware of are some
4 entities and individuals that have perhaps
5 resigned themselves to the fact that it may be too
6 difficult to fight City Hall and Police
7 Headquarters. And therefore the Chatham Square
8 reconfiguration may make sense if Park Row is in
9 fact going to be closed forever.

10 You state in your testimony, Mr.
11 Meyers, that it will enable pedestrians to walk
12 along Park Row from Chatham Square to Frankfurt
13 Street for the first time. What do you mean for
14 the first time?

15 SETH MEYERS: When Park Row--

16 CHAIRPERSON LIU: [Interposing] We
17 used to be able to walk all the time. I mean for
18 the first time since what?

19 SETH MEYERS: When Park Row was
20 constructed it did not have a sidewalk that ran
21 through it, so you could not walk underneath the
22 underpass connecting all the way from Chatham
23 Square to Frankfurt Street.

24 CHAIRPERSON LIU: Are you sure
25 about that?

2 SETH MEYERS: That's the
3 information that I've been given.

4 CHAIRPERSON LIU: Okay.

5 [Audience response]

6 SERGEANT AT ARMS: Quiet please.

7 CHAIRPERSON LIU: Okay. I've
8 walked it many times myself. Glad I didn't get
9 any summonses. The--you state in your testimony
10 Mr. Winters, I guess your portion of the
11 testimony, that the series of lawsuits regarding
12 the Park Row closure and the required
13 environmental review was finally ended with the
14 signing of a settlement agreement in May 2008 that
15 included a number of important mitigation
16 commitments. That settlement agreement from May
17 2008, does that memorialize the permanent closure
18 of Park Row?

19 SETH MEYERS: No it does not.

20 CHAIRPERSON LIU: Okay. In fact is
21 the permanent closure of Park Row memorialized
22 anywhere?

23 ANDREW WINTERS: No. We will--
24 again I don't think that we have said in any of
25 the documents, and I could be corrected by counsel

2 on this, I don't think we've said that there is a
3 permanent closure of Park Row and I don't think
4 that that's what we're representing here today. I
5 think we've said for the foreseeable future. And
6 what we understand is that with Park Row closed,
7 there are significant environmental impacts which
8 were raised by the community, done through a
9 lawsuit, and there's an agreement to mitigate to
10 the best extent practicable those impacts. That's
11 what this project does.

12 CHAIRPERSON LIU: And has there
13 been an analysis of the traffic, the traffic
14 volumes and patterns through, the traffic volumes
15 and patterns through Chatham Square prior to
16 September 11th? For example, the last--the couple
17 of years prior to that?

18 ANDREW WINTERS: Yes. That was
19 included in the EIS.

20 CHAIRPERSON LIU: And do you recall
21 if that traffic, if the traffic volumes and
22 patterns were particularly difficult in the 2
23 years prior to September 11th?

24 ANDREW WINTERS: What do you mean
25 particularly difficult--

2 CHAIRPERSON LIU: [Interposing] Was
3 it bad? Was traffic bad for those two years from
4 1999 to 2001?

5 ANDREW WINTERS: I would defer to
6 DOT.

7 SETH MEYERS: We would have to look
8 back--and that's--

9 CHAIRPERSON LIU: [Interposing]
10 Well our records indicate that in fact the traffic
11 wasn't all that bad. In fact, the DOT had
12 undertaken a very substantial effort to improve
13 the flow of traffic, both pedestrian and vehicular
14 in and around Chatham Square.

15 ANDREW WINTERS: Correct. But
16 you're talking about a situation where Park Row
17 was open.

18 CHAIRPERSON LIU: That it--right--

19 ANDREW WINTERS: [Interposing]
20 Right.

21 CHAIRPERSON LIU: --well I'm
22 getting to that. In 1999 the Department of
23 transportation had reconfigured that Square
24 already to improve traffic for vehicles and
25 pedestrians. And so we... the DOT doesn't do a bad

2 job of doing that so in the two years after that
3 major reconfiguration, the traffic was flowing
4 better. It was only after September 11th and the
5 closure of Park Row that in fact traffic got
6 really, really awful. So I mean I think you're
7 saying it yourself, it's because of Park Row that
8 the traffic in Chatham Square is a huge mess.

9 ANDREW WINTERS: I thought we were
10 very clear on that.

11 CHAIRPERSON LIU: Okay. So, so now
12 the City is embarking on this plan that seeks to
13 improve a condition by permanently or by making
14 permanent the condition that caused the traffic in
15 the first place.

16 ANDREW WINTERS: I don't think
17 that's a fair statement. I think--

18 CHAIRPERSON LIU: [Interposing] I
19 think it's very fair. I mean the, the sole cause--
20 -and you can argue Homeland Security and things
21 like that and, you know, my buddy Jim Waters can
22 interject at any time, but still the primary
23 reason, and again you can argue all sorts of other
24 rationale, but the primary reason why Chatham
25 Square is a mess, and is a hazard to both

2 pedestrians and motorists today, is because of the
3 closure of Park Row--

4 ANDREW WINTERS: [Interposing] I--

5 CHAIRPERSON LIU: --would you say
6 that is a fair statement or not a fair statement?

7 ANDREW WINTERS: I would say there
8 are two parts to responding. One is that in the
9 current configuration it is configured so that
10 Park Row is meant to take traffic. So without
11 Park Row open, it's a problem. That is not to say
12 it can't be reconfigured as we've proposed so that
13 it can work with Park Row closed. That's what we
14 want to be very clear about.

15 SETH MEYERS: And I'd also like to
16 follow up that were Park Row to hypothetically
17 reopen, we've looked at it very carefully, and
18 Park Row could still function as an open street.
19 It would--it's important to mention that it would
20 not be the prominent north/south connection and
21 it's also worthwhile to understand that were
22 security changes to happen in the future and Park
23 Row could be closed again, so it would not be as
24 reliable as a major connection, or major street.
25 But our plan does not preclude Park Row from

2 reopening in its narrowed condition.

3 ANDREW WINTERS: Right.

4 CHAIRPERSON LIU: Okay but you've
5 stated very clearly, go ahead--

6 CHAIRPERSON GERSON: [Interposing]
7 Just didn't hear you. In what condition?

8 SETH MEYERS: Well we're proposing
9 to reduce the roadway by roughly half. So if that
10 were to take--it's a lot of hypotheticals but if
11 we were to go ahead with the project and narrow it
12 and then in our hypothetical situation Park Row
13 were to be reopened because of relaxed security
14 requirements, whatever those may be, it would be a
15 narrower street and it would not be the main
16 connection north/south because it would no longer
17 align with The Bowery. But it would function in
18 the Square and the Square would continue to
19 function.

20 CHAIRPERSON LIU: Well then could
21 you just help us reconcile the idea that Park Row
22 could be opened with half the width that it
23 current exists?

24 ANDREW WINTERS: Sure--

25 CHAIRPERSON LIU: [Interposing] As

2 opposed to your statements that Park Row is not
3 going to be opened for the foreseeable future.

4 ANDREW WINTERS: Park Row is not
5 going to be opened for the foreseeable future.

6 And I think you stated it best when you said that
7 whatever the conditions were before 9/11, they are
8 worse after 9/11. The City has been very clear
9 about that. That was the subject of the lawsuit.
10 And that's the reason that we're trying to create
11 a mitigation project. If Park Row remains closed,
12 which we foresee--which will happen for the
13 foreseeable future and there is no reconfiguration
14 of the Square, there will be no improvements.

15 So this is a project which
16 recognizes Park Row will be closed for the
17 foreseeable future but reconfigures the
18 intersection to eliminate which what I think you
19 said was the mess. So the answer to the question
20 is that once the intersection is reconfigured, if
21 Park Row were to be reopened in the future, it
22 could function as a street for public traffic, but
23 it would function in a different way than it does
24 now. It wouldn't be the main arterial. It would
25 be more of a side street but it would be perfectly

2 functional.

3 CHAIRPERSON LIU: I see. So you're
4 saying that even though you don't see Park Row
5 opening in any way for the foreseeable future,
6 that even with this configuration, or this
7 reconfiguration of Chatham Square that at some
8 point Park Row could conceivably be reopened
9 although it would not be the artery that it used
10 to be.

11 ANDREW WINTERS: Yeah--I can't
12 speak to it from a security perspective but from a
13 traffic perspective, yes--

14 CHAIRPERSON LIU: [Interposing]
15 Right.

16 ANDREW WINTERS: --this project
17 does not preclude, in fact, we even showed you
18 studies that show articulated busses making those
19 turns. If they can make the turn, anybody can
20 make the turn.

21 CHAIRPERSON LIU: Okay. And you
22 continue to say that Park Row will not be reopened
23 for the foreseeable future. Now there's nothing
24 written that says Park Row will be closed
25 permanently. That's what you testified to--

2 ANDREW WINTERS: [Interposing] I
3 believe that's right--

4 CHAIRPERSON LIU: --what--

5 ANDREW WINTERS: --but again I
6 would check with counsel on that but I believe, I
7 believe that's the right terminology--

8 CHAIRPERSON LIU: [Interposing]
9 Right. What exactly is it that allows you to make
10 the statement that Park Row will not be reopened
11 for the foreseeable future?

12 ANDREW WINTERS: Again I would turn
13 it over to the Police Department to respond to
14 that--

15 CHAIRPERSON LIU: [Interposing]
16 Okay.

17 ASSISTANT CHIEF JAMES WATERS: Good
18 morning. The current threat environment does not
19 permit the reopening of Park Row at this point.

20 CHAIRPERSON LIU: Okay. But
21 there's got to be a piece of paper that says that
22 exact same thing. I mean where is that piece of
23 paper that says the current threat, or is that
24 just like, you know, passed on word of mouth?
25 There's an order somewhere that says the current

2 conditions do not allow Park Row to be reopened.

3 Whose order is that?

4 ASSISTANT CHIEF WATERS: I'm not
5 aware of where the paper would be but there's a
6 decision made based on the climate, you know, the
7 threat climate of this City, and the fact that,
8 you know, New York City clearly remains, you know,
9 a target of the terrorist organizations.

10 CHAIRPERSON LIU: Okay. That's--I
11 know--

12 ASSISTANT CHIEF WATERS:
13 [Interposing] And the assessment that was done of--
14 --to close Park Row, you know, to mitigate that
15 threat.

16 ASSISTANT CHAIRPERSON LIU: Well.
17 We understand all of that. By the way we've been
18 joined by Council Member Diana Reyna of Brooklyn
19 and Queens. There has to be something of
20 substance that says or allows all of you to sit
21 there in recorded testimony to say that Park Row
22 will not be opened for the foreseeable future. Is
23 that an order by the President? Is that an order
24 by the Secretary of Homeland Security? Order by
25 the Mayor? The Police Commissioner? A certain

2 Deputy Police Commissioner? Whose order is it?

3 Because that's not memorialized in any documents.

4 It's not in any documents with the LMDC. It's not

5 in the Administrative Code. It's not anywhere

6 that we can find. So whose order is it?

7 [Pause]

8 CHAIRPERSON LIU: Nobody wants to
9 venture a guess? Okay so. So then it would just
10 be your opinion Mr. Winters--

11 ANDREW WINTERS: [Interposing]

12 That's not--

13 CHAIRPERSON LIU: --that Park--

14 ANDREW WINTERS: --I think the
15 Police Chief was very clear on the source of this.

16 CHAIRPERSON LIU: No. Absolutely
17 not.

18 ANDREW WINTERS: I'm saying that
19 it's not--it's not my personal--

20 CHAIRPERSON LIU: [Interposing] Oh.

21 ANDREW WINTERS: --opinion. It's
22 not--

23 CHAIRPERSON LIU: [Interposing]

24 Okay.

25 ANDREW WINTERS: --something like

2 that.

3 CHAIRPERSON LIU: Is there anybody
4 in this room who could tell us where that order
5 rests? Who made that order? Who ordered--who
6 made--oh okay, forget about the order. Let's call
7 it an assessment. Who made the assessment that
8 the current conditions do not allow for a
9 reopening of Park Row?

10 ASSISTANT CHIEF WATERS: Sometime
11 back, the Counterterrorism Bureau did an
12 assessment with regard to the threat to New York
13 City, to the Infrastructure, to the Police
14 Headquarters and the surrounding buildings,
15 apartment buildings, the courthouses, etcetera,
16 and determined based on the threat, and I can't go
17 into, you know, more specifically what the threat
18 is, in public, that, you know, the threat is
19 clear. It's real. And the only way to mitigate
20 that threat would to be to keep Park Row closed.

21 CHAIRPERSON LIU: Okay. I mean we
22 have never asked exactly what the threat is. We
23 understand the sensitivity of that. But we do not
24 understand why it is so impossible after all these
25 years to find out who exactly made that

2 assessment. Now Chief Waters you state that it
3 was the Counterterrorism Bureau. Is that the
4 Counterterrorism Bureau of the New York City
5 Police Department?

6 ASSISTANT CHIEF WATERS: That's
7 correct.

8 CHAIRPERSON LIU: Okay. So it's
9 your testimony that it is the assessment of the
10 New York City Police Department's Counterterrorism
11 Bureau that Park Row must remain closed for
12 security purposes?

13 ASSISTANT CHIEF WATERS: Yes. And
14 other experts that looked at the area, regarding
15 the threat--

16 CHAIRPERSON LIU: [Interposing]
17 Well they--

18 ASSISTANT CHIEF WATERS: --and
19 made--and came to the same determination.

20 CHAIRPERSON LIU: So, so the
21 Counterterrorism Bureau of the NYPD made that
22 assessment in consultation with outside security
23 experts.

24 ASSISTANT CHIEF WATERS: That's
25 correct.

2 CHAIRPERSON LIU: What about the
3 Federal security experts?

4 [Pause]

5 ASSISTANT CHIEF WATERS: Well to
6 best try to answer that, we work, you know, with
7 the Joint Terrorist Task Force, which I was the
8 Commanding Officer for the past five and a half
9 years before this assignment. We work with the
10 Federal Government every day. So it's based on
11 information supplied by, coming through, the
12 different members of the intelligence community
13 that help formulate, you know, our threat posture.

14 CHAIRPERSON LIU: And it has always
15 been my understanding, talking with, actually with
16 different Department of Transportation--City
17 Department of Transportation Commissioners that,
18 that was a matter largely beyond the DOT's
19 control. I mean is that something that you would
20 testify to Commissioner?

21 ANDREW WINTERS: It's a security
22 issue.

23 CHAIRPERSON LIU: Okay. Can we
24 hear from your colleague that you introduced
25 earlier?

2 [Off mic]

3 CHAIRPERSON LIU: Oh.

4 [Off mic]

5 CHAIRPERSON LIU: Okay can you
6 state your name on the record and?

7 [Off mic]

8 CHAIRPERSON LIU: No you've got to
9 come up to the mic please. Sorry for the
10 inconvenience. One of these days we'll hook
11 everybody up wireless.

12 MR. LUIS SANCHEZ: Luis Sanchez,
13 Lower Manhattan Borough Commissioners.

14 CHAIRPERSON LIU: Could you press
15 the button please?

16 ANDREW WINTERS: Oh it is pressed.
17 Just go closer.

18 MR. SANCHEZ: Luis Sanchez, Lower
19 Manhattan Borough Commissioner for the DOT.

20 CHAIRPERSON LIU: Okay. And, I
21 mean, the DOT is doing its best to work within the
22 circumstances. The circumstances being that Park
23 Row is--

24 MR. SANCHEZ: [Interposing] Right.
25 We have a constraint--

2 CHAIRPERSON LIU: --closed. And
3 according to the NYPD and the Mayor's Office of
4 Capital Projects, that it's not going to be opened
5 for the foreseeable future.

6 MR. SANCHEZ: That's correct.

7 CHAIRPERSON LIU: All right. So,
8 you know, I think the DOT is doing what it has to
9 do in terms of mitigating the severe traffic
10 situation. And there's nothing that you could do
11 about it Commissioner? Nothing that the DOT can
12 do about it? About these security concerns.

13 MR. SANCHEZ: Security--

14 CHAIRPERSON LIU: [Interposing]
15 Could you press the button so that the light is
16 off?

17 MR. SANCHEZ: I'm sorry. Security,
18 basically overrides all the other considerations.
19 We just try to--we try to minimize the impacts
20 that security causes on traffic and pedestrians.
21 So we try to work around them as best as we can.

22 CHAIRPERSON LIU: But security has
23 to come first.

24 MR. SANCHEZ: Yes.

25 CHAIRPERSON LIU: Okay. So. It

2 turns out that well maybe ten years ago in the
3 late 1990's, the Federal government had actually
4 requested a number of security measures. And that
5 especially after the bombing of the World Trade
6 Center the first time, that the Federal government
7 had a plan to increase security at its Federal
8 buildings at 26 Federal Plaza and 290 Broadway.
9 And at that time, the Federal government, for
10 security purposes, saw it necessary to close parts
11 of Broadway, Center Street, Worth Street, Dwayne
12 Street, Reed Street, and Elk Streets. And at the
13 time the City, Department of Transportation
14 vehemently objected to that Federal request to
15 close those streets, stating that they were main
16 arteries into Lower Manhattan and into the
17 Brooklyn Bridge.

18 The City also cited concerns about
19 obstructing emergency service vehicles. And
20 ironically these are the same concerns that the
21 residents now express about the closure of Park
22 Row. So in the case of the closure of Park Row it
23 seems necessary and acceptable that security
24 concerns override the concerns and needs of local
25 residents and they pertain to access.

2 And yet in the case of the Federal
3 buildings, just a few years earlier, the City
4 could object and basically deny those kinds of
5 requests. Requests made by the Federal government
6 in the name of security. This smacks of a double
7 standard. It's a double standard that people have
8 to be held accountable for.

9 [Applause]

10 SERGEANT AT ARMS: Quiet please.

11 CHAIRPERSON LIU: Quiet please.

12 You know, I think we have a--we have more to
13 explore on this but let's move onto some questions
14 I have about the timing of these--this project
15 that has to be bid out immediately 'cause the work
16 has to start right away. You know, is there any
17 way we can put this off for like maybe six months?
18 Or does it have to start now? Does the bidding
19 process have to commence and finish immediately?

20 SETH MEYERS: In order to best
21 coordinate with the Brooklyn Bridge Project, we've
22 tried to detail how we need to do certain utility
23 work in parts of Chatham Square starting in the
24 summer of 2009 to get that work done before the
25 Brooklyn Bridge needs that roadway space for

2 detours. So yes, we want to start as soon as
3 possible for that specific technical reason in
4 order to avoid traffic disruptions.

5 Overall though I think that given
6 the amount of time we've spent planning and
7 working with the community, and the time that
8 we've had this present problem, we don't see any
9 reason to hold off moving the project forward.

10 CHAIRPERSON LIU: So it's really
11 important to get this done now because the
12 Brooklyn Bridge is about to commence its
13 reconstruction. And how does the Brooklyn Bridge
14 affect Chatham Square, or how does Chatham Square
15 affect the Brooklyn Bridge construction?

16 MR. JOSHUA KRAUS: What we're
17 discussing here is a rehabilitation of the
18 Brooklyn...

19 CHAIRPERSON LIU: Speak into the
20 mic please. And turn the buttons--press the
21 button so the light is off.

22 MR. KRAUS: Um-hum.

23 CHAIRPERSON LIU: And identify
24 yourself for the record please.

25 MR. KRAUS: Yes. Joshua Kraus,

2 also with New York City Department of
3 Transportation. What we've looked at and as Seth
4 has mentioned is the Brooklyn Bridge
5 Rehabilitation Project, and according to our study
6 and our previous experience, we understand that a
7 significant amount of the traffic detoured in any
8 closure, temporary overnight, or temporary weekend
9 closure of the Brooklyn Bridge, is detoured via
10 the Manhattan Bridge. And because a large amount
11 of that traffic is seeking to go ultimately
12 further west, and there is no additional capacity
13 on Canal Street as we all know, a good amount of
14 that traffic is going to come through Chatham
15 Square.

16 That's the eventuality that we've
17 modeled with traffic simulation and that's the
18 eventuality that we're concerned about. So in
19 order to make sure that we minimize the overlap
20 and therefore minimize the impacts, there is this
21 connection between the rehabilitation of the
22 Brooklyn Bridge and the reconfiguration of Chatham
23 Square.

24 CHAIRPERSON LIU: So Chatham Square
25 has to get done now to deal with the overflow of

2 traffic coming off the Manhattan Bridge.

3 MR. KRAUS: Again as we've
4 discussed, what we've modeled and what we
5 anticipate is a tremendous amount of traffic that
6 would come down The Bowery and seek to make a turn
7 onto Worth Street. If we are in the middle of
8 construction of Chatham Square while that traffic
9 is coming down that route, we have modeled fairly
10 significant impacts to that eventuality. That's
11 the impact that Seth mentioned earlier where
12 traffic could be backed up along the Manhattan
13 Bridge and all the way into Brooklyn.

14 Those are the two projects that
15 we're trying to coordinate and as we studied it we
16 identified a window of opportunity to proceed with
17 the utility work related to Chatham Square prior
18 to the beginning of the Brooklyn Bridge detours in
19 mid-2010. That's really the idea behind this
20 coordinated schedule.

21 CHAIRPERSON LIU: Okay. So let's
22 assume for a second that in fact Park Row will be
23 closed forever, which, for the record, I don't
24 think it will be closed forever. I think it will
25 be reopened. It just may take different people in

2 place but it will be reopened.

3 ANDREW WINTERS: Again, we didn't
4 represent that it's closed forever.

5 CHAIRPERSON LIU: Okay. The--and I
6 didn't represent that you represented that. But
7 now this whole Chatham Square reconfiguration, it
8 was testified in the written testimony that this
9 is to deliver a number of important benefits to
10 the Chinatown community and surrounding
11 neighborhoods. That the project will increase
12 mobility access, connections to and through
13 Chinatown and improve pedestrian safety, decrease
14 traffic congestion and reduce vehicle and
15 pedestrian conflicts.

16 Those are all benefits that have
17 been greatly cited as the justification for this
18 project, even though both Community Boards have
19 soundly rejected them. And that there is no--
20 there's no source of support that anybody can cite
21 there, and yet your testimony, your response to my
22 questions about why the timing now, it doesn't
23 have much to do with benefits to the Chinatown
24 community.

25 It actually has to do with serving

2 as a substitute arterial venue because another one
3 is being closed down--

4 ANDREW WINTERS: [Interposing] I
5 don't think that's--

6 CHAIRPERSON LIU: --so that is--
7 that is the-

8 ANDREW WINTERS: [Interposing] I
9 don't think that's a fair characterization. I
10 think the--what we've represented to you here from
11 the very beginning is all of the benefits of the
12 project and why it should move forward. You asked
13 a very specific and narrow question about why, why
14 right now, as opposed to two weeks from now, a
15 month from now or two months from now.

16 All of the general benefits of this
17 project including mitigating of the closing of
18 Park Row and improving Chatham Square are the
19 underlying text of this. You asked a very
20 specific question about the exact timing. And so
21 what we're trying to do is avoid a situation which
22 you see throughout the City sometimes that we've
23 been trying to eliminate where someone will come
24 in and dig up a street, close--for a utility main,
25 close it up, open it up again for a Con Ed main,

2 close it up, open it up again for a water main.
3 This is the idea of doing everything at the same
4 time so that you don't have ten years of
5 construction. You try to limit it to a narrow
6 amount and coordinate everything together. We
7 think that's a positive.

8 CHAIRPERSON LIU: Okay but it's
9 still, you know, the timing of all this, given
10 that nobody had any plans until just a couple of
11 months about exactly what the reconfiguration was
12 going to be and therefore nobody could really
13 understand the ramifications of this, and now the
14 City's basically saying to the residents well if
15 we don't do this now, it's going to be mayhem
16 because of the closure of the Brooklyn Bridge for
17 it's reconstruction. So I think the timing is
18 absolutely essential to look it. It speaks to the
19 real intent of the City and the true purported
20 justifications behind this project.

21 ANDREW WINTERS: Well again, we've
22 been working on this project since 2004, so I
23 don't think it's quite fair to say that that's the
24 justification for this project. This is a
25 planning project which has been public--seen

2 through the public, through an EIS process,
3 through--

4 CHAIRPERSON LIU: [Interposing]

5 Well when was the Brooklyn Bridge reconstruction
6 known to you?

7 [Pause}

8 CHAIRPERSON LIU: I mean did the
9 Brooklyn Bridge reconstruction just come out of
10 the blue recently? That's been planned for a long
11 time also. So there has been a proposal that it
12 would seem to make a lot of sense because we
13 would, I think, the Committee would actually agree
14 with you that it's important to not let the
15 Brooklyn Bridge reconstruction tie up the entire
16 Lower Manhattan, especially coming off the
17 Manhattan Bridge.

18 And we're not--nobody's saying that
19 the Brooklyn Bridge doesn't absolutely need that
20 reconstruction. There has been a suggestion about
21 opening the Battery Tunnel, the Brooklyn-Battery
22 Tunnel, so that some of the traffic could be
23 redirected that way. And that would provide
24 access to Lower Manhattan. Has that been
25 entertained and discussed?

2 MR. KRAUS: Yeah. We have
3 considered it and looked at it and we're
4 continuing to do so. Obviously the toll situation
5 on the Brooklyn-Battery Tunnel is of concern. In
6 previous closures of the Brooklyn Bridge what
7 we've determined is, despite our intention, you
8 know, you could say we want a larger portion of
9 that traffic to use the BBT, the fact that there
10 is that toll acts as a--basically acts as a
11 deterrent to that so more people will take your
12 free option of the Manhattan Bridge.

13 CHAIRPERSON LIU: Well maybe those
14 tolls can be forgiven and that would be attributed
15 as a real cost of the project. Because obviously
16 the economic impact of having a standstill coming
17 off the Manhattan Bridge will not be negligible,
18 will be pretty substantial. Commissioner, please.

19 Mr. SANCHEZ: Yes that is something
20 we are looking at.

21 CHAIRPERSON LIU: Okay.

22 MR. SANCHEZ: We haven't written
23 that off as an option.

24 CHAIRPERSON LIU: Okay. And I will
25 state for the outset that this particular

2 Commissioner of the Lower Manhattan Department of
3 Transportation was not in charge back in the 90's
4 when the Department of Transportation was
5 successful in exerting its muscles and saying that
6 a measure, however it was justified by security,
7 just would tie things up to the point that life
8 would become unbearable. Which in fact it has
9 become for the people that live in and around Park
10 Row.

11 We have questions from Chairman
12 Gerson and we've been joined by Council Member
13 Vincent Ignizio from Staten Island.

14 [Pause]

15 CHAIRPERSON GERSON: Thank you Mr.
16 Chair. Before we proceed, I think it's just
17 important to clarify for the record some of the
18 testimony that has been given in verbal testimony
19 or in writing. First of all with respect to the
20 EIS process which you described as the centerpiece
21 of the community consultation prior to just a few
22 months ago when we were focusing on this
23 particular plan, I think as you know, my office
24 and I were very, very much involved in that EIS
25 process and provided input and provided testimony

2 and similarly we were involved with the lawsuits.

3 In fact the EIS process was it not
4 focused on the closure of Park Row per se and not
5 on any particular reconfiguration plan?

6 [Pause]

7 CHAIRPERSON GERSON: If it takes
8 this long to come up with an answer to such a
9 basic question I think the answer's clear.

10 [Pause]

11 ANDREW WINTERS: You're asking a
12 question about a legal document so I want to be
13 very careful about what--how I respond.

14 CHAIRPERSON GERSON: I'm asking a
15 question about--not--about the process, not about
16 the final document. I'm asking the process the
17 Environmental Impact Process was implemented to
18 study the impact of the closure of Park Row. It
19 was not studied to consider the environmental
20 impact of this plan which you presented to us
21 today, is that not correct?

22 ANDREW WINTERS: That is not
23 correct. The--

24 CHAIRPERSON GERSON: [Interposing]
25 That is not correct. So let me ask you--

2 ANDREW WINTERS: --Environmental--
3 the Environmental review document is about looking
4 at impacts of a, of an action--

5 CHAIRPERSON GERSON: [Interposing]
6 What action?

7 ANDREW WINTERS: --and also--

8 CHAIRPERSON GERSON: [Interposing]
9 What action?

10 ANDREW WINTERS: The closure of
11 Park Row--

12 CHAIRPERSON GERSON: [Interposing]
13 Thank you.

14 ANDREW WINTERS: --but a key is to
15 look at the mitigation factors that can be done in
16 order to, to respond to that.

17

18 [Off mic]

19 CHAIRPERSON GERSON: Correct--of
20 course, but respond to the closure of Park Row is
21 that not correct?

22 SETH MEYERS: The One Police Plaza
23 Security Plan, which is the name of the EIS--

24 CHAIRPERSON GERSON: [Interposing]
25 Okay.

2 SETH MEYERS: --looked at the
3 impacts from the entire implementation of the
4 Security Plan which includes the closure of Park
5 Row. And it also detailed potential mitigation
6 strategies or measures to reduce the impacts that
7 it caused.

8 CHAIRPERSON GERSON: Okay. And
9 does that Security Plan include the loss of a lane
10 of traffic on The Bowery?

11 [Pause]

12 SETH MEYERS: The EIS, and I'll
13 have to check with counsel on this, detailed a
14 conceptual traffic plan that is similar to what
15 we're proposing today but it does have some minor
16 variances. We've continued to update--

17 CHAIRPERSON GERSON: [Interposing]
18 Does it include the loss of a traffic lane on The
19 Bowery? The Security Plan that you said was the
20 subject of the EIS.

21 [Pause]

22 CHAIRPERSON GERSON: You know,
23 maybe--maybe we--

24 ANDREW WINTERS: [Interposing] I
25 think we will get back to you on that specific

2 question.

3 CHAIRPERSON GERSON: Is it fair to
4 say that there has not yet been an Environmental
5 Impact Assessment of the Chatham Square Park Row
6 Improvement Project that you are presenting to us
7 today and that in fact the LMDC require--contract
8 requires an additional level of environmental
9 review of this project before it can go forward?

10 [Pause]

11 ANDREW WINTERS: Right. Again, we
12 don't speak for the LMDC but--

13 CHAIRPERSON GERSON: [Interposing]
14 No but isn't--I'm asking about an agreement which
15 the City of New York signed--

16 ANDREW WINTERS: --it was--I know
17 but there are two parts--

18 CHAIRPERSON GERSON: --so it's - -
19 the City of New York--

20 ANDREW WINTERS: --correct, but
21 there are two parts to the question--

22 CHAIRPERSON GERSON: [Interposing]
23 So why don't you answer both?

24 ANDREW WINTERS: --I can't speak
25 for the LMDC; the first part is that this project

2 has been approved through an EIS process, yes.

3 CHAIRPERSON GERSON: This Chatham
4 Square Park Row Project was approved through an
5 EIS, that's your testimony.

6 ANDREW WINTERS: Yes.

7 CHAIRPERSON GERSON: Um-hum. When
8 was the details of this plan presented for comment
9 of an Environmental Impact, as part of an
10 Environmental Impact Assessment process and
11 studied, when specifically, when was there a study
12 of the environmental impacts of the realignment of
13 The Bowery with St. James? When was there a study
14 of the environmental impacts of the loss of a lane
15 on The Bowery? When was there a study of the
16 other actions that you propose specifically as
17 part of this project? When did that take place?
18 And related to that, well...

19 SETH MEYERS: The EIS and the draft
20 EIS looked at many different actions and
21 understood how the traffic would function. And it
22 came up with a plan that is very similar to what
23 we're proposing today.

24 CHAIRPERSON GERSON: How does that
25 plan differ from this?

2 SETH MEYERS: There are--there are
3 several minor modifications--

4 CHAIRPERSON GERSON: [Interposing]
5 Well what, what are you--

6 [END TAPE 1]

7 [START TAPE 1002_2]

8 CHAIRPERSON GERSON: --what you
9 call minor and what the Community calls minor may
10 be different, but never mind the characterization,
11 but how does that plan, which was you say subject
12 to a full EIS study different from this plan?
13 What was not included and what was studied as part
14 of a full EIS process? What was missing from that
15 that is now in this project?

16 ANDREW WINTERS: I wouldn't say
17 anything is missing. There were some changes--

18 CHAIRPERSON GERSON: [Interposing]
19 So there was a full environmental impact study of
20 the loss of a lane on the Bowery?

21 ANDREW WINTERS: That would not be
22 required.

23 CHAIRPERSON GERSON: Whether
24 required or not, was there a full environmental
25 impact study of the impact on the community of the

2 loss of a lane on the Bowery?

3 ANDREW WINTERS: What the EIS looks
4 at is how is traffic going to be improved or how
5 is traffic going to be--

6 CHAIRPERSON GERSON: [Interposing]
7 The EIS only looks at how traffic-- doesn't EIS
8 look at related environmental-- isn't it a full--

9 ANDREW WINTERS: [Interposing] Yes,
10 I'm sorry. That's right. Among other things it
11 looks at traffic--

12 CHAIRPERSON GERSON: [Interposing]
13 Among other things. So was that looked at with
14 respect to the loss of a lane on the Bowery?

15 ANDREW WINTERS: We have looked at
16 the overall impacts to traffic, and a loss of a
17 lane on the Bowery does not undermine any of the
18 attempts to mitigate the impact.

19 CHAIRPERSON GERSON: According to
20 you. Was that included in the EIS study?

21 ANDREW WINTERS: No it was not,
22 because--

23 CHAIRPERSON GERSON: [Interposing]
24 Thank you. Finally I got an answer. Did the EIS
25 study include the impact, traffic environmental,

2 air pollution, noise, pedestrian safety, etcetera
3 of the resulting flow of the-- on St. James Place,
4 of the realignment of the Bowery with St. James?
5 Was that part of the EIS study, which has taken
6 place, which you referred to as part of the EIS
7 study of the Park Row Closure--

8 ANDREW WINTERS: [Interposing] Yes
9 it did. That was the conceptual plan, to align
10 St. James Place with the Bowery.

11 CHAIRPERSON GERSON: And there was
12 a full blown environmental impact study on the
13 realignment?

14 ANDREW WINTERS: Correct.

15 CHAIRPERSON GERSON: Okay, now
16 let's talk about that. Did that study generate
17 what is in expert parlance called sensitivity
18 analysis or a reach, a projection, in laypersons
19 terms? Did that study, or any study, provide to
20 the community a-- or any work product of the DOT,
21 let's broaden it, provide to the community and
22 projection as to traffic count changes on St.
23 James Place as a result of this realignment? Has
24 the community ever been given that information?

25 [Pause]

2 SETH MEYERS: Council Member it
3 seems that you have two parts to that question,
4 one was there a complete sensitivity analysis as
5 part of the EIS--

6 CHAIRPERSON GERSON: Well that's my
7 current question. It's a one-part question, very
8 simple. I moved on. We talked about the EIS.

9 Now I'm trying to get at what in fact was done and
10 I want to know, was the community, and I broadened
11 it, I specifically said we'll generalize the
12 question because I'm trying to be mindful of the
13 clock, but so rather than ask multiple questions,
14 whether it's EIS or any other study or any other
15 work product, has the community ever been given a
16 projection of traffic count changes on St. James
17 as a result of this reconfiguration? Has that
18 analysis ever been done and provided to the
19 community?

20 SETH MEYERS: If you're talking
21 about the additional traffic volumes on St. James
22 as a result of the configuration with the Bowery,
23 the answer is yes.

24 CHAIRPERSON GERSON: And when was
25 that provided to the community? Do you have that

2 with you? Do you have that?

3 SETH MEYERS: That was part of the
4 EIS process. It seems that you're driving at a
5 sensitivity analysis for the overall intersection,
6 which is a different specific question.

7 CHAIRPERSON GERSON: I'm going to
8 get there, but I'm asking specifically now about
9 the traffic counts on St. James. So what was the
10 conclusion as to change in traffic volume as a
11 result of the reconfiguration on St. James in
12 particular?

13 [Pause]

14 SETH MEYERS: This is-- it's
15 discussed in the EIS. I don't have the specific--

16 CHAIRPERSON GERSON: I'm asking you
17 what--

18 SETH MEYERS: [Interposing] I don't
19 have the specific number off the top of my head.

20 CHAIRPERSON GERSON: 10% increase
21 in volume, 100% increase in volume, zero percent
22 increase in volume?

23 ANDREW WINTERS: We will reference
24 the EIS and get back to you on that. We haven't
25 memorized all the specific numbers within the EIS,

2 obviously--

3 CHAIRPERSON GERSON: [Interposing]

4 Well it seems to me that's--

5 ANDREW WINTERS: --it's a long
6 document with a lot of complicated numbers in it.

7 CHAIRPERSON GERSON: I understand
8 that, but it seems to me the change in traffic
9 volume on running through a residential community
10 is not just another number. But okay, you'll get
11 back to us and--

12 ANDREW WINTERS: [Interposing] All
13 of the traffic is going through the community.
14 There's a lot of numbers in the document.

15 CHAIRPERSON GERSON: Well we're
16 talking about, you know, a handful of different
17 streets. I would think you would have a sense as
18 to how much more volume as a result of this
19 project is going to be put on St. James Place as
20 well as on the other major streets. But if you
21 say you're going to get back to me, then I look
22 forward--

23 ANDREW WINTERS: [Interposing] It's
24 in the document, but I will point out exactly
25 where it is.

2 CHAIRPERSON GERSON: Okay. I'm not
3 sure that the full information, but I look forward
4 to your pointing it out to me. Let me just,
5 again, for the purpose of-- oh, by my other
6 question was will there need to be, or did you say
7 you were going to get back to me on this too, as
8 part of this process will there need to be an
9 environmental assessment specifically on this
10 improvement project before it goes forward?

11 ANDREW WINTERS: I think we've been
12 clear. The environmental assessment and impact
13 statement is completed. It was done from--

14 CHAIRPERSON GERSON: [Interposing]
15 So this is it? No more, so there's no more plan--

16 ANDREW WINTERS: [Interposing] 2005
17 to 2007.

18 CHAIRPERSON GERSON: Okay. So this
19 is it?

20 ANDREW WINTERS: We would not be in
21 a position to move forward with a project if it
22 wasn't full approved from a legally mandated
23 environmental process, which it has been.

24 CHAIRPERSON GERSON: There are
25 actually a few more approval steps that are

2 required by the LMDC agreement, specifically by
3 the LMDC.

4 ANDREW WINTERS: Again, if we're
5 just talking about the issue of environmental
6 review, the answer is from the EIS perspective it
7 is completed.

8 CHAIRPERSON GERSON: Well no, I
9 didn't ask about the EIS. I asked about the
10 environmental review. But...

11 [Pause]

12 CHAIRPERSON GERSON: The LMDC
13 specifically requires for projects, for the
14 project they're funding, the LMDC contract, a
15 preparation of environmental evaluations. Now
16 this is in a document signed by the City of New
17 York. Is it your testimony that the EIS document
18 suffices to fulfill the requirement of preparing
19 environmental evaluations, or does there need to
20 be an additional environmental evaluation on this
21 particular project?

22 ANDREW WINTERS: It fulfills the
23 requirement.

24 CHAIRPERSON GERSON: Okay. So all
25 the environmental evaluations, according to your

2 testimony are done with and finished with?

3 ANDREW WINTERS: It fulfills the
4 requirement, yes.

5 CHAIRPERSON GERSON: No more
6 environmental evaluations planned for this
7 project?

8 ANDREW WINTERS: It's not required.
9 I don't know how I could be more clear.

10 CHAIRPERSON GERSON: Whether it's
11 required or not, that's it. We're done. You're
12 satisfied with all the environmental studies, all
13 the impact studies have been done with.

14 ANDREW WINTERS: We believe so.

15 CHAIRPERSON GERSON: Okay. You're
16 the ones who are going to do it or not do it, so.
17 Okay, just again for clarification, you referenced
18 that the community board resolutions of the two
19 community boards oppose or link their opposition
20 to the project to the failure to reopen Park Row.
21 In fact, don't each of the community boards in
22 their respective resolutions cite other concerns
23 or objections or make other requests for
24 additional information in addition to the
25 reopening of Park Row? So it's not just the

2 failure to reopen Park Row that is a concern or
3 objection cited in the resolutions?

4 ANDREW WINTERS: That's correct.

5 CHAIRPERSON GERSON: Okay, I just
6 wanted to clarify that. Now you're talking about,
7 you testified earlier that the plan allows for the
8 reopening of Park Row in its narrowed, redesigned
9 format. And I think we can all imagine, you know,
10 situations can change in any number of ways, that
11 could allow the reopening; change of a security
12 assessment, change of security procedures, the
13 availability at an affordable price of security
14 devices or hardening of the walls, which would
15 allow for the safe passageway. You know the
16 Berlin Wall came down, things, you know, can
17 happen. You testified that it is not the position
18 that park will necessarily be forever closed. So
19 given that, cannot we design improvements in
20 Chatham Square which meet immediate traffic flow
21 and pedestrian safety concerns, but keep Park Row
22 at its current and historic width with its current
23 and historic opportunities for traffic lanes,
24 maybe with some temporary design improvements or
25 beautification or greenery or public art or what

2 have you, but essentially not narrowing the width,
3 so that if in fact down the line, as you testified
4 could conceivably happen, it does reopen--it is
5 without the expenditure of millions and millions
6 of dollars of public funds, it can function as the
7 major artery it has historically been? Can't we
8 come up with such a design if we want to?

9 ANDREW WINTERS: Well, I think that
10 the design that we've proposed mitigates to the
11 best extent possible under the terms of the
12 lawsuit and the EIS the closure of Park Row.

13 CHAIRPERSON GERSON: Okay, so
14 that's nice, but could you answer my question?
15 Cannot we technically, this is a technical
16 question, cannot we-- you're the technical experts
17 of street designs, could you not come up with a
18 Chatham Square improvement project which solves
19 the other concerns that you testified earlier but
20 leaves Park Row at its current width? Is that not
21 technically possible?

22 SETH MEYERS: I think the answer is
23 hypothetically yes, it could be done--

24 CHAIRPERSON GERSON: [Interposing]
25 Thank you. So--

2 SETH MEYERS: [Interposing] But I
3 should add a caveat, because that doesn't complete
4 our understanding. I think if we were to do that
5 it would not address the fundamental problem with
6 Chatham square, which is that we have traffic
7 coming down the Bowery that seeks to continue in a
8 North/South route that cannot do so with Park Row
9 closed. So you have a tremendous amount of
10 traffic coming down the Bowery that needs to make
11 this turn onto St. James Place, and that causes a
12 great deal of the problem that we have in Chatham
13 Square. So if you were to--

14 CHAIRPERSON GERSON: [Interposing]
15 So hypothetically, hypothetically to use your term
16 without endorsing or not, could you not
17 hypothetically reconfigure Park Row so the traffic
18 you just described can make that turn on to St.
19 James and at the same time leave the width of Park
20 Row as it currently is? Is there any technical
21 barrier to doing that?

22 SETH MEYERS: I think in theory,
23 no.

24 CHAIRPERSON GERSON: Okay. Well I
25 would urge you then, again in the interest of

2 time, in terms of prudent planning from the
3 standpoint of incorporating, we're going to get to
4 this in a moment, incorporating to the extent
5 possible in terms of making best efforts to
6 incorporate community input and desire and from
7 cost-effective planning to guard against the
8 possibility of an enormous expenditure in the
9 future, that that is something that you should
10 consider, not just consider, that is something
11 that you should do? Let us solve the problems,
12 you know, that we all agree exist, with full
13 community input, but leave open the possibility of
14 the real reopening of Park Row. It's a little bit
15 of a slight of hand to say, well, we'll narrow it
16 but we can always reopen it, because reopening it
17 in its narrowed condition we know is not reopening
18 the Park Row that has historically served the
19 community, which is what the community needs.
20 Just two other points and desires, Mr. Chair.
21 Along those lines, well, and I want to--

22 [Pause]

23 CHAIRPERSON GERSON: Earlier during
24 my first round of questioning we talked about the
25 timetable. And on the basis of your testimony we

2 were in November of '08, where according to the
3 original agreement with the LMDC, the City should
4 have been in October of '07. And under the
5 original timetable, the agreement with LMDC
6 allowed for a nine month long process, following
7 reaching the state which we reached at November
8 '08. Applying that timetable, adding nine months
9 to November, as I pointed out, would bring us to
10 July of '08. Can we agree going forward to work
11 together and cooperatively, can we hold up the
12 bidding for the Chatham Improvement Project until
13 July of this year in order to comply with the
14 timetable set forth in the LMDC agreement in order
15 to allow the full process of meaningful community
16 input that was anticipated? Can we not hold up
17 this bidding and work together between now and
18 July of '08? '09, excuse me. Thank you.

19 ANDREW WINTERS: We certainly would
20 like to work with you, however, I would just like
21 to point out that we did say we'll get back to you
22 with a list of when documents were made public,
23 and we'll try to reconcile that with the documents
24 that you have in front of you.

25 CHAIRPERSON GERSON: All right.

2 Fine--

3 ANDREW WINTERS: [Interposing] We
4 would like to move forward with this project
5 immediately.

6 CHAIRPERSON GERSON: But can we
7 hold up the bidding until July of '09?

8 ANDREW WINTERS: We cannot.

9 CHAIRPERSON GERSON: And the reason
10 is because of the testimony that you made earlier
11 in relationship to the Brooklyn Bridge?

12 ANDREW WINTERS: Again, that's a
13 piece of it. That's the--

14 CHAIRPERSON GERSON: [Interposing]
15 Isn't that the major piece for the timing?

16 ANDREW WINTERS: That's the piece
17 for--

18 CHAIRPERSON GERSON: [Interposing]
19 Isn't that the real piece for the timing? There's
20 nothing else that is going to suffer from any
21 delay between now and July of '09, right, or be
22 materially impacted? That's the reason. I'll
23 answer the question That's the reason, so let's
24 move on.

25 LUIS SANCHEZ: Can I?

2 CHAIRPERSON GERSON: Yes.

3 LUIS SANCHEZ: I think the way the
4 schedule has worked out, the most important
5 disruptive part of the Chatham Square Project that
6 we're trying to move forward is the utility
7 excavations.

8 CHAIRPERSON GERSON: And we want to
9 avoid that happening when traffic is being
10 diverted over the Manhattan Bridge. So--

11 LUIS SANCHEZ: [Interposing] So,
12 doing that now, bidding the package now is most
13 important so that they can start the utility work
14 and be done with all the utility work by the start
15 of the Brooklyn Bridge. I think we have, maybe it
16 wasn't clear in the testimony, or it should have
17 been in the testimony, we have left the
18 possibility open where there may be some
19 additional tweaks in the alignment, because the
20 actual curb line work won't begin until at least a
21 year or so later.

22 CHAIRPERSON GERSON: But Mr.
23 Sanchez, your answer, and I appreciate your answer
24 and I appreciate all of your great work and we've
25 worked together on many projects, and you know

2 what pains me about this is there's so much good
3 work which DOT has done and over which we've
4 worked together, and with real meaningful
5 community input, that this is an aberration I'm
6 hoping to avoid by coming up with a process that
7 will allow us to return to the model that we've
8 enjoyed down here. But Mr. Sanchez, you just
9 explained the reasons for my correct answer to my
10 question, and that is that the real reason for the
11 timing is the Brooklyn Bridge, because of the
12 reasons you just said, the utility. And that's
13 what I anticipated. So what bothers me is that
14 earlier you and your colleagues testified that
15 you're still exploring alternatives such as the
16 possibility of waiving the toll on the Brooklyn
17 Battery Tunnel for that period, and it may very
18 well turn out that waiving that toll would avoid
19 the negative impact and therefore avoid the need
20 to have to time this so closely to the Brooklyn
21 Bridge closure. So should we not have the answer?
22 I mean aren't we putting the cart before the
23 horse? Shouldn't we first study what, you know,
24 if there are any other-- and it shouldn't take
25 that long and it shouldn't be that hard to do.

2 Shouldn't we know before we proceed with this
3 whether we can waive the tolls on the Brooklyn
4 Battery Tunnel and what that impact will be so
5 maybe we won't have to be stuck with this
6 timeline, which clearly is contrary to what was
7 originally envisioned?

8 JOHN KRAUS: The Department of
9 Transportation is looking very carefully at a
10 number of alternatives to help improve traffic
11 flow--

12 CHAIRPERSON GERSON: [Interposing]
13 But shouldn't the Department of Transportation
14 have done that before this goes out to bid? How
15 could you go out to bid for a contract that you
16 testified is so linked to the closure of the
17 Brooklyn Bridge before you've completed looking at
18 alternatives to mitigate the impact on the closure
19 of the Brooklyn Bridge?

20 ANDREW WINTERS: I think it's
21 important to point out that just simply putting
22 the project out to BID gives us flexibility that
23 we wouldn't have if we hadn't bid it out. So it
24 doesn't preclude the opportunity to look at other
25 options. It simply says, if this is an option

2 that's selected, we are prepared for it.

3 CHAIRPERSON GERSON: But giving the
4 project out to bid precludes the opportunity for
5 additional, I mean unless we're going to waste
6 considerable City resources, time and effort and
7 money, which in this day and age we don't have
8 enough to waste, putting the project out to bid
9 precludes meaningful community input that could
10 result in certain adjustments, which might require
11 changes in the bid specifications.

12 ANDREW WINTERS: It does not
13 preclude--

14 CHAIRPERSON GERSON: [Interposing]
15 And if you're saying that you can't do that
16 because of the Brooklyn Bridge, you're reaching a
17 conclusion before you've completed the study that
18 you need to reach the conclusion.

19 ANDREW WINTERS: That's not at all
20 what we're saying.

21 CHAIRPERSON GERSON: Well of course
22 that is what you're saying. You say you have to
23 go right away because of the utility work. You
24 have to do the utility work because of the
25 Brooklyn Bridge construction, and you can't have

2 this traffic because of this work done during
3 those weekends because of the flow over the
4 Manhattan Bridge, but P.S., you don't know if
5 there's another way to avoid the traffic problem
6 from the flow over the Brooklyn Bridge, because
7 you haven't finished studying the alternatives.
8 And my community and I are asking why don't we
9 study the alternatives first and then precede with
10 the bidding?

11 ANDREW WINTERS: Right now you--

12 CHAIRPERSON GERSON: [Interposing]
13 How long will it take you, when will you have the
14 answer as to whether or not you could waive the
15 tolls on the Brooklyn Battery Tunnel to mitigate
16 the impact?

17 ANDREW WINTERS: I don't think
18 there's a clear timeline for that at all.

19 CHAIRPERSON GERSON: Well that's
20 ridiculous.

21 ANDREW WINTERS: And that's why--

22 CHAIRPERSON GERSON: [Interposing]
23 And that's the problem--

24 ANDREW WINTERS: [Interposing] And
25 that's why we're moving ahead with the schedule

2 that we have, because there are a lot of other
3 hypotheticals that are out there.

4 CHAIRPERSON GERSON: That's not a
5 hypothetical. When will you know-- how long does
6 it take to figure out whether or not you can waive
7 the toll on a handful of weekends on the Brooklyn
8 Battery Tunnel, which maybe we should do whether
9 or not we do anything else. I mean how could you
10 come to this hearing not knowing that information?

11 ANDREW WINTERS: I mean I'm more
12 than happy to try to find out and get the answer
13 back to you, but I do not think it's a--

14 CHAIRPERSON GERSON: [Interposing]
15 Well I would appreciate getting the answer next
16 week.

17 ANDREW WINTERS: --simple process.

18 CHAIRPERSON GERSON: All right, Mr.
19 Chair, I have so much more to discuss but we do
20 want to hear from the community and we do have
21 another hearing. I just absolutely positive need
22 to conclude with a request for clarification on
23 two parts of the written testimony, which has been
24 submitted for the record, but which is not
25 covered, and we appreciate that in the interest of

2 time for the verbal testimony. But one is the
3 linkage between this plan and the upgrades which,
4 and I'm reading from the testimony, will also
5 reduce the noise impact of the existing barriers.
6 I think actually that was part of your verbal
7 testimony. As we have discussed, the reduction of
8 the noise impact of the existing barriers should
9 take place immediately. The community should not
10 be held hostage to that excessive noise waiting
11 for this plan to go forward and it should not be
12 linked. If noise impacts can be reduced from
13 barriers, that should happen tomorrow, independent
14 of anything else that we do on this plan. So I'm
15 asking, again, we've had this conversation months
16 ago and I didn't have a response after that, I'm
17 asking now on the record that you get back to our
18 office the beginning of next week and let us know
19 what you can do immediately with the-- to reduce
20 the noise impacts independent of this plan. And
21 secondly, finally, and lastly in terms of request
22 for clarification, you stated that in the written
23 testimony, and this you did not cover in your
24 verbal testimony, that the community requested
25 that the barricade be moved south of the entrance

2 way to the Chatham Green Driveway, but you could
3 not do that for security purposes. In fact, the
4 New York Police Department has stated on more than
5 one occasion, and in fact the administration had
6 agreed just a matter of months ago that that
7 barricade could be moved provided that there were
8 certain changes and additional barriers that were
9 installed in the Chatham Green parking lot, and
10 then it was a question of the cost and who would
11 foot the bill for that. And in fact, when we had
12 the discussion on congestion pricing, there was a
13 tentative agreement as to how we would raise the
14 money for that. So I would like, again,
15 reaffirmation by next week that that plan and that
16 opportunity remains available. And if there is
17 any change in the position, I would like a very
18 detailed explanation as to what has happened over
19 the past several months requiring a change in that
20 position. Thank you very much, Mr. Chair.

21 CHAIRPERSON LIU: Thank you,
22 Chairman Gerson. So just to complete the circle
23 on a couple of these issues that we had some back
24 and forth on. The waiving of the Brooklyn Battery
25 Tunnel tolls, I mean since there is no timeframe

whatsoever, it does not seem like that's a serious initiative or undertaking that's being conducted by the City. Is the City really looking at waiving that toll?

[Pause]

CHAIRPERSON LIU: Waiving that toll during the key weekend where the Brooklyn Bridge access would be cut off.

SETH MEYERS: I think it's fair to say the City is seriously considering it, and that's absolutely true. The problem is it's not an action the City can take. It would have to be negotiated with the MTA. And because it's subject to negotiations, we can't say for certain when those negotiations would be complete.

CHAIRPERSON LIU: When have those discussions started?

LUIS SANCHEZ: I can find out for you.

ANDREW WINTERS: We'll get back to you with that.

LUIS SANCHEZ: I can find out for you. That's another level--

CHAIRPERSON LIU: [Interposing] Are

2 you going to find out for us when they have
3 started or are you saying-- meaning you're saying
4 for sure that they have indeed begun?

5 LUIS SANCHEZ: I'll get you more
6 information in terms of what's been the process so
7 far.

8 CHAIRPERSON LIU: Okay. So in fact
9 none of you are actually certain that the City has
10 begun any kind of discussion about waiving the
11 Brooklyn Battery Tunnel tolls? Or let me
12 rephrase. Is there anybody at the panel that is
13 certain that those discussions have actually
14 commenced with regard to waiving the tolls on the
15 Brooklyn Battery Tunnel?

16 LUIS SANCHEZ: The only thing I can
17 tell you is that's something that we, DOT, has
18 been looking at. Whether the formal discussions
19 have begun with other entities and internally with
20 City Hall, that's something I can't answer at this
21 point in time. But we have been talking about it
22 within DOT, and what processes would have to
23 commence from that.

24 CHAIRPERSON LIU: Anybody else?
25 No. Okay. I mean that-- that really is not a

2 whole lot to go on. I think you can understand
3 everybody's position on that. And with regard to
4 the project itself, again, the constant citing of
5 security needs, there's already clear illustration
6 of other cases where in fact security has not
7 actually been the most paramount concern. So,
8 that combined with really the lack of need to
9 accelerate this so quickly, I mean the only
10 reason, and correct me if I'm wrong, but the only
11 reason that we've heard why the bidding needs to
12 take place now and the project commenced is
13 because of the construction on the Brooklyn
14 Bridge. There's no other reason that requires
15 this timing. There is no other reason that puts
16 this project on this critical path right now.

17 ANDREW WINTERS: Again, we would
18 say this project represents an improvement to a
19 mess situation, which you outlined.

20 CHAIRPERSON LIU: Sure.

21 ANDREW WINTERS: As far as we're
22 concerned, the sooner we can work to mitigate that
23 the better off we are.

24 CHAIRPERSON LIU: Okay but--

25 ANDREW WINTERS: [Interposing] We

2 are under requirement to do that so--

3 CHAIRPERSON LIU: [Interposing] But
4 it's been five years, like you said. It's been
5 five years and nobody's seen any of these plans
6 until two months ago, maybe two and a half months
7 ago. So, you're shaking your head.

8 ANDREW WINTERS: No this plan has
9 been talked about for years.

10 CHAIRPERSON LIU: Nobody has seen
11 the plan until two months ago, in November.

12 ANDREW WINTERS: That's not
13 correct.

14 CHAIRPERSON LIU: Okay. No--

15 ANDREW WINTERS: [Interposing]
16 We'll go back to the record.

17 CHAIRPERSON LIU: It has not been
18 publicly available until two months ago.

19 ANDREW WINTERS: We'll go back to
20 the records on as to when plans were posted
21 online, but the plan has been discussed in the
22 community for years. People are familiar with it.
23 People have seen it many times. We've shown you
24 the comments that they made to it and how we've
25 changed it. And we can give you all the dates for

2 the public hearings and the stakeholder meetings--

3 CHAIRPERSON LIU: [Interposing] As
4 far as the-- and the process question clearly was
5 a subject of this hearing today. So the process
6 question should come as no surprise to any of the
7 officials testifying here today. As far as these
8 committees can ascertain today at this public
9 hearing, no plans were available prior to November
10 of 2008, even though as you state this process has
11 been going on for five years. Given that--

12 ANDREW WINTERS: [Interposing]
13 Again, we don't agree with that statement and
14 we'll get back to you with a specific list of when
15 things were made available.

16 CHAIRPERSON LIU: Well we'll hear
17 plenty of testimony in short order. But given
18 that if in fact the plans had not been made
19 available publicly until a couple of months ago
20 even though this project has been going on for
21 five years, there's really no reason why the City
22 should go full speed ahead on this, citing
23 conditions that could really be addressed by other
24 means, and in doing so in proceeding so, denying
25 and depriving the community of more input and

2 understanding of the ramifications of this
3 project. With that, I want to thank all the-- do
4 you have any more?

5 CHAIRPERSON GERSON: No, I would
6 just implore the City to hear the testimony that's
7 going to ensue from the community, really listen
8 to it. Let's get back on the track record of
9 working together and producing the best possible
10 result. And after hearing Council Member Liu,
11 myself and the community, I would strongly suggest
12 to you that the requirement set forth in this
13 agreement the City signed, to use best efforts to
14 register community input, and that's in the
15 agreement, would require a delay in the order of a
16 matter of months in order to go over and review
17 and stick to the original intended period
18 following the release of the details of the plan.
19 So I'm requesting and imploring you in the
20 strongest possible terms, hear what we're saying.
21 Hear what the community is saying. We all want
22 improvement. We all want those goals. But as
23 intended, register meaningful input, and that will
24 require a delay of an additional matter of months.
25 So I'm putting that on the record and you'll hear

2 from the community as a very-- as a request in the
3 strongest of possible terms. Thank you, Mr.
4 Chair.

5 CHAIRPERSON LIU: Thank you. And
6 just a final clarification, you do not agree with
7 a final assessment, based on your testimony, that
8 in fact the documents and the plans were not
9 available for public perusal until November 2008?
10 Both Mr. Winters and Mr. Meyers state that you
11 disagree with that. How soon would you be able to
12 produce documentation that in fact the plans had
13 been available before November of 2008?

14 ANDREW WINTERS: Well again, and I
15 don't want to continue repeating this, but there
16 was a complete EIS done for the project and we
17 have testified here that that EIS included the
18 substance of this project, which as been approved.
19 And an EIS as you know is a legally mandated
20 public process. So that's-- I think we've been
21 clear about that.

22 CHAIRPERSON LIU: Mr. Winters,
23 you've testified that that EIS and the hearings
24 associated with that EIS had to pertain directly
25 by name to Police Plaza and not Chatham Square.

2 That is what you testified to earlier. All I'm
3 saying is that if you don't agree with our
4 assessment thus far, and I seen no reason to
5 believe that the testimony of anybody else
6 remaining to testify at today's hearing will
7 refute the assessment that we've made so far, if
8 you disagree with the assessment that in fact,
9 well our assessment is that the documents and the
10 plans were not available prior to November 2008.
11 You state you disagree with that, and so my simple
12 question now is how long will it take for you to
13 produce some kind of document that shows that in
14 fact those documents were disseminated publicly
15 prior to November 2008? If your response is
16 simply that you've testified today that those
17 plans are available through the EIS, I would
18 suggest to you, I would state to you that that's
19 woefully inadequate.

20 ANDREW WINTERS: We'll get back to
21 you within a week.

22 CHAIRPERSON LIU: Within a week.
23 Okay. I appreciate that. With that I want to
24 thank you for spending time with us this morning.
25 We look forward to continuing these dialogues, and

again, you know, I understand that each of us has a roll to play and that we all have jobs that we're committed to, but at the end of the day, it is not what we individually want in this room, between the Council Members and the officials of the administration. It is what is for the greater good of the community and the City of New York. So thank you very much.

ANDREW WINTERS: Thank you.

CHAIRPERSON LIU: We're going to hear testimony from-- take testimony from representatives of Community Boards; David Crane, the Transportation Committee Chair of Community Board 3; Susan Stetzer, the District Manager of Community Board 3; and John Fratta, representing Community Board 1. They will be followed by a panel consisting of activist in the Civic Center Residents Coalition, Jeanie Chin, Danny Chen, Jan Lee and John Ost.

[Pause]

CHAIRPERSON LIU: Who wants to go first, John?

JOHN FRATTA: I'm going to go first.

2 CHAIRPERSON LIU: John?

3 JOHN FRATTA: From Community Board

4 1, yes.

5 CHAIRPERSON LIU: Okay, please.

6 JOHN FRATTA: Yes, good morning.

7 Thank you Council Members Gerson and Liu for this
8 opportunity to speak about the redesign of Chatham
9 Square. I'm John Fratta, a member of Community
10 Board 1 and the Chair of the Seaport Civic Center
11 Committee. Community Board 1, 2, and 3 have
12 already stated our concerns about the
13 reconstruction of the Chatham Square Park Row
14 Area. All three Boards join you, Council Member
15 Gerson, Assembly Speaker Sheldon Silver and
16 Senator Daniel Squadron in expressing dismay about
17 this project. Community Board 1 has a number of
18 concerns that I would like to raise this morning,
19 first is the lack of public input into the design
20 itself and the planning process for this project
21 conducted by the City of New York Department of
22 Design and Construction. This flaw underlines the
23 other problems with the project. The DDC gave
24 inadequate time for community input on the details
25 of the roadway configuration plan, and on the

2 failure of the plan to reopen Park Row to
3 vehicular traffic. Second is the project's severe
4 adverse economic impact of disrupting commerce in
5 the area, which will be especially onerous in the
6 current national financial crisis, and during the
7 shutdown of Fulton Street and the reconstruction
8 of the Brooklyn Bridge. Last but not least is the
9 failure of the plan to reopen Park Row to
10 vehicular traffic. Community Board 1 believes
11 that the City should include in the plan such a
12 contingency rather than viewing the need to make
13 security at 1 Police Plaza as incompatible with
14 enhancing public space and improving vehicular
15 flow and pedestrian safety. We believe the
16 economic health of the community is dependent upon
17 having Park Row as a main thoroughfare. As we
18 stated in our December 16th, 2008 resolution,
19 Community Board 1 opposes the Chatham Square Park
20 Row redesign project until there is adequate time
21 allowed for community input on the roadway
22 reconfigurations plan and the impact of the
23 project on local businesses, and until there is a
24 plan to reopen Park Row. Thank you Council
25 Members Gerson and Liu for holding this hearing

2 and giving Community Board 1 the opportunity to
3 voice these concerns on this important issue.

4 Thank you.

5 CHAIRPERSON LIU: Thank you, Mr.
6 Fratta.

7 SUSAN STETZER: Okay. My name is
8 Susan Stetzer. I'm District Manager of Community
9 Board 3. And I'd like to give a brief history of
10 our involvement with the issue and then David
11 Crane will talk about technical details. And I
12 want to say our Board, the office and a number of
13 members are spending many, many hours every week
14 on this issue. It's very big and very important
15 to us. Community Board 3 has supported the
16 reopening of Park Row since June 2003, and the
17 Board has been involved in issues regarding the
18 closure since that time. The Chinatown Access and
19 Circulation Study issued by LMDC in December 2004
20 proposed the essentials of the reconfiguration of
21 Chatham Square and the creation of a pedestrian
22 promenade on Park Row. An overview of development
23 proposals was presented to the Community Board in
24 May 2005. Legal challenges against the 1 Police
25 Plaza security plan resulted in an EIS and the

2 review process lasted from April '05 to August
3 '07. A Community Board 3 public hearing on
4 Chatham Square Park Row redesign was originally
5 planned for November 2007, a few months after the
6 final EIS was issued, but was delayed due to among
7 other things ongoing litigation challenging the
8 final EIS. After that lawsuit was resolved a
9 subsequent hearing was planned for August of '08.
10 In July '08 the City's project team realized that
11 because of the delay, Chatham Square
12 reconstruction was now potentially in conflict
13 with the Brooklyn Bridge project. We were unsure
14 for a while, actually, if Chatham Square was going
15 to be going through. The public hearing was
16 postponed until the agencies coordinated the
17 projects, which took until October '08 and then
18 December 2nd, 2008, we were finally able to
19 sponsor a public hearing on this, co-sponsored
20 with Community Boards 1 and 2. At that meeting
21 the City presented to the public detailed design
22 plans for the reconfiguration of Chatham Square
23 and the creation of a pedestrian promenade on Park
24 Row. The majority of people speaking at this
25 hearing did not support the plan for

2 reconstruction, and the Community Board voted not
3 to support this plan as a result of the hearing.
4 The Board has been working closely with the City
5 since the beginning of November on specific
6 concerns regarding the plan. We have hired a
7 traffic consultant, Brian Ketcham, who has been
8 working with the City and us, and the City has
9 committed to consider community input regarding
10 details of the plan. Community Board 3 has formed
11 a task force to hear public input regarding
12 details of the street plan. The task force has
13 met twice and has two more meetings. The deadline
14 we have for suggestions is the end of February.
15 At its February board meeting, Community Board 3
16 will vote on which suggestions to present to the
17 City to make refinements of the street plan. And
18 I'll just mention also, this is a separate issue,
19 but the first week of March there is going to be a
20 public meeting giving an overview of construction
21 mitigation plans. And I'll just say from the
22 viewpoint of my job and how I have to deal with
23 community problems, it's I think essential that we
24 not deal with negative impacts from different
25 projects more than we have to, or more times than

2 we have to. Because it would just be just
3 incredibly bad for both the businesses and the
4 residents.

5 CHAIRPERSON LIU: Thank you.

6 DAVID CRANE: Hello. My name is
7 David Crane. I'm testifying on behalf of
8 Community Board 3 in my capacity as the
9 Transportation Chair. I'm testifying about the
10 work of our Chatham Square Task Force, which we
11 created to provide a public process to recommend
12 refinements to designs for Chatham Square. Now if
13 I could draw your attention to the two maps, I'm
14 basically just going to read a few sentences from
15 my testimony, but if you look at the maps while I
16 speak some things may be clearer. The existing
17 design does facilitate North/South movement,
18 basically a thoroughfare from Park Row onto the
19 Bowery. That is what is there today. I would
20 like to point out right now that all these
21 Brooklyn Bridge weekend detours that they're
22 talking about are going to go through the existing
23 Chatham Square regardless of whether they do go
24 forward with this redesign, okay? The actual
25 street changes in Chatham Square would not be

2 until after the weekend changes. So when they say
3 they're facilitating avoiding traffic jams by
4 this, you know, by expediting Chatham Square to do
5 it now, I really think that the driver for this is
6 hooking Chinatown water mains up to the new water
7 tunnel. That's of what the bulk of the utility
8 work that they're talking about-- in fact it's a
9 big chunk of the money for relaying out the roads;
10 because once they do the utility work they have to
11 relay roads anyway. So, what I believe-- what I
12 suspect is that if they don't do the Chatham
13 Square realignment, they do still have to do the
14 City water tunnel connections in pretty short
15 order. And that would be-- please don't grill me
16 on that because I don't know the details, but the
17 agencies, I really believe, I suspect that that is
18 the driver. So, let me say also about the
19 proposed configuration. It was brought up, and it
20 is in my testimony here, the traffic simulation
21 showed a marked improvements with the proposed
22 configuration. Okay. This traffic flow was
23 analyzed by the City as part of the EIS process
24 that was done a few years ago. The details have
25 changed, like number of lanes, lane markings,

2 etcetera. But the basic alignment of North/South,
3 Bowery, St. James; East/West, Worth to East
4 Broadway had been out there since the draft
5 Environmental Impact Statement, in fact prior than
6 that when it didn't have official status, when the
7 LMDC report came out. They all had pictures that
8 did show it. But your correct that the exact
9 number of lanes and lane markings and so forth was
10 not part of that study. However, Brian Ketcham,
11 who we've retained as an independent traffic
12 consultant, did run the numbers with the new
13 configuration and it does show that the traffic
14 flow would move better than what is there today
15 with Park Row blocked to traffic. Regardless,
16 although we conceded that point, we still want as
17 I think everyone in the room here does, the
18 public, we still want to preserve the alignment of
19 Park Row with the Bowery, which will be lost by
20 this. This is true. Now, the CB3 Task Force, I
21 just want to give you an overview of three types
22 of improvements we are looking at. Council Member
23 Liu I think accurately portrayed that we have
24 decided that the City is just going forward with
25 it, and so we are focusing on what can be done if

2 they do go forward with it, so that's what the
3 Community Board Task Force is focusing on, what
4 can be improved before they lay down asphalt.

5 First, we believe that a dedicated left turn must
6 be provided for the eastbound traffic on Worth
7 Street for traffic that wants to turn north onto
8 the Bowery. In the existing design, there is only
9 a single shared lane provided. You can see this
10 on the map, if you look closely next to that small
11 traffic triangle. On the right side of the
12 triangle you must turn right onto St. James, the
13 left side of that triangle, it's shared. And
14 anybody who wants to turn left onto the Bowery is
15 going to hold up all traffic that perhaps wants to
16 continue on East Broadway. This is going to cause
17 problems, regardless of whether they reopen Park
18 Row, if they reopen Park Row, it will just be a
19 traffic jam. So we must have that done if they go
20 forward. The only way to accommodate the
21 additional left turn lane, however, would be to
22 move the Kim Lau Memorial Arch about eight feet.
23 It wasn't brought out in testimony previously, but
24 that would require relocating a patch of mapped
25 state parkland that immediately surrounds the

2 arch. If you sort of compare the two maps you can
3 sort of tell the arch has not moved. And
4 basically within the outlines of the new and
5 existing roadbeds, there is a small state park.
6 We believe that moving that arch would require an
7 act of the state legislature and possibly and
8 environmental quality review, which will certainly
9 take longer than one month, that is how much time
10 we have to recommend our changes. So the Task
11 Force's objective here would be to propose that
12 DOE keep open a window for such a change and that
13 they engineer the project to make the additional
14 turn lane possible. It may be six months or a
15 year.

16 CHAIRPERSON LIU: Sure. Mr. Crane,
17 we have the detailed suggestions made by the
18 Community Board Task force.

19 DAVID CRANE: Well these aren't
20 official yet, but these are what we're looking at.

21 CHAIRPERSON LIU: Okay. Well then
22 it would be helpful to get them official first.

23 DAVID CRANE: Well that will be end
24 of the month.

25 CHAIRPERSON LIU: Okay.

2 DAVID CRANE: February 23rd.

3 CHAIRPERSON LIU: If I may, I'd
4 like to ask the three of you--

5 DAVID CRANE: [Interposing] Can I
6 congratulate you on pointing out the Brooklyn
7 Battery Tunnel thing, because that is in our
8 testimony too, because that will be extremely
9 important.

10 CHAIRPERSON LIU: Okay. Well,
11 we'll hear testimony from some of the Civic
12 activists who actually pointed that out to us.
13 They are emphatic; they seem to be emphatic that
14 in fact the plans were available before November
15 2008.

16 DAVID CRANE: As with any of these
17 projects, they refined them and there's more
18 detailed with each revision. But the basic road
19 alignment was shown in-- I remember seeing it on
20 paper, so I'm almost positive it had to have been
21 in the Draft Environmental Impact Statement. We,
22 like many organizations, focused on legalistic
23 aspects of the DEIS. Oh, your baseline year was
24 wrong, oh, you left out this data. Well we lost
25 that battle. In fact, we kind of went out on a

2 limb and our actual position was move Police Plaza
3 instead of closing Park Row. But I'm sure that it
4 must have been in the Draft Environmental Impact
5 Statement. But we didn't focus on that as a
6 Board, and I don't think the community did either,
7 but it was published.

8 CHAIRPERSON LIU: Okay.

9 DAVID CRANE: I think you'll find
10 that in a week when they tell you that they'll
11 say, yeah, here it is on this page at that date.

12 CHAIRPERSON LIU: Well they have
13 agreed to provide us with any of that
14 documentation within the week. And what about the
15 timing of all this? Does this seem rushed or does
16 this seem standard in terms of these kinds of
17 projects? Because this is not the first time that
18 your respective community boards have gone through
19 such a substantial project as this.

20 DAVID CRANE: Exactly. They want
21 to start by summer of '09 doing the utility work,
22 so that by the summer of '10 when they start-- we
23 don't know if it's 19 months or 36 months, but
24 when they start Brooklyn Bridge closures, they
25 won't be doing utility work where the cars will be

2 detoured. It will still be the same alignment,
 3 but at least they'll have the utility work done.
 4 That's the conflict they want to avoid. So if
 5 they don't start this summer, it just means that
 6 they won't be able to start until sometime in 2013
 7 or 2014. So that really is the choice, start
 8 summer '09 or start four years later.

9 CHAIRPERSON LIU: So that suggests
 10 that the sewer work--

11 DAVID CRANE: [Interposing] Sorry?

12 CHAIRPERSON LIU: The sewer and
 13 water main work that--

14 DAVID CRANE: [Interposing] I wish
 15 I knew the details but...

16 CHAIRPERSON LIU: Okay, that would
 17 be-- I mean look, we just want to get all the
 18 facts out here.

19 DAVID CRANE: Yeah.

20 CHAIRPERSON LIU: It's potentially
 21 bad then for the community if the sewer and water
 22 main work was delayed much longer.

23 DAVID CRANE: Potentially
 24 disastrous for the City. The City Water Tunnel 1
 25 must be de-watered and examined, and there's a

2 risk that it will collapse when they de-water it.
3 So they wouldn't be able to turn it on very
4 quickly if that happened. Chinatown, obviously,
5 must be hooked up to the water mains before they
6 do that de-watering. I don't know when that is.
7 I know this is like a 50-year largest capital
8 project ever, but it is coming to completion at
9 some point.

10 CHAIRPERSON LIU: Well, have either
11 of your community boards received complaints about
12 water main breakages, sewer backups that would
13 compel an immediate fix to the water
14 infrastructure?

15 DAVID CRANE: I don't believe it's
16 repair work, I think it is hooking it up to the
17 new water tunnel. So it basically is new water
18 mains to continue providing that area of the City
19 with water when City Water Tunnel 3 is the source
20 of water. And I don't know the timeframes, but
21 they keep saying utility work, water main work,
22 etcetera. And I really think that that probably
23 is the urgent driver.

24 CHAIRPERSON LIU: Thank you.
25 Chairman Gerson has questions.

2 CHAIRPERSON GERSON: It's good to
3 see each of you. And Mr. Chair, you're looking at
4 three of our model community activist and district
5 managers, as evidenced by the fact that they sat
6 through all of this and are still here and
7 testifying. That's just part of what they do.
8 Just a couple of points for clarification. Mr.
9 Crane, I suspect you're right that the utility
10 work is clearly being driven by the water main
11 project. But I also suspect that the reason why
12 when each of us asks the City for the reasons for
13 the timetable and the specifics of this process
14 they did not cite the water main probably because
15 given the history of the water main project and
16 everything else that has to go forward, the type
17 of delay that we are requesting, not four years or
18 not an infinite period of time but an opportunity
19 for your Task Force to do all of its work, for
20 additional community input, probably would not
21 impact on the water main component of the project
22 per se, other than its effect on the traffic issue
23 pertaining to the Brooklyn Bridge--

24 DAVID CRANE: [Interposing] I
25 believe you're correct. Now that I'm thinking

2 about it, they could do all that water main work
3 in those, you know, between this summer and next,
4 and have the whole Chatham Square on hold and not
5 do the Chatham Square, they could do it at
6 anytime, actually. Because there are no weekend
7 closures schedule after...

8 CHAIRPERSON GERSON: That was mine-
9 - but I respect your insight, so I appreciate that
10 clarification.

11 DAVID CRANE: But it's summer 2010
12 through fall 2011 is when those weekend closures
13 are going to happen.

14 CHAIRPERSON GERSON: Right.

15 DAVID CRANE: There's plenty of
16 time to-- Brooklyn Battery Tunnel, you know,
17 alternatives.

18 CHAIRPERSON GERSON: And we're
19 going to both-- rest assured we're going to follow
20 up on that option. And it's amazing that a
21 project has been going on since, they testified
22 '04, and they still haven't it sounds like even
23 gotten close to closure on that issue as to the
24 obvious way of mitigating impact, and that is the
25 waiver of the tolls on those weekends. Let me ask

2 you, with respect to the work of your Task Force
3 is it that-- and recognizing that the report is
4 not finalized yet and that has to be adopted by
5 the full board, so I have to ask this as a
6 hypothetical to be consistent with Board
7 Procedure, but is it conceivable that
8 recommendations you might make would require
9 adjustments to any of the bid specifications than
10 the City is, you know, preparing?

11 DAVID CRANE: Yes. Certainly it
12 would. For example that left turn bay. The
13 problem is the timing. I don't think that we can
14 have the state parkland moved by the end of the
15 month, so they would not be able to put out a bid
16 change at the end of the month for that. That's
17 why we believe they'll have to hold the window
18 open much longer for that particular change.
19 There are other ones. I don't see them, but I
20 could be wrong. We'll hear a detailed report
21 February 18th from Brian.

22 SUSAN STETZER: If I could say, the
23 City has actually confirmed that that would happen
24 and that they could--

25 CHAIRPERSON GERSON: [Interposing]

2 That what would happen?

3 SUSAN STETZER: There could be bid
4 changes and that they would, if we could get those
5 to them by the end of February, those changes
6 would be accommodated to the bid that had already
7 gone out.

8 CHAIRPERSON GERSON: Sure.

9 SUSAN STETZER: You can still make
10 small changes. And just another thing that I
11 think that we just recently focused on, as far as
12 the detours, that does not have to be resolved
13 now. I mean there's different things being looked
14 at.

15 CHAIRPERSON GERSON: So which
16 detours are you referring to?

17 SUSAN STETZER: Detours for the
18 Brooklyn Bridge reconstruction.

19 CHAIRPERSON GERSON: Oh. Okay.

20 SUSAN STETZER: There doesn't seem
21 to be any reason that those need to be finalized
22 now. You know--

23 CHAIRPERSON GERSON: [Interposing]
24 Other than the fact that if the need for, to
25 accommodate the increased traffic is the driving

2 force for the timetable then that--

3 SUSAN STETZER: [Interposing] There
4 is time in the timetable to keep making changes or
5 looking at the detours.

6 CHAIRPERSON GERSON: No, of course
7 we can make changes in the detours. But if
8 they're saying they have to bid and begin the
9 construction, you know, when they say they do
10 because of the traffic confluence as a result of
11 the Brooklyn Bridge closure, it would be nice to
12 know, you know, before that if there are
13 alternatives available so we know how real the
14 timetable actually is. That's--

15 SUSAN STETZER: [Interposing] The
16 street alignment details have to be-- this is what
17 is being reported to us.

18 CHAIRPERSON GERSON: Right.

19 SUSAN STETZER: That the street
20 alignment details have to be finalized by the end
21 of February because they would be changes in the
22 bid specification, and those could be made until
23 utilities start going in the ground, which would
24 be July. Along with-- so those, that information
25 would be theoretically resolved by the end of

2 February. As far as looking at changing the
3 detour plans that they have for the Brooklyn
4 Bridge reconstruction, we could continue still
5 doing that, because there's no reason those
6 changes couldn't be made.

7 CHAIRPERSON GERSON: Absolutely.
8 But again, the sooner we resolve how we're going
9 to deal with the Brooklyn Battery Tunnel, I mean
10 certain you agree with--

11 SUSAN STETZER: [Interposing]
12 Absolutely.

13 CHAIRPERSON GERSON: That the
14 sooner the better.

15 SUSAN STETZER: Oh, we want to do
16 it quickly. We don't want to cut it-- that's not
17 being cut off to us. Yes.

18 CHAIRPERSON GERSON: But if you
19 give the City-- you know, history shows delays
20 become self-fulfilling. And therefore the sooner
21 we resolve the issue of the Brooklyn Batter
22 Tunnel, the better we can plan the necessary
23 sequence for everything else that has to happen,
24 and the better your community board can register
25 its input, I would think.

2 SUSAN STETZER: And since both the
3 Tunnel and the parkland issue requires or seems to
4 require state action, we certainly can advocate
5 for that with our state elected official.

6 CHAIRPERSON GERSON: Well the
7 Tunnel would require MTA action, but don't forget
8 that half of the MTA board or a big chunk of the
9 MTA Board--

10 SUSAN STETZER: [Interposing] City.

11 CHAIRPERSON GERSON: --is appointed
12 by the Mayor. And, you know, there are ways of
13 finding out sooner rather than later if there's a
14 will as to whether or not--

15 SUSAN STETZER: [Interposing] And
16 we would certainly want to work on that also.

17 CHAIRPERSON GERSON: Let me just
18 ask you, and then I want to ask Mr. Fratta a final
19 question, I want to actually ask all of you, would
20 it be consistent with our board resolutions that
21 the Park Row current width be kept in its current
22 form rather than narrowed, even if Park Row
23 remains closed and we accommodate the traffic
24 through other alignments? Would it be, you know,
25 the board resolution that we not narrow the width

2 of Park Row? And I ask that to both Board
3 Members.

4 DAVID CRANE: I would say given
5 that we objected to installing this alignment,
6 yes. Did we in particular call that out? No.
7 But certainly the position is to preserve the
8 exact width of Park Row and the alignment with the
9 Bowery.

10 CHAIRPERSON GERSON: Fratta?

11 JOHN FRATTA: By the testimony that
12 was given today by the City, the closing of Park
13 Row has caused the traffic congestion that we have
14 in the community. Our Community Board 1 is very
15 clear on the record of demanding that Park Row be
16 opened. Even their plans to lessen the width of
17 Park Row still wouldn't satisfy the needs that we
18 have, and Community Board 1 is still demanding
19 that Park Row remain the width it is and reopen.

20 CHAIRPERSON GERSON: And finally I
21 understand that the concept and the road
22 alignments may have been in all likelihood were
23 referenced in the EIS statements, but the
24 agreement between the City and the Lower Manhattan
25 Development Corporation in fact requires the

2 project descriptions. And I think it's clear that
3 that means what we saw in the presentation and
4 what they said was put on the web in November '08
5 be not only put on the web, but be made available
6 to the Community Boards as well as to other
7 governmental entities. Could you tell us when
8 your community boards first received the project
9 description that was put on the web in November
10 '08? Did you receive it at the same time, much
11 before, much after, roughly the same time? You
12 know, I don't expect a specific date but...

13 DAVID CRANE: In '08?

14 CHAIRPERSON GERSON: Well they
15 testified that it was put on the web in '08. And
16 my question is did you receive any description
17 with the current plan prior to that, at that time
18 roughly or more recent?

19 DAVID CRANE: We received a-- we
20 did receive a PDF with conceptual drawings, in
21 fact that is what I have cut and pasted from on
22 the testimony, it would have been October, I
23 imagine, perhaps the last week of September.
24 Excuse me?

25 CHAIRPERSON GERSON: Of '08?

2 DAVID CRANE: October. '08.

3 CHAIRPERSON GERSON: Of '08. Okay.

4 DAVID CRANE: The Board received
5 it, yeah.

6 CHAIRPERSON GERSON: Okay. Good.

7 DAVID CRANE: And that's when we
8 immediately tried to launch, you know, we launched
9 the effort to have a public hearing because they
10 had to get out there. We had-- at a fact-finding
11 meeting where they brought it to us we sort of
12 talked, oh, well we'll do this; we'll do that.
13 And at that meeting it was stated that the
14 Community Board would stick it on our site. We
15 actually never--

16 CHAIRPERSON GERSON: [Interposing]
17 And again, that was around October?

18 DAVID CRANE: That was in--

19 CHAIRPERSON GERSON: [Interposing]
20 Late September, October?

21 DAVID CRANE: It was in October,
22 yeah.

23 CHAIRPERSON GERSON: Of '08.

24 DAVID CRANE: And so, and we never
25 made those connections, you know, to get them

2 posted on our site. The City really should have
3 posted it on their site, but it was a
4 miscommunication. I think that you made a good
5 point about; this is a good legalistic point, that
6 they didn't maybe comply with the letter of that
7 agreement. We made many legalistic points back in
8 the Draft Environmental Impact Statement. I think
9 that you picked up on some of that in your
10 testimony and we--

11 CHAIRPERSON GERSON: [Interposing]
12 I always try and pick up the points on the points
13 you make.

14 DAVID CRANE: We lost. So I don't
15 know if a legalistic-- you've scored some points
16 and that's great, pursue it. That was the final
17 plan.

18 CHAIRPERSON GERSON: Right.

19 DAVID CRANE: Yeah, we did see
20 early versions back in, it would have been
21 September of '06, because we commented on it-- in
22 October of '06. We had a very rushed effort again
23 with Brian Ketcham.

24 CHAIRPERSON GERSON: Those were the
25 realignments incorporating the EIS.

2 DAVID CRANE: That was realignments
3 without lane markings, you know, yes.

4 CHAIRPERSON GERSON: And Community
5 Board 1, also same timeframe? When did you--

6 JOHN FRATTA: [Interposing] I
7 believe we received the plan in October of '08,
8 not before.

9 CHAIRPERSON GERSON: Okay. Well
10 thank you. Thank you very, very much. And thank
11 you and we'll continue to work together to assure
12 the best possible outcome on this.

13 JOHN FRATTA: I just want to thank-

14 -

15 CHAIRPERSON GERSON: [Interposing]
16 Yeah, please.

17 JOHN FRATTA: --both you,
18 Councilman Gerson and Councilman Liu for the
19 questions that you did raise with DOT. And you
20 see the frustration-- I see the frustration in
21 your faces with the lack of response. Well that's
22 the same frustration that the community has with
23 the City, so we're all getting the same kind of
24 response from the City, which is basically no
25 response.

2 CHAIRPERSON GERSON: And actually,
 3 Mr. Fratta, speaking of frustration you did remind
 4 me of one other. Have either of your Boards
 5 received any update to any business affect
 6 mitigation plan, or have you received any business
 7 affect mitigation plan beyond the application of
 8 the broader Lower Manhattan plan that was
 9 presented when you had the hearing?

10 SUSAN STETZER: We were actually
 11 asked by the City to plan when that would happen.
 12 And our Board decided that since this process-

13 CHAIRPERSON GERSON: [Interposing]
 14 I'm sorry, when what would happen?

15 SUSAN STETZER: When we would start
 16 talking about that and look at those plans. And
 17 our board decided since the street alignment issue
 18 was going to be over at the end of February that
 19 we wanted to wait until after that to have a
 20 presentation and discuss the business mitigation.
 21 So that is planned for the first week of March.
 22 We haven't picked a date yet.

23 CHAIRPERSON GERSON: A hearing.
 24 But have you received anything? Any--

25 SUSAN STETZER: [Interposing] No.

2 CHAIRPERSON GERSON: No? Okay.

3 SUSAN STETZER: But we basically
4 said we wanted to wait until this was done to do
5 that.

6 DAVID CRANE: On the other hand--

7 CHAIRPERSON GERSON: [Interposing]
8 Wait to have a hearing or wait to receive a plan?

9 DAVID CRANE: I believe your office
10 is pursuing more mitigation.

11 CHAIRPERSON GERSON: Right.

12 SUSAN STETZER:

13 DAVID CRANE: Like beyond the
14 25,000 grant.

15 CHAIRPERSON GERSON: Right.

16 DAVID CRANE: So we would hope that
17 we would hear that news from you. We didn't hear
18 it from--

19 CHAIRPERSON GERSON: [Interposing]
20 Well as soon as we hear it, we're pursuing it with
21 the city.

22 SUSAN STETZER: Okay.

23 DAVID CRANE: Okay.

24 CHAIRPERSON GERSON: And as soon as
25 we hear it--

2 DAVID CRANE: [Interposing] What
3 I'm trying to say is you--

4 CHAIRPERSON GERSON: [Interposing]
5 I guarantee you will hear.

6 DAVID CRANE: --know more than we
7 know, I'm pretty sure.

8 SUSAN STETZER: Okay.

9 CHAIRPERSON GERSON: Okay.

10 SUSAN STETZER: Yes. We've been,
11 kind of, as far as the actual money amount we've
12 actually been counting on you to do that since you
13 discussed that at one of our community board
14 meetings.

15 CHAIRPERSON GERSON: Absolutely.
16 We're actively pursuing that. I just wanted to
17 emphasize that you haven't received it yet and we
18 haven't received it yet and we'll continue to
19 receive it.

20 SUSAN STETZER: Well to be fair we
21 said we don't want to talk about it until the
22 first week of March.

23 CHAIRPERSON GERSON: Not talking
24 about it is different than not receiving it. But
25 Mr. Fratta?

2 JOHN FRATTA: We haven't received
3 the plan either. We've been asking that question,
4 especially with the closing of Fulton Street--

5 CHAIRPERSON GERSON: [Interposing]
6 Right.

7 JOHN FRATTA: And all the
8 reconstruction in that community, this is a main
9 concern of Community Board 1, the impact on the
10 businesses. So we haven't received it.

11 CHAIRPERSON GERSON: Thank you.
12 Thank you each very, very much.

13 JOHN FRATTA: Thank you.

14 [Pause]

15 CHAIRPERSON GERSON: Our next
16 panel, Danny Chen, Jeanie Chin, Jan Lee, John Ost-
17 - how many chairs do we have there? One, two,
18 three, four, five? So, we'll also have Anna
19 Goldstein. Is Anna still here? Anna is
20 submitting written testimony. Okay. So let's
21 have Triple Edwards join the panel.

22 [Pause]

23 CHAIRPERSON GERSON: And following
24 this, the next panel will consist of Margaret
25 Chin, Toby Turkel, Heung Stam and Stephanie Pinto.

2 So you can get ready. You're in the batting cage.
3 Danny, do you want to lead us off?

4 DANNY CHEN: Sure. I just want to
5 thank you for the hearing and the opportunity to
6 kind of point out some of the problems with the
7 DOT plan. I kind of brought more than the DOT
8 brought, which is a couple of pages. There are
9 maps; they're all kind of based on the conceptual
10 drawings that they distributed. First is a small
11 page, double-sided, which basically has a list of
12 issues that we've identified, annotated on the
13 front with numbers. And first and foremost we
14 want to kind of point out that their plan
15 eliminates an important crosswalk across St. James
16 to Oliver Street. That crosswalk is used by
17 children, seniors and when they say that, you
18 know, I think Seth Meyers kind of brushed it off
19 saying crossing two streets as opposed to one, you
20 know, if the streets are safer it's not an issue.
21 So again, it's a case where we pointed out a clear
22 issue, a problem with them and they just brushed
23 it off. Okay, now what happens is when you
24 eliminate that crosswalk, okay, it's a natural
25 crosswalk. Kids are going to cross it anyway. I

2 crossed that street when I went to PS 1. Okay, 40
3 years ago. So people are going to cross that
4 street. When you eliminate that crosswalk-- I'm
5 sorry. So when you eliminate that crosswalk,
6 you're just ignoring how it's used. And one of
7 the things that needs to be pointed out is that,
8 again, this is through Brian Ketcham, the CB3
9 transportation engineer, he's asked, and they have
10 not done any pedestrian analysis of their plan,
11 neither before or after the plan. They're
12 advertising it to be safer, but they've done no
13 analysis. So in their minds it's safer. But if
14 you eliminate crosswalks that are used, then
15 you're going to put kids in danger. So that's
16 first and foremost. And I'd like to point out
17 that crosswalk elimination was not-- so the EIS
18 diagram had just, you know, colors with no lines
19 or anything. November '08 was the first time that
20 they produced a PDF where you could see that a
21 crosswalk was being eliminated. So that was the
22 first time that we had an opportunity to comment
23 on that. So, first and foremost to that-- the DOT
24 talked about blind turns and long crossing
25 distances. But if you look at their plan, okay,

2 on this intersection, they make diagonal crossing.
3 Right? So instead of crossing this way straight
4 through, they're making people cross this way.
5 Now people will then now cross this way. Again,
6 encouraging jaywalking. So the distances could be
7 more minimized, but they don't care. They're
8 going for a nice design that looks pretty. We
9 talked about blind turns. Okay. I think they
10 talked about a blind turn down St. James from
11 Worth Street. But look at these blind turns that
12 they've introduced. Okay? From St. James to East
13 Broadway. Okay, the blind turn from Bowery to
14 this new leg that's going to lead into Worth
15 Street. So more blind turns. The final thing
16 that I'd like to point out is that if you look at
17 the picture they're trying to mitigate traffic
18 going-- basically they're saying St. James to the
19 Bowery, you have to kind of go around this little
20 peninsula that they've created in 1999. But if
21 you flip the picture around, upside down, and if
22 you imagine this to be the Bowery, they're
23 creating the same situation now down the Bowery to
24 Worth Street. And if you look, anybody who knows
25 traffic in Chatham Square, it's asymmetric.

2 There's heavy northbound traffic from St. James
3 heading up to the Bowery, and heavy southbound
4 traffic from the Bowery west to Worth Street.
5 Those are the two congested routes that they
6 should be worried about. Okay, but they talk
7 about alignment of St. James to Bowery as if both
8 sides mattered. Really the only side that matters
9 is the northbound because the southbound there's
10 hardly any traffic. So what they're doing is
11 they're basically by flipping the peninsula across
12 to the other side, they're making the Bowery to
13 Worth Street traffic just as bad as the St. James
14 to East Broadway and Bowery traffic it is today.
15 So, and they claim to have done some analysis,
16 simulations and things. You know, for a living I
17 do simulations. I know how simulations work.
18 It's like statistics, you can lie with them. So,
19 you know, what has to be the judge of this is
20 common sense. If you see that a pattern is
21 repeating the same mistake as a previous pattern,
22 you have to look into why. If the engineers are
23 saying that the traffic is better, you have to
24 start to ask why it's better in their analysis
25 when it doesn't make sense that it's better.

Okay? And we don't get to see that data. Now we did point out to Brian, and during the EIS, is that their traffic collection periods when they were doing the EIS, the traffic collection periods were wrong. They did it at non-busy times. So I think that part of the analysis is based on faulty data. So garbage in, garbage out. And when you look at Habib's simulations, which he kind of ran through a presentation, in that simulated flow, there was no simulation of buses going down the Bowery around this new kind of peninsula and having to make a left down to Park Row. Basically the simulation was as if Park Row was really closed and there was no traffic going up Park Row at all. In real life, if you have traffic going down Park Row making the new left it would probably cause congestion in that intersection. So net, net, I think that their plan is no better than it is today. And the final document that I had is a possibility for an alternative, where it's very much the way it is right now, but-- they're all labeled conceptual, but this one has-- my photo shop capabilities are poor, it's kind of like a chopped up island in the middle. So if you

2 go with the premise that the northbound St. James
3 to Bowery is heavy, and the southbound Bowery to
4 Worth Street is heavy, than this kind of
5 configuration accommodates that with very little
6 redesign and actually short crossing distances as
7 well. And I think that the project would take a
8 lot less-- it's a small incremental change to the
9 current configuration and it's something that I
10 hope that the DOT can at least be forced to
11 consider. That's all I have. Thank you very
12 much.

13 CHAIRPERSON LIU: Thank you. Who
14 wants to go net?

15 JAN LEE: I guess that would be me.
16 My name is Jan Lee. I am a resident and business
17 owner, and my family are property owners in
18 Chinatown. I have to commend the Board for being
19 as astute and having such an attention to detail
20 that we could only hope to have from the DOT,
21 because as of yet we have not experienced that, as
22 you have well pointed out. I do want to point out
23 that they keep relying on the environmental impact
24 statement as being the due process that they've
25 allowed the community and the public. I have to

2 stress that when the EIS was under review, we had
3 a very, very difficult time finding it on the NYPD
4 website. And that should be noted, that I recall
5 and my colleagues will attest to this, that it was
6 very difficult. We had exactly the same issue the
7 first time this came about, trying to find the
8 data. If we found the data, it is a moot point.

9 It is very important for the community to
10 understand that that data that was in the
11 Environmental Impact Statement was not final.

12 Somewhere between the Environmental Impact
13 Statement's printing and the posting of the
14 information on November the 27th, and it's
15 interesting that I have the date but they don't,
16 that on November the 27th there were changes made.

17 And we can talk about those changes, whether or
18 not they were significant, but the point is from
19 the date of the printing and posting of the
20 Environmental Impact Statement on the NYPD website
21 until November the 27th, there was a stamp called
22 Final Revision. Now that Final Revision should
23 never be a final revision if our own traffic
24 engineer, Brian Ketcham, has given us a laundry
25 list of missing data. And as both Councilmen have

2 pointed out that without having certain data, how
3 can you come to conclusions and how can you start
4 the bidding process. I do not agree with the fact
5 that they said that the Environmental Impact
6 Statement served as public notice. It did not,
7 because clearly there were huge changes made and
8 not reflected until the November 27th. I do want
9 to point out also on November the 27th, the only
10 reason that the information was posted on the
11 Department of Transportation's website is because
12 of community outcry. This was not done as a
13 matter of process. I, and a number of business
14 people at a small DOT meeting presentation, asked
15 for handouts, as were not provided today. We have
16 never been to a meeting where a physical map or a
17 handout or a pamphlet or outreach in any physical
18 sense has ever been provided and is not provided
19 to this day. It's important to note that the only
20 reason the information is available to anyone in
21 New York City in its current form is because the
22 Chinatown community has demanded that it be there.
23 Within 24 hours it appeared on the website. So
24 the timing of this is crucial. Had there not been
25 community outcry, we may be sitting here with no

2 information available to the public. And so, we
3 should not give them the credit for putting it up
4 there on their own. They did so grudgingly.
5 That's important to note. I think that the
6 Council should strongly urge the supporting free
7 tolls over the Brooklyn Battery Tunnel into
8 Manhattan. It's only 19 weekends. I think that
9 the financing and the MTA should be compensated
10 and I think that there's ways to do that. It's
11 not a difficult thing if you're looking at a \$50
12 million project. At some point, the project went
13 from \$25 million to \$50 million. I'd like to know
14 why that happened. We have been to many meetings
15 as the Civic Center Residents Coalition and as
16 business representatives, and we were told time
17 and again this is a \$25 million project. And this
18 brings into view the LMDC's role in this and
19 whether or not some other thing took place
20 catastrophic enough to double the amount of money.
21 So I would urge the Council to find out how and
22 when that took place. There were some major
23 changes that took place in financing. I also want
24 to point out that in lieu of a business mitigation
25 plan as Councilman Gerson has asked for, and we

2 agree with, that all business mitigation plans
3 should be part of the plan prior to construction.
4 What we have been told and has not been finalized
5 is that LMCCC will be involved and be onsite in
6 some form. I am going to talk to that agency to
7 find out whether or not they can provide something
8 meaningful to us. I don't agree with the fact
9 that it should start during construction. I agree
10 with the councilman that many of these things need
11 to be done in advance of construction, including
12 possibly bilingual translation of everything
13 that's going to be done. I find that this is an
14 extraordinary project with a \$50 million budget
15 and nobody is giving anybody in Chinatown a piece
16 of paper to take with them. We end up doing it on
17 our home copy machines. I think that's
18 disgraceful. The frustration that Mr. Koppell
19 opened the meeting with about watching a
20 presentation without having some document in front
21 of him is exactly the frustration that we all have
22 felt at every single meeting that we've gone to.
23 Being forced to digest two hours worth of
24 extraordinarily difficult traffic analysis and
25 then regurgitate that back to our community

2 without the aid of some other pamphlet or map,
3 that's current and up to date. So with that, I
4 appreciate your input on this, and we thank you
5 very much.

6 JEANIE CHIN: I'm Jeanie Chin from
7 the Civic Center Residents Coalition. I would
8 like to also add that every map or document that
9 was passed out about the reconstruction of Chatham
10 Square was something that we put together. It was
11 never, ever given to the community from the DOT.
12 The DOT's entire Chatham Square, the Brooklyn
13 Bridge, the water tunnel and Fulton Street
14 reconstruction hit our community like a
15 sledgehammer, forcing us to accept a design based
16 on missing, old or manipulated data, and with no
17 time to evaluate or digest its impacts. The
18 process of receiving information has been
19 deliberately rushed and secretive with no posting
20 of the redesign on the site or anywhere else, no
21 translations despite the large, non-English
22 speaking immigrant population, until weeks before
23 the first general public meeting, only after we
24 had loudly protested. We still don't know how the
25 pedestrian walkway will look or what they're

2 planning to put on the new enormous plaza. They
3 attempted to pit community groups and special
4 interests against each other, only allowing us to
5 view the plan at a public hearing on the same day
6 that we were told it was a done deal. For
7 example, the insensitively place the statue of a
8 heroic Chinese figure in front of a pizza store.
9 Essentially the DOT is planning to administer four
10 to five years of root canal on our community
11 without benefit of explanation or understanding
12 that the final result would be an improvement. We
13 beg the City Council to stop the DOT's out of
14 control madness and allow the Brooklyn Bridge
15 reconstruction to proceed as first scheduled,
16 before the Chatham Square reconfiguration. Thank
17 you.

18 JOHN OST: Good morning. My name
19 is John Ost. I serve on the Board of Directors of
20 Southbridge Towers; it's a 1,651-unit Mitchell
21 Lama cooperative located several blocks south of
22 Chinatown. There are many issues regarding the
23 Chatham Square reconfiguration as presently
24 proposed by the City. We believe the area under
25 consideration needs to encompass a much larger

2 area of study, so as not to adversely affect
3 residents and businesses in the surrounding
4 downtown area. We have voiced our objections in a
5 letter to Major Bloomberg, which contains our
6 suggestions for changes including diagrams. A
7 copy is attached to my testimony. Some
8 circumstances that continue to create problems in
9 our area must be addressed before any proposal
10 goes forward. They include, the continued closure
11 of Park Row, over seven years after 9/11, creating
12 traffic backups with resulting air pollution and
13 noise and the loss of our 400-unit municipal
14 parking garage. The City's proposal of narrowing
15 Park Row as part of the reconfiguration process
16 will forever prevent a fully reopened Park Row in
17 the future. The use of free parking placards is
18 another issue, some legal, some are not legal, by
19 City employees both uniformed and civilians,
20 inducing them to drive into the area and
21 exacerbate the traffic problem. Further, the
22 continued construction in the area, both of torn
23 up streets, notably around Fulton Street, and by
24 the construction of the 75-story Beekman Tower
25 next to New York Downtown Hospital. The planned

2 reconstruction of various Brooklyn Bridge ramps
3 will further add to the traffic and pollution over
4 several years. In the late 1990s, the City,
5 probably the same DOT proposing the present
6 changes, came up with the Chatham Square change
7 that was touted to be a great fix for the area.
8 The ability for traffic northbound on St. James
9 Place was prevented from making a right turn onto
10 East Broadway by placing a park in what was
11 formerly a right turn lane. The result?
12 Northbound traffic on St. James backed up for
13 blocks, and that was before Park Row was closed.
14 If the City planners couldn't get it right then,
15 why should we believe them now? I was looking at
16 the City's testimony while they were testifying,
17 and I found something interesting where they
18 discussed Park Row before and after. The exact
19 quote is: today open only to emergency vehicles
20 and authorized vehicles and transit buses, Park
21 Row is overly wide and underused. Excuse me, if
22 you have created a problem, how can you then say
23 the street is underused? You have closed it. So
24 basically, many of the problems in the Chatham
25 Square area, traffic problems, were created by two

2 issues of the City, first the realteration they
3 did in 1999, which didn't work as well as it
4 probably could have, and second, the Park Row
5 closure. If the City would simply, as Mr. Chen
6 suggested, change that and once again permit a
7 right turn onto East Broadway, I think it would be
8 substantially-- and also if they considered
9 somehow by fortifying Park Row, reopen it, I think
10 most of these problems would disappear. And I
11 think both Councilman Liu and Councilman Gerson
12 for casting some sunlight on the process that the
13 City has used and for holding these hearings.
14 Thank you.

15 TRIPLE EDWARDS: Hi. My name is
16 Triple Edwards and I'm a resident of Chatham
17 Green, which as you know, is a coop located next
18 to the police-barricaded Park Row. Thank you
19 Councilman Liu and Councilman Gerson for having
20 this hearing and I think you've covered
21 questioning the City really well. And there's not
22 much else to say, but for the record, this is from
23 my perspective. I understand that we're here to
24 discuss the Chatham Square reconfiguration, but
25 even though I'm here to battle against the faults

2 of this plan, the bigger picture is that this
3 community is at war with the NYPD and the problems
4 that stem from them. We wouldn't even be here
5 discussing this reconfiguration if the Mayor had
6 the fortitude to go beyond the politics of
7 Commissioner Kelly and reopen the Park Row that he
8 closed. The Commissioner has been using the guise
9 of public safety to further his own agenda, and no
10 one is bold enough to question him. It is now
11 seven years past 9/11 and we can see how our
12 security has greatly improved in our City, but we
13 also now see the negative impact that closing Park
14 Row has had on the economy, civil liberties and
15 safety of Chinatown and Lower Manhattan. Is it
16 really so necessary to keep this safety
17 stranglehold on our community by spending millions
18 on a reconfiguration that ensures the closure of
19 Park Row? If Commissioner Kelly is really
20 interested in public safety, especially for our
21 highly residential and trafficked area, he would
22 consider relocating NYPD headquarters like FDNY
23 and OEM already have done, because it's safer and
24 more effective for them. But that's a discussion
25 for another day. I'm not a conspiracy theorist or

2 a police basher, because I truly appreciate how
3 the NYPD protects and serves our City. However,
4 NYPD has lost its way by protecting and serving
5 their own interests. Why else would they be
6 substantially contributing to a reconfiguration
7 that is designed around a permanent closing of
8 Park Row? Why else would they announce the
9 construction of a high-tech command center at
10 Police Plaza that only makes the community more of
11 a target? Why else would they abuse their placard
12 privileges to clog up the traffic and businesses
13 of Chinatown and Lower Manhattan? Why else would
14 they go against the DOT and the Mayor's Green
15 Initiative to make NYC bike friendly by their
16 recent removal of five-year-old bike racks that
17 serve this community? Why else? Because they
18 can, all in the name of public safety. And NYPD
19 consistently uses that excuse to keep officials
20 afraid to question and address their decisions,
21 because no one wants to be held responsible if the
22 what ifs around public safety does happen. Now
23 enough has been said today about how the DOT is
24 guilty of trying to push through their agenda
25 without community input. I mean community input

2 is vital. We all have to live and work together,
3 but this community is saying no to the proposed
4 Chatham Square reconfiguration. I mean don't get
5 me wrong, after living with these barricades I
6 certainly welcome any reconfiguration improvements
7 to beautify and lessen the impact of the police
8 state that I now live in. However it's no
9 surprise that our communities are now in an uproar
10 when DOT and NYBT behave as if we don't exist.
11 I'm here to ask the Committees to make sure that
12 we do.

13 CHAIRPERSON GERSON: Just a couple
14 of brief questions. Danny, I'll direct them to
15 you, but anybody should feel free to answer. On
16 the alternative proposal, if you will, first and I
17 just want to make sure, you know, I'm a little map
18 challenged. I want to make sure I'm reading it
19 correctly, could you just review to what extent
20 does your proposal differ in terms of the ability
21 to get from St. James Place to East Broadway, as
22 you know Mr. Ost had talked about, from the City's
23 plan or does it differ at all?

24 DANNY CHEN: Right. So basically
25 this proposal kind of almost restores it prior to

2 the 1999 configuration in which from St. James you
3 have the option of either going north on the
4 Bowery or right onto East Broadway. Whereas the
5 City plan it kind of-- you know, and that's a
6 small delta, right? I don't know exactly what you
7 can do with that sidewalk over there.

8 CHAIRPERSON GERSON: So would that
9 involve cutting--

10 DANNY CHEN: [Interposing] Through.

11 CHAIRPERSON GERSON: Through. And
12 so you don't have to go even for one block on the
13 Bowery?

14 DANNY CHEN: That's correct.
15 Right.

16 CHAIRPERSON GERSON: Okay, is that
17 on the map or is that something that would be--?

18 DANNY CHEN: This one. Do you see
19 this one?

20 CHAIRPERSON GERSON: Oh. Okay.
21 I'm looking at the wrong map. That's why I-- do
22 we have a copy of that, Lyle? Okay. That's all.

23 DANNY CHEN: So basically it puts
24 the Kim Lau arch on an island and allows St. James
25 northbound, which is the heavy traffic--

2 CHAIRPERSON GERSON: [Interposing]

3 I see.

4 DANNY CHEN: To go either East
5 Broadway directly or Bowery directly. It also
6 maintains the southbound Bowery to Worth Street,
7 which is again a heavy route, to maintain its
8 current configuration.

9 CHAIRPERSON GERSON: Now my-- go
10 ahead.

11 DANNY CHEN: To address a point
12 that David Crane made about the establishment of a
13 left only lane, so one of the things you lose in
14 their configuration, you use turning capacity,
15 because you've narrowed the streets down to a
16 couple lanes each. Okay, you're funneling it
17 into-- the turns are funneled into a small number
18 of lanes.

19 CHAIRPERSON GERSON: Sure.

20 DANNY CHEN: And so that's another
21 reason why maintaining the current configuration
22 is not bad because of turning capacity. Okay,
23 you're not funneled into one area where if there's
24 someone making a left turn the people behind them
25 are stuck.

2 CHAIRPERSON GERSON: Okay. The
3 other question on the proposal is your proposal
4 does not include, if I'm reading it correctly, the
5 expanded open space the City proposes. You heard
6 them testify this will be a great major amenity,
7 three times more the open space than currently is
8 allowed. Could you address that, their open space
9 proposal, how important is that to the community?
10 Is that the best place for it? Are there
11 alternatives and what do you have to say about
12 that?

13 DANNY CHEN: Right. My opinion
14 about that is open space in a heavily congested
15 honking, you know, dangerous area is not really
16 open space. You can paint it green on a
17 PowerPoint and it looks nice, but living there
18 will not be nice. Now down the street on St.
19 James Place, there's a park that we freed from the
20 NYPD--

21 CHAIRPERSON GERSON: [Interposing]
22 Is that Madison Park?

23 DANNY CHEN: James Madison Park,
24 that's just waiting to be greened, waiting for
25 years. And that would be an excellent place to

2 green. So if-- you know, green is good. Open
3 space is good, but if it's going to be in the
4 midst of something that's not workable, and I
5 believe that the City's plan is not workable
6 because they're just recreating the problem in a
7 different direction. They're doing a little sight
8 of hand. Right now the peninsula is blocking East
9 Broadway and the Bowery from St. James. Now
10 they're creating a peninsula that blocks Worth
11 Street from the Bowery, and Park Row, which you
12 know, is low traffic; it's not no traffic, it's
13 low traffic. Okay, and making those turns around
14 there, those buses will wind up clogging up that
15 little-- because since they narrowed the actual
16 street it's going to wind up clogging those
17 intersections. So no matter what simulations they
18 do, if it doesn't make sense we have to question
19 how they ran the simulation.

20 CHAIRPERSON GERSON: So are you--

21 [END TAPE 1002_2]

22 [START TAPE 1003_3]

23 CHAIRPERSON GERSON: So are you in
24 touch with the Task Force at CB3 to present your
25 ideas and discuss these with the task force?

2 DANNY CHEN: Yeah, we are members
3 of the task force.

4 CHAIRPERSON GERSON: All right,
5 well Mr. Chair, I think this is precisely why the
6 implementation of a breathing period over the next
7 few months is critical. It would give the full
8 community the opportunity to evaluate alternatives
9 such as presented by this panel and to amalgamate
10 the best of the ideas from the DOT proposal from
11 the alternative presented and maybe, you know,
12 some other specific ideas that might come up. We
13 didn't have that type of full-blown design
14 competition that I had discussed, but over a few
15 months we can still register and evaluate ideas
16 such as have been presented and wind up with the
17 best possible. And I don't think we have to
18 postpone, you know, the plan forever but we can
19 accomplish that goal if we just do it intensely
20 over the next few months, which by the way is in
21 keeping with the original timetable to which the
22 City agreed with the LMDC. And again, this idea
23 and the need for its evaluation is just another
24 good example why we need that original time
25 period. I thank you each of you very much for

2 your-- do you have anything?

3 DANNY CHEN: Thank you.

4 CHAIRPERSON GERSON: Hold on.

5 Council Member. Okay, well, we both thank you
6 very much for your ongoing community work.

7 CHAIRPERSON GERSON: We'd like to
8 call up to testify Margaret Chin, Toby Turkel,
9 Heung Stam, Stephanie Pinto; and acknowledge that
10 Council Member Miguel Martinez has joined the
11 hearing. Please proceed.

12 MARGARET CHIN: My name is Margaret
13 Chin. I'm a longtime community activist, and I
14 really wanted to thank, you know, the Council for
15 holding this oversight hearing. And we would like
16 to request that you do a few more and to bring DOT
17 in. I'm submitting a stack of 500 petition
18 signatures from residents, business workers and
19 parents in the neighborhood who are fed up with
20 DOT, that they're not listening to the community.
21 And today when I heard that they keep emphasizing
22 that this project they are proposing is supposed
23 to be good for our community, safer for
24 pedestrians, if they really care about the safety
25 of the pedestrians, of the children, of the

2 seniors in the community, they should be doing
3 something already to help mitigating the problem.
4 One of the biggest issues right now I think with
5 what you heard about, the Brooklyn Bridge
6 reconstruction, that's what they use to force the
7 community to make a decision to come to agree with
8 them on Chatham Square. Okay, at the hearing they
9 told us it was a done deal. All right? And then
10 because they got to do the Brooklyn Bridge, it's
11 critical; that we're standing in the way if we
12 don't support them. One of the important issues
13 that I want to raise that's in the petition, is
14 the safety issue on the Manhattan Bridge. If they
15 care about the community, they've got to deal with
16 the problem of traffic coming off the Manhattan
17 Bridge and killing people. Okay, on the
18 intersection of Bowery and Canal. Five people
19 died there last year, and another person died, you
20 know, a couple weeks ago. When are they going to
21 do something about that? And when they're talking
22 about rerouting more traffic coming off Manhattan
23 Bridge, how many more people are going to die
24 before they do something? And all we're asking
25 for is just put up some signage. Tell people to

2 slow down as they're coming into the community.

3 Right? The other issue about crossing, pedestrian
4 crossing is, yeah they have traffic agents there,
5 but everybody knows the traffic agent is there to
6 move traffic. They're not there to help people
7 cross the street. The crossing guards are there
8 to help children and seniors and residents like me
9 cross the street. Okay? So if they really care
10 about our safety, well put some crossing guards
11 there who really help people cross, not just move
12 traffic. So there are a lot of issues there, and
13 we're asking, you know, City Council to use your
14 oversight power. Stop what's going on I Chatham
15 Square right now. Don't let them proceed. You
16 know, don't let them give us the pressure that
17 they got to go ahead. We got to stop it. And
18 then look for alternative to really create safety
19 in our neighborhood. Thank you.

20 CHAIRPERSON LIU: Thank you.

21 TOBY TURKEL: Hi. My name is Toby
22 Turkel. I'm president of Chatham Towers, we're at
23 the corner of Park Row and Worth. And the closing
24 of Park Row impacted us in terms of our-- in many,
25 many ways, as part of the community and also in

2 terms of the building, because our insurance went
3 up 700% as a target. That's another discussion.
4 I wanted to thank the two Councilmen, because it
5 was remarkable, what we heard today. A lot of
6 things came to light that were not obvious or not
7 being said. You know, and the strong-- the reason
8 to close Park Row-- there's a real connection
9 between the reconfiguration of Chatham Square and
10 the absolute closing of Park Row and that the work
11 on the bridge is one of the main impetuses for
12 this reconfiguration, not the safety of the
13 pedestrians. So I'm glad that all came out. And
14 I just want to say that in general-- I've been to
15 many, many meetings with the DOT and basically
16 they're-- well they're certainly not transparent
17 and they're very condescending. And if things are
18 brought up we're told we just don't understand. I
19 mean I remember speaking about the bottleneck at
20 Park Row and Worth, which I see everyday, and
21 narrowing of the Bowery would increase that. In
22 fact it would cause backup right to the Manhattan
23 Bridge. And when I brought that up and it seemed
24 so obvious they said, well, our experts have
25 looked at this and this is not their conclusions.

2 And this is sort of the attitude. I was at the
3 meeting at Lin Sing in December, and unanimously,
4 there were members of all businesses in Chinatown,
5 people who live there, and people were outraged at
6 what they were being presented with. They didn't
7 hear about it before. It was not on the website,
8 as Danny and Jan pointed out, and we never heard
9 of many of these things before. It was too much
10 to digest. And their answer was, well, we have
11 spoken to other people and they-- other groups
12 approve of this, you are the only ones. And we
13 learned today they don't have one name of any
14 other group. Again, the security issues, whenever
15 we look, there may be real security issues on Park
16 Row connected with Police Plaza, but I know that
17 our handicapped access at Chatham Towers is
18 blocked by barricades, and we've asked numerous
19 times to move it 30 feet, and we're just told for
20 security reasons it can't be. I mean these are
21 just not good answers. And so I want to thank you
22 again for bringing so much to light today. Thank
23 you.

24 CHAIRPERSON LIU: Thank you.

25 STEPHANIE PINTO: Hi, I'm Stephanie

2 Pinto and I'm a resident of Chatham Green.

3 Everything that's been said by Community Board 3

4 and by the prior panel and by the people here,

5 basically I think that I would agree with. And

6 the time is late so I'm just going to say two

7 quick things. We're expending \$50 million for

8 maybe 30 seconds. This really isn't a traffic

9 plan; it's a security plan for NYPD. It is beyond

10 me that the City could go forward with

11 construction in a community that has been really

12 battered since 9/11, mainly the Chinatown

13 community. So what we're being exposed to here is

14 spending \$50 million or \$25 million or maybe

15 there's money in LMDC, maybe there's not money,

16 maybe it's the third water tunnel, maybe it's the

17 police department and whomever else, utilities,

18 etcetera; it still has not been entirely clear to

19 me, and I did a lot of government work in my

20 youth, I know how it's done; you throw \$10 million

21 here, \$10 million there, all of a sudden you've

22 got a project. But in terms of transportation,

23 yes, I think it would be an improvement, I have to

24 say that, because I had three years at DOT in

25 planning. Of city agencies, it's my agency, for a

2 short time. But I think to spend that amount of
3 money for dubious gains at a time when a community
4 is still on its knees I just think is not good
5 public planning. It might be better
6 transportation planning, but there's a major
7 difference. Also, the thing that has not been
8 mentioned here, and as one who lobbied in my youth
9 for a 2nd Avenue Subway, you're going to go three
10 years of living in hell, and let's be very clear
11 here, construction is a form of violence. It is.
12 It's noise, it's chaos, it's disruption. It has a
13 terrible psychological affect on a community and
14 in this case that community is the Chatham Square
15 is the hub of Chinatown. And Park Row used to be,
16 in my youth I grew up in Knickerbocker Village,
17 Park Row was a major commercial center, and now it
18 is no longer a commercial center. But the hub is
19 still Chatham Square. So to consign or condemn,
20 and it is a condemnation to three years of hell
21 unmitigated, I don't think is the right thing to
22 do right now. I would like to propose--
23 particularly when we don't know what's going to
24 happen coming along with the construction of the
25 Chatham Square stop or series of exits and

2 entrances with the 2nd Avenue subway. I would
3 like to propose a compromise. We know the agenda
4 here. We're never opening Park Row, so says the
5 police department and homeland security. But is
6 there a compromise? Could we do modest
7 improvements on Park Place? Not Park Place, Park
8 Row, along the property line of Chatham Green? If
9 they want to really narrow it, narrow it until
10 maybe Police Plaza moves, which is not any
11 foreseeable time in the future. But keep the
12 Square basically the way it is and do the modest
13 things that need to be done for the third water
14 tunnel, let the community recover a little more
15 and then integrate any future Square
16 reconfiguration in with the 2nd Avenue subway
17 instead of trying to do it now or in the next
18 three years, and have something that might be a
19 little more modest and less invasive. I really am
20 concerned about the construction that has gone on.
21 I can only speak for residents of Chatham Green,
22 but we lived in hell for two summers in a row
23 because of all the water main stuff that was going
24 from below the Brooklyn Bridge up to the Manhattan
25 Bridge, all along Madison Street and Pearl Street.

2 And if you think that calling at 11:00 and 12:00
3 at night to the 311 number as a way of stopping
4 people who are actually involved in illegal street
5 cuts at that time helps, you're wrong. It's in
6 your fantasy, in your dreams. I personally have
7 gone many times downstairs, said I want to see
8 your emergency street permit, you know that's a
9 street cut, you know you can't do it at 11:00, and
10 I personally called DOT because I have all the
11 back numbers. And they come, but that doesn't
12 help the people from Smith Projects and wherever
13 who are suffering at midnight because people are
14 doing things illegally. And I have to tell you,
15 I've caught DEP more than once. So it's never
16 ending. I think if we could just be minimally
17 invasive. Accept that Park Row looks like
18 garbage. Do some modest things to improve it.
19 Slow down on Chatham Square. Don't inflict this
20 anymore than you have to on the people who are
21 trying daily to make a living in that area. I
22 think that that would go a lot further. I hate
23 sounding like I'm against development, because I'm
24 not. But I think that this is the wrong time.
25 Let the community recover a little more. Let's

2 get past this fiscal crisis and then decide how we
3 can make it better. Thank you.

4 HEUNG STAM: Hi. My name is Heung
5 Stam. How are you? I really appreciate the fact
6 that both of you asked DOT and the police officers
7 that were here to stay, to at least act like they
8 want to listen to us. Unfortunately they
9 demonstrate their wholehearted support for that
10 idea by walking out. I don't like the fact that
11 they throw a map at us and we have to look at it
12 for minor changes. They act-- the DOT acts more
13 like a bunch of salesmen than actually engineers.
14 They are trying to sell us traffic going through
15 St. James with all the kids, all the churches, all
16 the parks, are much, much safer than going through
17 Park Row, that has no pedestrian traffic. I don't
18 know. But they know, because they have experts.
19 They have professional company that tell you, yes,
20 this is safe. But they don't live here. And
21 after they make their money, their children don't
22 get hit. And so I really find that-- some of us,
23 you know, part of me is saying we are beginning to
24 wear them down. If you noticed, I tried to count
25 how many times they at least begin to use the word

2 safety. Safe. Secure. As opposed to the first
3 time when they came to Chinatown, not once did
4 they say that there was a safety study. So this
5 time at least they paid lip service to the word
6 safety. But how could you sell me a bunch of lies
7 that a street like Park Row have no pedestrian
8 traffic, you close that down, and you force the
9 traffic to go through St. James, that have all the
10 pedestrians plus little kids playing ball, will be
11 safer. I don't know what kind of salesmen they
12 think they are, they might be good; not that good.
13 And we should not accept the fact that just
14 because they put it on paper, here, a map, and we
15 should work around them. And to the police
16 officer that was here that decided to leave, it's
17 a pity that he didn't stay. I mean he's the
18 police, the pride of this community, they are the
19 defender of our citizens, and we like them. We
20 love them. They are the diamond of this empire
21 state, the hardest point. And yet, they concede
22 that the fear terrorism, and allow them to score a
23 victory against democracy. On the word of safety,
24 in the words of Thomas Jefferson: For those who
25 seek safety above liberty, do not deserve neither

2 safety nor liberty. I hope our police department,
3 the bravest of all of our departments, have the
4 audacity to stand up to the creed of our charter,
5 to be the bravest of all of our organizations.

6 Thank you very much.

7 CHAIRPERSON GERSON: Again, I thank
8 each of you very much for your work, not only on
9 this battle but on all of the other battles that
10 we face, and which we have successfully overcome
11 with tenacity, and we will this one. I do want to
12 note for the record that we do have present in the
13 audience Mr. Eric Munson from the Mayor's Office,
14 and while I wish the other departments remained so
15 that they could hear directly, we appreciate Mr.
16 Munson and the Mayor's Office presence. And I'm
17 glad you raised the issue of St. James because--
18 and I'm just wondering if any other witnesses have
19 anything more to add or any other thought on the
20 flow of traffic from the Bowery on to St. James
21 Place. You heard the testimony earlier that there
22 was a traffic count done. There would be some
23 increase; they didn't have the number handy, they
24 can't be expected to remember every number, so
25 much to remember. But clearly there will be some

increase. Can St. James Place, you know, withstand any significant increase in traffic coming off of the Bowery?

STEPHANIE PINTO: I can speak for Father Welter Tenalatti [phonetic], who is the Pastor at St. James.

CHAIRPERSON GERSON: We know him very well. He's a great man.

STEPHANIE PINTO: He is very-- and I am part of one of the St. James advisory committees, and I actually spoke for St. James at one of the prior hearings. He is exceedingly concerned about any increase in traffic along St. James Place, because as you know, St. James School has no private playground. It's, what do they call it, one of these police barriers that gets put in in the morning and gets taken off, I think after 6:00. So that the only play area that those kids have is James Street. He is concerned because he, you know, played ball when he was a kid. He is concerned that kids would easily run out and he feels that a significant increase in traffic and increased speeds would really be potentially very dangerous to the kids in St.

2 James School. So that yes, he, Father Tenalatti,
3 is concerned about increased traffic in St. James
4 Place.

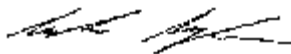
5 CHAIRPERSON GERSON: Okay, well
6 again, we thank each of you very much. I look
7 forward to continuing-- thank you Margaret Chin
8 for the petitioning, and we will certainly follow
9 up. Thank you all very much. Mr. Chair.

10 CHAIRPERSON LIU: Thank you. There
11 being no other witnesses, this hearing of the City
12 Council's Committees on Lower Manhattan
13 Redevelopment and Transportation is adjourned.

14

C E R T I F I C A T E

I, Erika Swyler, certify that the foregoing transcript is a true and accurate record of the proceedings. I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.



Signature_____

Date February 12, 2009_____