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Monday January 26, 2009
New York City Council, City Hall
Landmarks, Public Siting and Maritime Uses subcommittee
ULURP Hearing, Randall's Island Connector, South Bronx Greenway

Testimony prepared by
THE POINT COMMUNITY DEVELOPMENT CORPORATION

THE POINT COMMUNITY DEVELOPMENT CORPORATION is a nonprofit organization dedicated to youth development and the cultural and economic revitalization of the Hunts Point section of the South Bronx. We believe the area's residents, their talents and aspirations, are The Point's greatest assets. Our mission is to encourage the arts, local enterprise, responsible ecology, and self-investment in the Hunts Point community.

In our role as a community development agency, we strive to represent the voices of our communities and communicate needs and solutions that will improve the overall quality of life of our neighbors. With that in mind, we offer this testimony in support of all land acquisitions and easements necessary to see a full realization of the planned Randall's Island Connector (RIC).

The Point, along with Sustainable South Bronx and the New York City Economic Development Corporation, worked with South Bronx residents to create The South Bronx Greenway Master Plan. Officially released by the City in 2006, the South Bronx Greenway consists of a series of waterfront destinations and a network of on-street connectors throughout the Hunts Point, Port Morris, and Mott Haven neighborhoods. Upon completion, the South Bronx Greenway will serve to reconnect neighborhoods to the waterfront and to each other, as well as provide much needed green and open space for pedestrian and bicycle use and other outdoor recreation.

Not too long ago, Hunts Point had the least amount of open space per capita in New York City. The first two destinations to open along the South Bronx Greenway, Hunts Point Riverside Park and Barretto Point Park, have begun to alleviate this problem, but there is still a long way to go. Randall's Island is clearly a great asset to all residents of New York City, but it is nearly inaccessible to many of these residents that live nearest to it. As of now families from the South Bronx have to climb two stories and then cross the Triboro bridge, a feat not easily accomplished with small children or strollers, nor something that many parents allow their children to do on their own due to safety concerns. Other options include driving a car or taking a long bus ride through Manhattan, but these options are also excluded from many due to the lack of a car or time to make such a lengthy commute. The recent controversy over "pay to play" contracts on Randall's Island for wealthy private schools did little to convince South Bronx residents that this shared amenity of New York City is indeed intended for us as well, and instead sent a powerful message of exclusion. The Randall's Island Connector is a chance to right some of the wrongs of that decision. Creating easy on-grade access to Randall's Island's 430 acres of open space for South Bronx residents is a vital part of the overall Greenway master plan. The RIC will

immediately multiply by many factors the amount of available and safe space for recreation.

Public health issues plaguing the South Bronx such as asthma, obesity, and diabetes are well documented. Equally understood are the benefits of an active lifestyle in combating these epidemics. As community based organizations we are working to encourage more physical activity amongst our neighbors, but again access is an issue. Thus, in addition to all the acreage on Randall's Island, the Connector itself which will allow for a much larger network of uninterrupted bicycle and pedestrian pathways is also a major ally.

Furthermore, the RIC has the chance to serve a population much further-reaching than the borders of the Bronx or New York City. A grand plan exists to create a continuous East Coast Greenway to run the length of the eastern seaboard from Maine to Florida. The RIC is a significant connection in these plans as it is the link between the mainland and the island of Manhattan. The South Bronx Greenway connects in the north to the Bronx River Greenway and thus up into Westchester County. This connection in the south will then link to the greenway network of Manhattan and existing connections to New Jersey and points further south, thus fulfilling New York City's role in the greater vision of the East Coast Greenway.

Of course, as with any project, a number of other concerns must be addressed as well. Safety is of the utmost importance, and measures such as ample lighting, an emergency call box, regular surveillance from the local precinct, and protective netting beneath the Amtrak train trestle overhead should be features in this project. In addition, in the same vein that safe and accessible pathways on land are important for the physical and mental health of residents, so too is the accessibility and navigability of our waterways. It would be hypocritical and counter to the intent and spirit of the South Bronx Greenway to invest in creating a new pedestrian and bike pathway while at the same time ignoring an accessibility issue in the exact same location. As the RIC project moves forward, all efforts should be made to raise the existing Con Edison feeder lines at the same site, which currently restrict to a great extent the navigability of the Bronx Kill. This is a request that comes from the community and one that we are in full support of. Just as the Connector provides a link between two areas, the Bronx Kill is a water link between the Harlem River and Barretto Bay, two bodies of water that must also be seen as open space for recreation.

In summary and in conclusion, for the benefit of South Bronx residents and all outdoor enthusiasts who will use it, we advocate strongly for the creation and swift completion of the Randall's Island Connector.



SUSTAINABLE SOUTH BRONX

January 26, 2009

**Testimony to the City Council Committee on Public Siting & Maritime Uses, Landmarks
Subcommittee
LR Item 3: ULURP Process for Randall's Island Connector**

Erica Johnson
Active Living Coordinator
Sustainable South Bronx

Thank you for the opportunity to speak today. My name is Erica Johnson, and I am the Active Living Coordinator at Sustainable South Bronx. Sustainable South Bronx promotes environmental justice through innovative, economically sustainable projects that are informed by community needs. We are one of the two community partners on the South Bronx Greenway, and an important part of our mission is to increase opportunities for outdoor physical activity in the neighborhood. We support the development of the Randall's Island Connector, which will offer South Bronx neighborhoods much needed access to the recreational resources on Randall's Island.

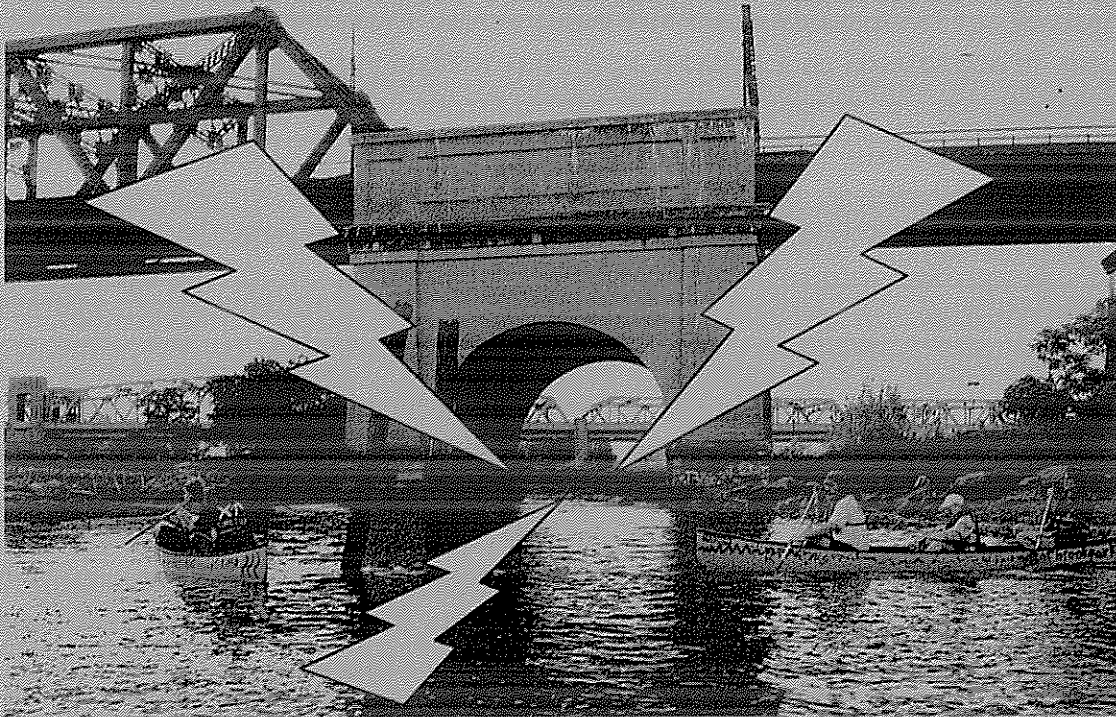
The South Bronx faces among the highest rates of obesity, diabetes, and asthma in New York City. This is due in part to a lack of parks and infrastructure for non-motorized transportation, which limits opportunity for residents to live active lifestyles. The Randall's Island Connector project would allow local residents to walk, run, or cycle to soccer fields, baseball diamonds, bike paths, and other facilities on the island. This would be a critical step in improving health conditions in an area of the city currently overburdened with health hazards.

The Randall's Island Connector project is part of the South Bronx Greenway Master Plan, which emerged from a community planning process that involved a wide range of stakeholders from South Bronx neighborhoods. Implementing the project will then help demonstrate the City's commitment to addressing the expressed needs of this community.

Therefore, Sustainable South Bronx requests that this committee and the City Council support the petition by the New York City Department of Transportation, the New York City Department of Parks and Recreation and the New York City Department of Citywide Administrative Services to acquire the right to develop a connection between South Bronx neighborhoods and Randall's Island. Doing so would promote the health of South Bronx residents and affirm the City's commitment to improving quality of life in local neighborhoods.

Thank you.

Restore the Navigability of The Bronx Kill



The Bronx Kill is a vital waterway that links the East and Harlem Rivers between the southernmost portion of the Bronx and the northern shore of Randall's Island. The photo above features the Con Ed electrical feeder lines that have blocked the ability of paddlers, rowers and small vessels to navigate this crucial passage for too long. With the exciting progress of the proposed South Bronx Greenway at this location, and plans to expand electrical capacity by threefold, we have a unique opportunity to rectify this environmental injustice and adhere to existing laws.

E- ACTION: Contact Con Edison at: corpcom@coned.com

And also the Mayor at: <http://www.nyc.gov/html/mail/html/mayor.html>

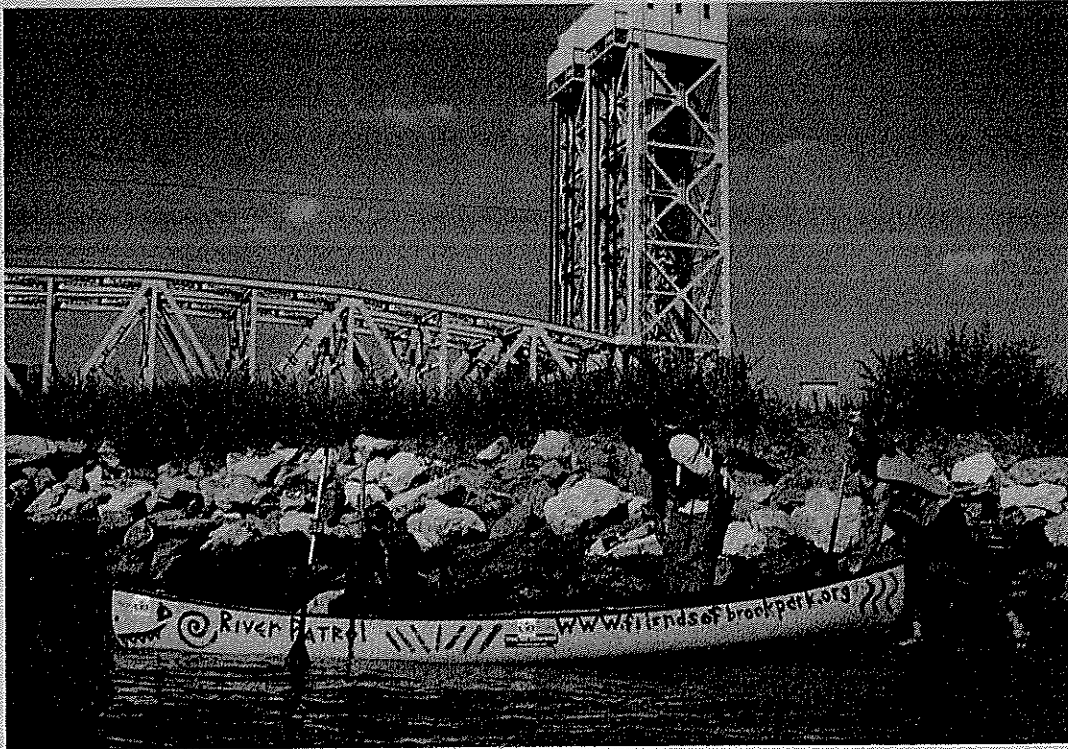
"I am aware of the obstacle to navigation on the Bronx Kill and your plans to actually add more electrical power lines that would impact the ability of New Yorkers to access this vital waterway. In the course of implementing the South Bronx Greenway Randall's Island Connector project with NYCEDC, please work to relocate the existing feeder lines and explore environmentally sensitive alternatives to your current expansion plans. Please reply in writing."

Get involved today. information@friendsofbrookpark.org 646 641 5788

Contribute your time and/or financial resources to our efforts.

We also welcome legal eagles to join our team, and collaborate with Riverkeeper, NYC Environmental Law and Justice Project and Bronx lawyers.

Create the South, South Bronx Harlem River Waterfront Park



The South, South Bronx from Highbridge to Hunt's Point has no official waterfront access comparable to the exciting projects being implemented in the rest of the borough. To address this inequity in 2006 we were awarded a \$100,000 NYS Environmental Protection Fund grant. We haven't been able to access these vital resources to move forward with our community's aspirations! The site pictured above is at the end of Park Avenue in the Bronx on the Harlem River with the Metro-North Bridge to the rear. It is the only land-mass of any size not blocked from the river by the garbage train rails operated by CSX corporation.

E- ACTION: Contact State Senator Serrano: serrano@senate.state.ny.us

And also the Mayor at: <http://www.nyc.gov/html/mail/html/mayor.html>

“Thank you for your support of the waterfront access aspirations of the Port Morris and Mott Haven communities. Please work closely with Friends of Brook Park to release their already approved NYSEPF grant monies. This project should be a priority of your office as well as the NYC Department of Parks and Recreation who are the municipal sponsors of the award. Let's not lose this important resource to impending budget cuts. ACT NOW! Please reply in writing.”

Get involved today. information@friendsofbrookpark.org 646 641 5788

Contribute your time and/or financial resources to our efforts.



Friends of Brook Park Testimony
Landmarks, Public Siting & Maritime Uses Committee, NYC Council
Randall's Island Connector Project of the South Bronx Greenway
Opportunity for relocating utilities and restoring the navigability of the Bronx Kill
January 26, 2009

Good morning. My name is Harry J. Bubbins, Director of Friends of Brook Park (FoBP), the South, South Bronx based environmental, arts and sustainable development organization. For over a decade FoBP has led bike and walking tours and canoe and kayak excursions at the locations under consideration and is committed to ensuring that our Mott Haven, Melrose and Port Morris communities enjoy water access and amenities.

The Randall's Island Connector Project of the South Bronx Greenway is an important priority that we have supported since its inception. We commend and appreciate the years of grassroots leadership of our partners in Hunt's Point, especially The Point, with Sustainable South Bronx and others, in working to ensure that this effort has been funded and moves towards accomplishment in the correct manner. It is important that this pathway not be a dead end, therefore we encourage all stakeholders to take a keen interest in making sure that the 103rd Street Bridge to East Harlem is opened as soon as possible.

The South Bronx Greenway master plan emerged from the Hunts Point Vision Plan. Divided into three phases the master plan calls for the implementation of a widespread series of projects even beyond the Hunts Point residential and commercial area. To date, nearly \$30 million is secured for greenway related projects. Given this significant investment, it is vital that we get the actual implementation right.

As most people involved in this project are aware, the natural route of the vital greenway encounters existing Consolidated Edison utility infrastructure in the form of two electrical feeder cables approximately 2feet by 3feet spanning the width of the Bronx Kill at water level. In addition, they are proposing to develop three more of these conduits, entwining this unrelated infrastructure construction with the vital Greenway project. Friends of Brook Park legal counsel indicates that this utility crossing is in violation of existing regulations pertaining to the navigability of waterways and needs to be relocated. Attached you will find counsel and Consolidated Edison's correspondence.

It is imperative that in addressing one environmental and open space injustice, we do not thereby legitimize and perpetuate another one. We cannot allow the Randall's Island Connector Project to be jeopardized by the less than optimum cooperation from Consolidated Edison. They are proposing concurrent to the Randalls Island Connector Project a large scale expansion of existing utility infrastructure, thus providing the ideal opportunity to address at one time all of the design and regulatory challenges facing the long-term successful outcome of the greenway.

That the existing cables obstruct the navigability of the Bronx Kill is not disputed by any parties. It is clear that at some point, either regulatory or judicial remedies will be leveraged to restore the navigation of this waterway. At that point the costs and infringement on the then completed greenway will be increased.

It is possible, because federal monies have been involved in this effort that there might be a parallel resource for utility relocation. In fact, Consolidated Edison's consultant on this matter, Parsons Brinckerhoff, is a recipient of the Federal Highway Administration's (FHWA) 2007 Excellence in Utility Relocation and Accommodation Awards having partnered with utility companies to relocate or adjust their facilities. As a result, the utility facilities were relocated within 6 months of the project notification, reducing the project's overall cost and construction time. Their expertise should be accessed.

In any case, it is well settled that "utility companies, which have been granted the 'privilege' of laying their utilities and mains in the public must relocate them at their own expense 'whenever the public health, safety or convenience requires the change to be made'. Besides the issues of navigation, even issues of aesthetics have been recognized by the court as compelling the relocation of utility lines. Our elected officials must demand that the relevant agencies work with Consolidated Edison in this matter to preclude the need for litigation and compensatory mitigation that could cause unnecessary delays and higher costs.

This project is jeopardized and the fear of delays emerge only if Consolidated Edison does not fulfill it's obligations. Given the appropriate information and interest, we are confident that they will do the right thing. They have a lot of investment in the area. Besides the recently completed multi-acre substation in the South Bronx, they are beginning construction of another power station on the north side of Randall's Island, which would likely alienate park land from public use, so they will surely want to offer the most mitigation possible for residents of the Bronx and Manhattan and the region.

The New York City Economic Development Corporation has the opportunity in collaboration with the New York City Department of Parks and Recreation, Randalls Island Sports Foundation, New York State Department of Environmental Conservation, New York State Department of State, and the US Army Corps of Engineers to compel Consolidated Edison to relocate the utility crossings rather than capitulate to them. We

hope that the City of New York will not have to rely on judicial remedies as it has in the past. Consolidated Edison can expeditiously comply with their clear duties and set an example of corporate responsibility for the environment.

Some of the relevant guidelines and authorities are as follows:

City:

New York City Waterfront Revitalization Program

Reduce potential navigation hazards by minimizing obstruction in coastal waters...

State:

Waterfront Revitalization of Coastal Areas and Inland Waterways

Assure public access to public trust lands and navigable waters.

Federal:

The US Army Corps of Engineers has historically managed navigation on internal waterways in the United States, and the corps' civil works projects have historically included removing obstacles from navigable waters.

Judicial:

The Supreme Court, Appellate Division, held that a utility which had to move its lines could be required to place lines underground at its own expense.

Greenways and Water Trails are natural compliments to each other, with recreational and economic benefits that benefit the entire region. We are confident that our elected officials will spearhead a creative collaboration led by NYCEDC to ameliorate significant impacts and address longstanding inequities with this unique opportunity.

Thank you.

The Bronx Kill is a local wonder of Nature whose shoreline wetlands hosts a wide variety of wildlife. As a safe connector between the Harlem and East Rivers, it has the potential to allow thousands of students and adults to directly engage with a unique natural resource. The Bronx Kill is a historic connector to and from the Bronx River and Long Island Sound

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Rob Buchanan/newyorkharborbeaches.org

"It's tricky to time it, to get under the conduits," Rob Buchanan said of navigating the Bronx Kill.

By KATHERINE BINDLEY
Published: September 6, 2008

THERE are times when the narrow strait known as the Bronx Kill, which separates Randalls Island from the southern tip of the Bronx, looks neglected. At low tide one recent Saturday, for example, a T-shirt and a surge protector lay on the bottom, along with the remnants of a car that had turned the exact color of the rocks it had settled on.

But for canoers, kayakers and other boaters, who know to come when the tide is just right, the Bronx Kill is home to blue crabs and schools of fish, and serves as a precious passageway connecting the East and Harlem Rivers.

"It's a natural day trip — float through, have a picnic and come back," said Rob Buchanan, the president of the Village Community Boathouse in Manhattan.

But navigating the kill can be tricky. Directly over the water are two concrete beams, built by Con Edison in the 1960s, that contain cables that carry power to Randalls Island. Sometimes a boater has about a foot of clearance under the beams, but at other times it's down to inches. "It's tricky to time it, to get under the conduits," Mr. Buchanan said.

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Now, in light of significant changes planned for the area, boaters' concerns have turned to this tight fit.

The first challenge was a plan to build a pedestrian bridge over the kill as part of the South Bronx Greenway project. When local officials and boating representatives heard the idea, they lobbied the city's Economic Development Corporation to ensure that the bridge would be high enough for boat traffic. After seeing preliminary renderings of the bridge, the concerned parties were satisfied.

But now there is a second construction plan for the Bronx Kill. Con Edison wants to build more electrical conduits to Randalls Island to supply more power to a water treatment plant there.

The boaters say that if Con Ed proceeds with this project, it might as well raise the relatively low height of the current conduits. "If they're going to do a big investment here, let's do it all," said Harry Bubbins, the director of Friends of Brook Park, a community environmental group that frequently runs boats through the kill. Noting that the undersides of the Con Ed beams show signs of decay, he added, "There's a sense they're just going to throw these things in."

Chris Olert, a Con Ed spokesman, said that the utility hopes to finish the project by next summer. "We're working with the city E.D.C., and I'm sure we and they together will address concerns," he added. "There has to be sound engineering and the project has got to be affordable. Occasionally, people request things that just aren't affordable for all of our customers."

Meanwhile, Mr. Bubbins plans to continue to take people through the strait.

"We're taking more people out to the site, introducing people to the project and raising awareness about it," he said. "It's very different when you're on the water."

A version of this article appeared in print on September 7, 2008, on page CY8 of the New York edition.

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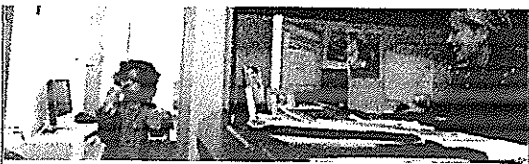
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November 24, 2008

Mr. Kevin Burke
Chairman, President, and Chief Executive Officer
Consolidated Edison, Inc.
4 Irving Place
New York, New York 10003

Re: Notice to remove blockage of navigable waters across the Bronx Kill estuary

Dear Mr. Burke:

I am writing on behalf of Friends of Brook Park, and concerned individuals in the Bronx community, to convey deep concerns about the current blockage maintained by Consolidated Edison, Inc. ("Con-Ed") across the Bronx Kill.

Friends of Brook Park is a leading community based environmental organization in the Bronx, with a proud history of engaging community youth and adults in organic gardening; arts and cultural events; and activities that convey both a deep respect for the natural world, and for the history and people of the Bronx. In addition, Friends of Brook Park members are strong advocates for environmental justice, waterfront access and green space development while leading shore clean ups, canoe and kayak introductions, and ecology adventure tours.

Electricity feeder line cables that cross the Bronx Kill, under the Amtrak trestle, are blocking navigation on the waterway. The problem affecting navigability with the current feeder lines is that their extremely low clearance (i.e. a foot or less at high tide) limits the ability of even small, human-powered boats to access the Kill. This current blockage across the Bronx Kill is described and photographed in the September 6, 2008 *New York Times* City Section ([see http://www.nytimes.com/2008/09/07/nyregion/thecity/07kaya.html?partner=rssnyt&emc=rss](http://www.nytimes.com/2008/09/07/nyregion/thecity/07kaya.html?partner=rssnyt&emc=rss)). The existing feeder lines must be raised to the height necessary for boats to slip through.

We are calling your attention to Con-Ed's obstruction of the navigability of this public waterway so that your corporation can remedy this by raising the existing feeder lines to a height adequate to allow boats to navigate through.

Friends of Brook Park would like the feeder line cables that currently cross the Bronx Kill under the Amtrak trestle, as well as any proposed feeder line cables for any planned projects that may obstruct the navigability of the Bronx Kill estuary, to be raised to at least 10 feet above the high tide level of the water surface.

Today growing numbers of New Yorkers are rediscovering our harbor. Community boating and boatbuilding programs are now active all over the city including several in the South Bronx. In the spring of 2008 the Parks Department launched an initiative called the "NYC Water Trail", linking more than two dozen human-powered boat launch sites in all five boroughs. Friends of Brook Park and many other community organizations in New York City recognize that the Bronx Kill must be restored as a safe, sheltered passage connecting the Harlem and the East Rivers, in a manner which recognizes its nautical and ecological importance.

The current feeder line cables under the Amtrak trestle create an obstruction of the Bronx Kill in violation of applicable regulations and statutes for structures or work in or affecting navigable waters of the United States. According to the applicable section of the United States Code:

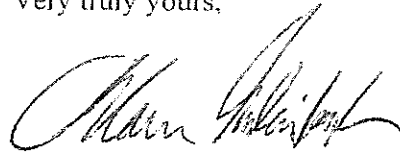
"The following minimum clearances are required for aerial electric power transmission lines crossing navigable waters of the United States. These clearances are related to the clearances over the navigable channel provided by existing fixed bridges, or the clearances which would be required by the U.S. Coast Guard for new fixed bridges, in the vicinity of the proposed power line crossing. The clearances are based on the low point of the line under conditions which produce the greatest sag, taking into consideration temperature, load, wind, length or span, and type of supports as outlined in the National Electrical Safety Code." 33 CFR 322.5(i)(2).

For the specific heights for electrical cables required by the statute see copy of the statute at <http://www.usace.army.mil/cw/cecwo/reg/33cfr322.htm>.

While Friends of Brook Park recognizes that certain government entities such as NYS Department of Environmental Conservation, U.S. Army Corps of Engineers, and the NYS Office of General Services, may have applicable jurisdiction over this blockage of navigable waters, the group prefers to reach a mutually favorable resolution of this issue directly with Con-Ed.

Overall, Friends of Brook Park appreciates Con-Ed for its general responsiveness and its active participation in improving our community. Friends of Brook Park is grateful to Con-Ed for its support of the organization and others advocating for clean, green community development, and will continue to acknowledge Con-Ed's support on the Friends of Brook Park public website at <http://www.friendsofbrookpark.org>.

Very truly yours,



Adam W. Scheinbach

ccs: Con-Ed Board of Directors, care/of Carole Sobin, Corporate Secretary, Con-Ed
Randolph S. Price, Con-Ed Vice President for Environment, Health and Safety
Charles E. McTiernan, Jr., Con-Ed General Counsel
Frances A. Resheske, Con-Ed Senior Vice President for Public Affairs
Pete Hoffman, Con-Ed Project Manager (re. electrical conduits to Randalls Island)



Mary Schuette
Vice President
Legal Services

January 16, 2009

Adam W. Scheinbach
Attorney At Law
2500 Johnson Avenue, 8J
Bronx, New York 10463

Re: Your letter dated November 24, 2008

Dear Mr. Scheinbach:

I write to follow up on our response letter to you dated December 8, 2009. In your initial letter dated November 24, 2009, you requested that we relocate the existing conduit and feeder line cables that cross the Bronx Kill underneath the Amtrak trestle. These feeder line cables are critical for serving customers on Randall's Island and the east side of Manhattan. As discussed more fully below, the plans and schedule that we have developed through extensive collaboration with governmental and government-related entities to maintain and enhance our electric services to Randall's Island, effectively require us to keep these existing conduit and feeder lines in place at this time.

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Feb.

The existing conduit and feeder lines were installed in 1967. The feeder lines are critical to meeting the electric service needs of Randall's Island including, but not limited to, the needs of the City DEP Water Pollution Control Plant, ~~Leahn Stadium~~, and the ~~FDNY Training Center~~. Additionally, the conduit also houses FDNY fiber-optic cables that enable critical FDNY communications. Con Edison has been working closely with the New York City Department of Parks and Recreation, the ~~Randall's Island Sport Foundation~~ and the New York City Economic Development Corporation to increase electric capacity to Randall's Island while also coordinating plans for a pedestrian bridge to the island. The current plan, which has been worked out with the respective agencies over several years, is to install new feeder lines within a pedestrian bridge that will permit pedestrian ingress and egress from Randall's Island in connection with the City's proposed "Greenway Project." Those new lines will serve the increased electric needs of Randall's Island and the surrounding area, and are intended to supplement, rather than replace, the feeder lines that already serve the various Randall's Island facilities. To meet the agencies' schedules and requirements, we plan to proceed with the current plans to build new capacity and are not in a position to eliminate or relocate the existing facilities.

1967?
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I understand that your client has attended meetings with Con Edison staff to discuss the situation. We would be willing to meet with you and your client to further discuss the importance of the existing and future electric feeder lines and discuss possible alternatives regarding the concerns that you describe about access to the Bronx Kill. If you would like to schedule such a meeting, please contact Eric Soto, Director of Bronx Public Affairs at (914) 925-6303.

Regards,

Con Edison is a subsidiary of Con Ed Corp. Inc.
Attention: Bronx NY 10030 212 860 3426 212 860 7803 fax: schuettama@coned.com

Does not
address legality...

April 30, 2008

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Seth W. Pinsky, President
NYC Economic Development Corporation
110 William Street
New York, NY 10038

Hello,

We are writing to encourage the swift implementation of the entire South Bronx Greenway and to draw your attention to a particular concern regarding the Randall's Island Connector (RIC) project.

We understand that the New York City Economic Development Corporation (NYCEDC) is seeking a Consultant to create schematic designs, design development and construction documents for the Randall's Island Connector (RIC) project to build an at-grade bicycle/pedestrian pathway extending south of 132nd Street in the Bronx (underneath an existing Amtrak trestle) across the Bronx Kill into Randall's Island. We know this is part of the larger South Bronx Greenway Master Plan with funding provided through Federal Highway Administration Funds.

We appreciate that Randall's Island is an enormous park resource for all New Yorkers, and that this initiative to increase bike, pedestrian and skater access will do much to allay concerns in adjacent neighborhoods for the equitable use of passive and active recreational space.

However, the unique design feature that **MUST** be included in any finally approved design schematic is one that will allow on-water continuity along the Bronx Kill between the East and Harlem Rivers under the proposed connector. In order to permit the safe passage of human-powered craft, including kayaks, canoes and rowing vessels, the connector over the waterway will need to provide at least six vertical feet of clearance at maximum high tide as well as a horizontal span of at least 20 feet between any supporting structures. A navigable passage through the Bronx Kill is essential for the development of safe recreational boating in New York harbor and ongoing paddling and rowing programs, as well as the NYC Parks Water Trail, could be jeopardized without taking this into account.

We look forward to working with you to ensure that a satisfactory design is the outcome of a process sensitive to the diverse array of stakeholders eager to participate in the success of this initiative. Please respond in writing at your earliest convenience to the list below.

Sincerely, Complete List on Page 2

Randall's Island Connector (RIC) project Letter Page 2.

Signatories:

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Testimony of Roland Lewis, President and CEO

On the Waterfront Management Advisory Board

THE METROPOLITAN WATERFRONT ALLIANCE

Before the New York City Council Land Use Committee

Monday, January 26, 2009

Good afternoon and thank you for the opportunity to submit this written testimony. I am Roland Lewis, president of the Metropolitan Waterfront Alliance, a coalition of over 370 organizations working together to transform the New York Harbor and its waterways into a world class resource for work, play, transit and education.

PlaNYC calls for 90% of the waterways in New York City to be suitable and accessible for recreation. The Bronx Kill should surely be one of them. It is a nearly forgotten quiet stretch of water bordered by train track and semi-active industrial sites on the Bronx side and Parks of Wards Island on the South. It has the potential to be one of them most viable recreational waterways in the metropolitan area. However, there are currently two big problems with it. You can't get to it and, once there, this supposedly navigable waterway is completely cut off by a cement covered conduit operated by Con Edison. This great natural resource is even more needed because it borders the South Bronx,

which is home to the poorest congressional district in the nation. This neighborhood, filled with young people, is park and recreation starved and needs access to the Bronx Kill.

In the development of public projects in a densely urban area such as New York, there is this notion that a choice must be made between suiting the utilitarian needs of the metropolis and preserving the natural environment for the purpose of recreation and environmental health. This is a false notion and it must be rejected in projects such as this. It is absolutely possible to transform our city into one that both serves its people and embraces its natural resources. And, in order to face head on the environmental challenges of the 21st century it is not just possible, it is necessary.

In MWA's recently released *Waterfront Action Agenda* we call for a great increase in the number of places such as this, where New Yorkers can hop into a canoe or a kayak and celebrate both the gifts of nature and the feats of man. These are the areas that make the Metropolitan area so special and, for New York to finally fully utilize its natural resources, making them accessible one development project at a time must become a priority.

Thank you for the opportunity to testify today and I'd be happy to answer any questions you might have.

Dear Council Members,

The New York City Water Trail Association (NYCWTA) has recently learned of Con Edison's plan to add additional electrical conduits across the Bronx Kill, the slender waterway separating Randalls Island from the Bronx, as part of the South Bronx Greenway project.

While our group--an umbrella group representing many of the community boating organizations in the harbor--stands in support of the South Bronx Greenway and the Randalls Island connector, we are concerned about certain aspects of Con Edison's proposed plan.

The height of the current Con Edison electrical conduit obstructs one end of the Kill, making navigation by kayak, canoe, and other small, human powered craft extremely difficult. We believe the construction of the Randalls Island connector is an excellent opportunity to have the old conduit removed and rerouted alongside the proposed higher conduit.

Raising the height of the conduits will ensure that the Kill is navigable for recreational non-motorized boats. A navigable Kill:

- Offers safe, protected shortcut from the Harlem River to the East River, bypassing the treacherous Hell Gate passage.
- Provides a continuous connection across the South Bronx for the New York City Water Trail.
- Offers a unique urban paddling experience on a narrow, river-like tidal strait.
- Is a safe, accessible and convenient place to introduce young people to the harbor.
- Is a valuable riparian area that needs to be ecologically restored and preserved for the benefit of all New Yorkers.

Without the relocation of the existing feeder lines, the addition of new electrical conduits across the Bronx Kill will create a virtually impassable barrier for the growing number of small craft that take to our waterways every year, many of which are part of neighborhood community boating programs like Rocking the Boat and the Friends of Brook Park. It will stand as a blight, an eyesore, and as an example of lazy and short-sighted urban planning. The Randalls Island Connector project gives us a rare opportunity to correct a mistake and open up this small yet precious urban waterway for public recreation and ecological restoration.

We hope you share our belief that an uninterrupted Blueway not only enhances the Greenway, but is in fact an integral part of our city of islands.

Thank you.

The New York City Water Trail Association

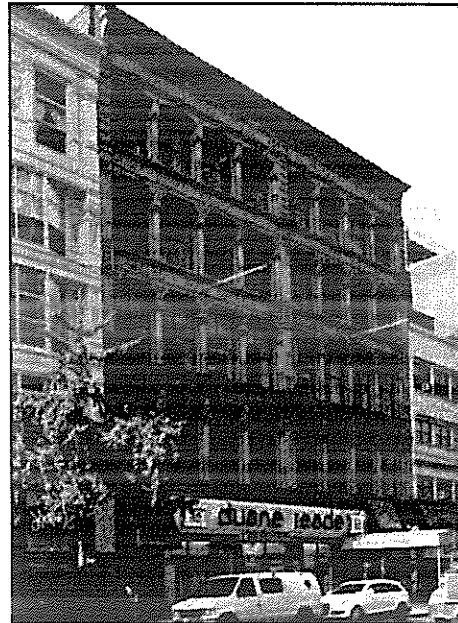
BAUMANN BROTHERS FURNITURE and CARPETS STORE, 22-26 East 14th Street (aka 19-25 East 13th Street), Manhattan. Built 1880-81; D[avid]. & J[ohn]. Jardine, architects; West Side Architectural Iron Works, cast iron.

Landmark Site: Borough of Manhattan Tax Map Block 571, Lots 1101 and 1102.

On September 17, 2002, the Landmarks Preservation Commission held a public hearing on the proposed designation as a Landmark of the Baumann Brothers Furniture and Carpets Store and the proposed designation of the related Landmark Site (Item No. 1). The hearing was continued to June 17, 2003 (Item No. 2). The building was re-heard on September 16, 2008 (Item No. 1). All of the hearings had been duly advertised in accordance with the provisions of law. Twelve people spoke in favor of designation, including representatives of one of the property's owners (the New School University) (2003), State Senator Thomas K. Duane, Assemblymember Deborah Glick, Councilmember Margarita Lopez, Municipal Art Society of New York, New York Landmarks Conservancy, Historic Districts Council, Greenwich Village Society for Historic Preservation, Metropolitan Chapter of the Victorian Society in America, and Union Square Community Coalition. The property's co-owner spoke in opposition to the designation of their portion (ground story) (2008). In addition, the Commission received resolutions in support of designation from Manhattan Community Board 2 (2002 and 2008).

Summary

The Baumann Brothers Furniture and Carpets Store was built in 1880-81 for James McCreery (1826-1903), a well-known textiles merchant of Scottish descent. It was designed by the architectural firm of D. & J. Jardine, whose principals, David and John Jardine, were brothers also of Scottish birth. One of the more prominent, prolific, and versatile New York firms in the late-nineteenth century, D. & J. Jardine executed designs for a wide variety of building types, including a number of notable cast-iron fronts, in contemporary styles. The wide cast-iron front facade of the Baumann Brothers store, manufactured by the West Side Architectural Iron Works, is one of the Jardines' and one of the city's most inventive, unusual, and ornamental. Built toward the end of the heyday of cast-iron fronts in New York and the flourishing creativity in that material, the Baumann Brothers store is also a signal achievement of Aesthetic Movement design. An amalgam of ornamental influences, including neo-Classical, neo-Grec, and Queen Anne styles, is embraced to achieve a decorative overall composition. Another designed, though simpler, facade on 13th Street is clad in brick and stone with a cast-iron ground story. The building's prime location was in the midst of Manhattan's primary retail shopping district, which included 14th Street, Union Square, and Ladies' Mile. From 1881 to 1897, it housed Baumann Brothers, a furniture manufacturing company established c. 1870 by Albert and Ludwig Baumann, Bohemian Jewish immigrants. By 1884, the firm occupied the entire structure and billed itself as "the largest and most complete furnishing establishment in America." For eight decades, the ground story contained 5-10-and-25-cent stores, beginning with the fourth Woolworth store in Manhattan (1900-28), acclaimed at its opening as "the largest ten-cent store in the world" and in 1910 the location of the chain's first lunchroom. This space was later a store for F. & W. Grand, H.L. Green, and McCrory. The upper stories were leased for over eight decades for show rooms and manufacturing by various firms related to the textile and sporting goods industries, as well as a gymnasium and classrooms for the Delehanty Institute (1930-63), which trained candidates of the Police and Fire Departments. The upper stories are currently used as an annex to the Parsons School of Design, while the ground story contains a drugstore.



DESCRIPTION AND ANALYSIS

Union Square, Ladies' Mile, and 14th Street¹

The land for Union Square, at the juncture of Broadway and the Bowery (later Fourth Avenue and Park Avenue South) north of 14th Street, was set aside as a public space by the City in 1832 and opened as a park in 1839. Residential development, on lots facing the square and on the blocks to the east, began in the 1830s. This area emerged as the city's most fashionable neighborhood and, by the end of the 1840s, the square was surrounded by residences. With the expansion of New York's port in the 1840s and the introduction of railroads into Lower Manhattan in the 1850s, the drygoods trade grew rapidly and the city solidified its position as the country's leading commercial center. As downtown business and warehouse districts expanded to handle this trade, hotels, retail shops, and theaters moved northward along Broadway, following residential development. The first hotels were built in the Union Square area around 1850. The Academy of Music (1853-54, Alexander Saeltzer; demolished) and Steinway Hall (1863-64, John Kellum; 1866; demolished) on East 14th Street contributed to Union Square's status as the city's entertainment and classical music center. Most of the city's piano makers and many theaters, both legitimate and popular, located here.

By the end of the Civil War, many of the residences around the square were being converted to boarding houses or to commercial uses, and large retail stores, such as Tiffany & Co. (1868), began to replace earlier buildings. Within a decade, the stretch of Broadway, particularly between Union and Madison Squares, had become known as "the Ladies' Mile" and was lined with the country's foremost purveyors of fashion, furniture, and luxury items. In addition, the area to the east of Union Square was the northern extent of *Kleindeutschland*, the German-American community that by 1880 constituted about one-third of the city's population. The magnitude of commercial activity in the vicinity was indicated by *King's Handbook of New York* in 1893:

*the retail shopping district [is] from 10th Street to above 23d Street. In Broadway, 14th Street and 23d Street principally, the prominent retail establishments are the wonder and admiration of all who see them, and in extent and in variety of goods they are not surpassed elsewhere in the world. It has been estimated that the trade in this district annually amounts to over \$500,000,000.*²

James McCreery and the Construction of His Building at 22-26 East 14th Street³

In 1880, well-known drygoods merchant James McCreery purchased the southern portion of the parcel of land at 22-26 East 14th Street (that extended through the block to 19-25 East 13th Street), between Fifth Avenue and University Place near Union Square. The northern portion of this parcel, the site of the Greek Revival style hotel Arlington House (1846), was once part of the farm of Henry Spingler (c. 1746-1814) dating from the late-eighteenth century;⁴ this portion of the parcel was retained by Spingler's heirs in the Van Beuren family, so it was leased by McCreery. This land (and the building that McCreery constructed on it) remained under the separate ownership of the Van Beuren estate and McCreery interests until the 1960s, when the entire lot and the building came under common ownership.

James McCreery (1826-1903), born in Ireland of Scottish Presbyterian descent, immigrated to Baltimore in 1845. He worked for the drygoods firm of Hamilton Easter & Co. and in the late 1850s was that company's agent in Paris.⁵ In 1862, McCreery moved to New York City where he

found a position with Ubsdell, Peirson & Lake, a drygoods concern at 471 Broadway. He became a partner in Lake & McCreery at that location in 1864; after Lake's retirement in 1867, the firm became James McCreery & Co. McCreery built his own store (1868-69, John Kellum; altered), at 801 Broadway (northwest corner of East 11th Street) that featured two full cast-iron fronts and a mansard roof. This prime location was just a block north of A.T. Stewart's cast-iron-fronted Uptown Store (1862-70, Kellum; demolished). McCreery sold his new building to the Methodist Book Concern and Missionary Society, remaining as a tenant, but repurchased the property in 1889 and his firm occupied the entire building. Considered "one of the most highly esteemed dry-goods establishments in America,"⁶ primarily for retail and wholesale textiles, McCreery operated "the largest silk-dealing house in the country" according to the *New York Times*.⁷ He opened a branch store (1893-94, Alfred Zucker; demolished) at Sixth Avenue and West 23rd Street.⁸ At the time of his firm's 25th anniversary, McCreery was listed by the *Times* "in the front rank of the merchant princes of the metropolis."⁹ After McCreery retired from business in 1901,¹⁰ his son James Crawford McCreery (1853-1934), who had been in his father's firm since 1877 and was a partner since 1889, formed the James McCreery Realty Co. to handle the family's extensive real estate holdings and served as president.

Architects D. & J. Jardine filed in November 1880 for the construction of a five-story cast-iron-fronted, timber-and-iron-framed building for a first-class drygoods store on McCreery's 14th Street parcel. *The Manufacturer and Builder* in January 1881 carried the following item:

*A large store is to be erected by James McCreery on the south side of East Fourteenth street, at Nos. 22, 24 and 26, now occupied by the Arlington Building. It will extend through to Thirteenth street, and will be five stories high. Its ground dimensions will be 75 feet front and 206-1/2 feet in depth. The material will be brick, with an iron front. The estimated cost is \$75,000.*¹¹

Construction began in December 1880 and was completed in September 1881, with Samuel Lowden as mason.¹² The full cast-iron front facade of the structure was manufactured by the West Side Architectural Iron Works.¹³ The rear 13th Street facade is clad in brick and stone with a cast-iron ground story. The building originally featured an elevator to the second story.

It is unknown whether McCreery planned to relocate his own firm here, but he never used the building for his own business. Roughly two-thirds (Nos. 22-24) was initially leased to Baumann Brothers for a furniture and carpets store. The businesses of two other early tenants, in Nos. 24-26, failed: Flint & Warren (1881), purveyors of drygoods, millinery, wraps, furs, and Paris costumes;¹⁴ and E. D. Bassford (1882-83), dealer in crockery and house furnishings.¹⁵

The Architects: D. & J. Jardine¹⁶

Born in Whithorn, Wigtownshire, Scotland, David Jardine (1830-1892) trained under his builder-architect father before immigrating to America in 1850. In New York City he established an architectural practice by 1855, then was a partner in Jardine & [Edward G.] Thompson in 1858-60. His brother, John Jardine (1838-1920), also born in Whithorn, immigrated to the United States and worked for the U.S. government during the Civil War in the design of monitors and gunboats. John moved to New York City, and in 1865 formed an architectural partnership with David. D. & J. Jardine, which lasted until David's death, was one of the more prominent, prolific, and versatile architectural firms in the city in the second half of the nineteenth century. George Elliott Jardine

(1841-1902), another brother from Whithorn, began working for the firm in 1882. All three brothers were members of the Saint Andrew's Society of the State of New York, a Scottish-American organization which was apparently the source of some of their commissions. A fourth member of the firm, from 1872 to 1891, was Jay (Joseph) H. Van Norden.

D. & J. Jardine was active in rowhouse development in Greenwich Village and on the Upper East and Upper West Sides from the late-1860s through the mid-1880s. The firm achieved prominence for its designs, in a variety of contemporary styles, for religious structures, store-and-loft buildings, warehouses, office buildings, and apartment houses. D. & J. Jardine designed a number of notable cast-iron-fronted buildings, including: No. 319 Broadway ("Thomas Twin")¹⁷(1869-70); G. Rosenblatt & Bro. Buildings, 57 Walker Street (1870), and 734 Broadway (1872-73); No. 28 Howard Street (1872), for F.G. Frazer; Davies Building (1874-75), 678 Broadway; Jones Building (1875-76, demolished), 171-175 8th Avenue, for drygoods merchant Owen Jones; B. Altman & Co. Building (1876-80), 625-629 Sixth Avenue; No. 121 Mercer Street (originally owned by the New York Eye & Ear Infirmary) (1879); and Baumann Brothers (1880-81).¹⁸

Among the firm's other notable extant commissions are: the Fourth Reformed Presbyterian Church (1874), 359-365 West 48th Street; D.S. Hess & Co. Building (1880), 35-37 West 23rd Street; and the Castree-Halliday Buildings (1887), store-and-loft structures located at 13-17 Jay Street.¹⁹ The firm's multiple-residential structures, few of which survive, included the Jardine Apartments (1872, demolished), 203-205 West 56th Street, one of New York City's earliest French flats buildings;²⁰ Clermont Apartments (1878, demolished), 1706-1708 Broadway; St. Marc Hotel (1880, demolished), 434 Fifth Avenue; Palermo Apartments (1882, demolished), 125 East 57th Street; Dundonald Flats (1885), 71 West 83rd Street; the Alpine (1886-87, demolished), bachelor flats at 1282-1286 Broadway; and the Wilbraham (1888-90), bachelor flats at 1 West 30th Street.²¹

Of D. & J. Jardine in 1885, it was said that "no firm of architects has done so much toward beautifying and building up the city as th[is] prominent and old established house,"²² while David Jardine was later called by the *American Architect & Building News* "one of the best known of the older generation of New York architects."²³ After David's death in 1892, John and George Jardine were joined by William W. Kent in the firm of Jardine, Kent & Jardine. In 1911, the firm became Jardine, Kent & [Clinton M.] Hill; its successor firm after 1913 was Jardine, Hill, & [Harris H.] Murdock. John Jardine committed suicide in 1920 at the age of 82. The firm continued as Jardine, Murdock, & Wright after 1936.

Cast-Iron-Fronted Buildings in New York City²⁴

Cast iron was used as an architectural material for entire facades of American commercial buildings in the mid-to-late-nineteenth century, and was particularly popular in New York City. Promoted and manufactured by James Bogardus and Daniel D. Badger, cast-iron parts were exported nationally for assembly on the site. Touted virtues of cast iron included its low cost, strength, durability, supposed fireproof nature, ease of assembly and of parts replacement, ability to provide a wide variety of inexpensive ornament, and paintable surfaces. The economy of cast-iron construction lay in the possibilities inherent in prefabrication: identical elements and motifs could be continually repeated and, in fact, could be later reproduced on a building addition, thus extending the original design. After a number of simple "constructive" cast-iron buildings in the late 1840s by Bogardus, the material was employed for commercial (store-and-loft, warehouse, and office)

buildings modeled after Venetian *palazzi*, from the mid-1850s through the 1860s. Designed in imitation of masonry and featuring round-arched fenestration, this mode is exemplified by the Cary Building (1856-57, King & Kellum), 105-107 Chambers Street, and the Haughwout Building (1856-57, John P. Gaynor), 488-492 Broadway.²⁵

After the Civil War, the French Second Empire style began to influence designs in cast iron. Some buildings, such as McCreery's store (1868-69) and No. 287 Broadway (1871-72, John B. Snook),²⁶ were still Italianate but with mansard roofs. Cast-iron fronts in the Second Empire style, produced into the 1880s, were generally articulated with segmental-arched fenestration framed by columns and pilasters; large areas of glass; and a certain abstraction and paring-down of elements combined with the usage of variations on classically-inspired ornament. Examples are the Arnold Constable Store (1868-76, Griffith Thomas), 881-887 Broadway, and No. 28-30 Greene Street (1872, Isaac F. Duckworth).²⁷ The arrangement of cast-iron fronts, with their layered stories of arcades and colonnades, in turn influenced the design of contemporary masonry commercial buildings in New York.

A third type of cast-iron front, which emerged after about 1870, fully exploited the possibilities of the material and featured a basic grid of large rectangular fenestration framed by columns/pilasters and vertical members that were highly abstracted and greatly reduced in width. Examples include the Roosevelt Building (1873-74, Richard Morris Hunt), 478-482 Broadway; No. 34-42 West 14th Street (1878, W. Wheeler Smith); No. 462 Broadway (1879, John Correja);²⁸ and No. 361 Broadway (1881-82, Smith).²⁹

In a few instances, major architects produced more exotic works, such as the Moorish style Van Rensselaer Store (1871-72, Hunt; demolished), 474-476 Broadway, and No. 435 Broome Street (1873, William Appleton Potter), with Eastlake decoration.³⁰ In the 1870s and 80s, popular contemporary styles influenced cast-iron ornamentation. Neo-Grec style motifs, including incised lines and sharp geometric abstraction, further expressed the crisp "metallic" qualities of cast iron. A late example displaying neo-Grec style influence is No. 112 Prince Street (1889, Richard Berger).³¹ The Queen Anne style and Aesthetic Movement introduced abstract or floral patterns, as seen on No. 361 Broadway. In the stylistic experimentation of the 1880s, buildings sometimes incorporated a picturesque variety of materials, including red brick, sections of cast-iron, and terra cotta. With the knowledge that buildings of cast iron were not in fact fireproof, however, particularly after the Boston and Chicago fires of 1872 and the 1879 New York fire that destroyed rows of such structures on Worth and Thomas Streets, restrictive revisions were made to the New York City building code in 1885. This contributed to ending the era of cast-iron fronts in the city, although they continued to some extent through the 1890s.

The cast-iron fronts designed by D. & J. Jardine display this overall progression and stylistic change. No. 319 Broadway (1869-70) is one of the city's finest extant corner buildings in the round-arched *palazzo* mode; No. 57 Walker Street (1870), No. 734 Broadway (1872-73), and the Jones Building (1875-76) were designed in the Second Empire style; and No. 678 Broadway (1874-75) combines elements of the French Renaissance style with neo-Grec stylization. The B. Altman & Co. Building (1876-77 and 1880) is one of the city's finest cast-iron essays in the neo-Grec style, with abstracted and incised ornament. No. 121 Mercer Street (1879), of the grid type, is decorated by neo-Classical elements and stylized anthemion. The wide cast-iron front facade of the Baumann Brothers Furniture and Carpets Store (1880-81) is one of the firm's and one of the city's most inventive, unusual, and ornamental. The fifth story has segmental-arched windows typical of the Second

Empire style, while the lower stories are aligned with the grid type of cast-iron front, though the third- and fourth-story columns are surmounted by stylized impost blocks bearing neo-Grec influence. Ornament is classically-inspired (columns, pilasters, quoins, keystones, swags, anthemia); neo-Grec (incising, abstraction, cornice modillions, stylized pilasters, bosses, panel blocks); and Queen Anne style/Aesthetic Movement (overall patterning, decorative fascias, sunflowers, foliation, strapwork). Certain decorative elements on this building, such as panels with sunflowers, are similar in effect, as executed in cast iron, to what architects were achieving with terra cotta during this period. Built toward the end of the heyday of cast-iron fronts in New York and the flourishing creativity in that material, the Baumann Brothers store, on which an amalgam of influences is embraced to achieve a decorative overall composition, is also a signal achievement of Aesthetic Movement design. Popularized in the United States by the Centennial Exhibition in Philadelphia in 1876, the Aesthetic Movement stressed the “aesthetic” or artistic in the applied arts and reached its culmination in the design of interior decoration. The preface to *In Pursuit of Beauty: Americans and the Aesthetic Movement* gives an indication of general design intent, characterized by visual complexity and profusion of surface ornament:

*The layering and juxtaposition of many different patterns and the use of a subtle palette of colors... demonstrated a heightened artistic consciousness on the part of the decorator and at the same time demanded a refined sensibility on the part of the visitor. Each object or detail deserved close attention, yet, like a mosaic, the whole became unified when seen from a distance.*³²

Baumann Brothers³³

Baumann Brothers was a New York City wholesale and retail furniture manufacturing and home furnishings company established by Albert Baumann (1832-1895) and Ludwig Baumann (1843-1904), Bohemian Jewish immigrants. Albert is said to have begun in 1854 with a cabinet and furniture store on Third Avenue near 34th Street,³⁴ though he was first listed in a city directory in 1857 as a cabinetmaker with Abraham Baumann. After 1859, he was listed alone (the name often spelled “Bauman”) as a furniture dealer on Delancey Street, Third Avenue, and Grand Street. Ludwig Baumann & Co. was first listed in an 1864 directory as a tea business, then as a grocer on Third Avenue. “Baumann Brothers,” furniture, at 230 Hudson Street (at Broome Street) first appeared in an 1870 directory. A newspaper advertisement of 1872 called the firm “manufacturers of ... fine parlor furniture.”³⁵ Around 1879, Baumann Brothers moved to 32 West 14th Street, and then in 1881 to 22-24 East 14th Street (aka 21-23 East 13th Street). At that time, Ludwig Baumann resided at 824 Lexington Avenue (East 63rd-64th Streets) and Albert resided next door at No. 826. The Baumanns were members of Congregation Ahawath Chesed (Central Synagogue), 652 Lexington Avenue.³⁶

The *New York Times* on September 2, 1881, heralded “the new and attractive store of the Messrs. Baumann Brothers, dealers in artistic furniture and carpets, at Nos. 22 and 24 East Fourteenth-street, [which] was opened to the public yesterday,”³⁷ and the paper later commented that “connoisseurs of artistic house-furnishing will find it to their advantage to call and inspect the beautiful stock of Paris-made goods at Baumann Brothers’.”³⁸ The company advertised

the largest and most varied stock of fancy, useful, and ornamental cabinet furniture, draperies, carpets, rugs, and mats... Our warehouse presents the appearance of a

*regular Eastern bazaar, where the public may find everything they want, without having to run from one store to another, and at prices that will commend themselves.*³⁹

By the end of 1883, the firm had expanded into No. 26 and billed itself as “the largest and most complete furnishing establishment in America.”⁴⁰ In January 1884, the commitment was made to expand into the entire structure, as noted by the *Times*:

*Messrs. Baumann Brothers, the furniture and carpet dealers of East Fourteenth-street, yesterday leased from James McCreery the entire building adjoining their present large store. This will give to the Messrs. Baumann a store with 75 feet front and of a depth of 210 feet, extending through to Thirteenth-street. This accession to their premises will give the firm the largest house in the City devoted to the retail furniture and carpet trade.*⁴¹

In 1884, advertisements included “Hungarian Pottery” and bronzes.⁴² The range, price, and quality of Baumann Brothers’ wares by 1889 was indicated by the *Times*:

*Housefurnishing in this city is every year becoming more of a fine art. It is being divided more and more into specialties, even decoration being subdivided many times, so that it is not alone a relief, but a great convenience, for a person to enter the great store of Baumann Brothers, 22, 24, and 26 East Fourteenth-street, where he may leave orders for a complete furnishing of a home at prices which are remarkably low. The grade of work done in this establishment – for all the furniture sold is made by the firm – is of the highest class. While the drawing room furniture includes all the latest fashions... it is perhaps upon the chamber suits that the firm prides itself most...*⁴³

One furniture historian has noted that it was “one of a number of firms specializing in imitation bamboo furniture, primarily bedroom sets.”⁴⁴ A painted sign advertising “BAUMANN BROS/ FURNITURE/ INTERIOR DECORATION/ CARPETS” is still visible on the building’s western wall. The firm’s stables, with space for furniture storage, were located a block away on East 12th Street.⁴⁵

Around 1891, Albert Baumann retired from the furniture business (he died 1895) and Ludwig’s son, Sidney J. Baumann, entered Baumann Brothers. Photographs from the 1890s indicate the presence of advertising signage on the roof of their store at 22-26 East 14th Street, to attract attention from Union Square. In 1897, Baumann Brothers left 14th Street and relocated to 258 Sixth Avenue. After Ludwig Baumann’s death in 1904, Baumann Brothers was run by Sidney J. Baumann and David Froehlich, his brother-in-law.⁴⁶

Woolworth’s and Other 5-10-and-25-Cent Stores in the Baumann Brothers Building⁴⁷

In 1897, the ground story of the Baumann Brothers building was divided into two separate stores. Herman Finkelstein, a wholesale dealer in fancy goods on Canal Street since 1881, operated a 5-and-10-cent store here in 1897-99, until he ran into financial difficulty. For part of 1898, the other store was leased by the Austin-Remsen Co., bicycles, until it, too, had financial problems. From 1900 until 1928, the entire ground story and basement were leased to Frank Winfield Woolworth, for his fourth Manhattan 5-and-10-cent store.⁴⁸ Raised on an upstate New York farm, Woolworth (1852-1919) began working in drygoods in Watertown in 1873, and by 1879 had his own 5-cent store in

Utica. Forced to close, he then opened 5-and-10-cent stores in Lancaster (1879) and Scranton (1880), Pennsylvania, that were highly successful. Woolworth established an administrative office in New York City in 1886. His business had reached one million dollars in sales by 1895 at 28 stores in New York, Pennsylvania, New Jersey, Massachusetts, New Hampshire, Connecticut, Delaware, and Virginia. That year, Woolworth opened his first big-city stores, in Washington, D.C., and Brooklyn (532 Fulton Street). In 1896 (the year he moved to New York), the first Woolworth store opened in Manhattan at 259 (now 581) Sixth Avenue in Ladies' Mile. The company expanded extraordinarily rapidly, with 55 stores by 1900, and 1000 stores by 1918. Woolworth was sole owner of his business until 1905, when it was incorporated as F.W. Woolworth & Co. The Woolworth Building (1910-13, Cass Gilbert), 233 Broadway, became the headquarters of the newly formed F.W. Woolworth Co. and the world's tallest building.⁴⁹

When the Woolworth store in the former Baumann Brothers building on 14th Street opened in June 1900, it attracted a throng of some 25,000 people, occasioning the *New-York Daily Tribune* to comment that "so great was the crush that... several women fainted, while many others found repairs necessary to their clothing."⁵⁰ It was acclaimed "the largest ten-cent store in the world" and featured a pipe organ for "classical and sentimental music when required."⁵¹ By this time, Woolworth storefronts had been standardized with red signage and gold lettering. According to a history of Woolworth's, this was the location of the chain's first lunchroom in 1910; the "Refreshment Room" was located in the rear of the store.⁵² After Woolworth's vacated the ground story of the Baumann Brothers building in 1928, the space continued in similar usage for another five decades: F. & W. Grand, a 5-10-and-25-cent store (1928-35); and H.L. Green Co. and McCrory, operated by the same company (1935-80).

Other Twentieth-Century Tenants of the Baumann Brothers Building⁵³

By the early twentieth century, the Union Square area changed greatly as the theaters and retail trade had begun moving into midtown. New loft buildings were constructed around Union Square for manufacturing, while older retail loft buildings were used for similar purposes, especially the needle trades. 14th Street, between the square and Seventh Avenue, re-emerged as a popular, though low-end, commercial zone, particularly with the opening of S. Klein's (1912) and Ohrbach's (1920s). The *New York Times* in 1926 noted that "one of the most remarkable changes that have taken place on Fourteenth Street during the past few years is the establishment and growth of the retail shopping centre for women's wear in and about Union Square."⁵⁴ By 1939, the Federal Writers' Project's *New York City Guide* called 14th Street "perhaps the city's largest outlet for low-priced women's merchandise."⁵⁵

The upper stories of the former Baumann Brothers building were leased for over eight decades for show rooms and manufacturing by various firms related to the textile and sporting goods industries. This was the location of Rubens & Meyer, hosiery (1901-14); [Lewis Mark] Hornthal, [Joseph J.] Benjamin & [Simon R.] Riem, wholesale clothing manufacturers (c. 1902-23);⁵⁶ Sohn, Oppenheimer & Co., fine trousers (1913-29);⁵⁷ [Alex] Marcus & [Alex] Wiesner (later Wiesen), elastic specialties, garters, and girdles (1930-85); Everlast Sporting Goods Manufacturing Co., maker of "Everlast" boxing gloves, and associated firms (1940s-55);⁵⁸ Rita Garment Co. (1940s-50s); Walco Leather Co. (1963-85), shoe supplies and trimmings; and Bentley Fashions and Neill Scott Originals (1970s-80s).

From 1930 to 1963, the building housed a gymnasium and classrooms for the Delehanty Institute, which trained candidates of the Police and Fire Departments; a running track was installed on the roof for the institute in 1941. The building again contained a furniture dealer with Bon Marche, purveyor of stylish inexpensive wares (1955-63), the firm retaining the space afterwards as a warehouse.⁵⁹

Later Ownership⁶⁰

The northern portion of the lot was transferred in 1922 by Van Beuren family members to Spingler-Van Beuren Estates, Inc. In 1958, this portion was conveyed to 5th and 14th Realities, Inc.; to Sutton Associates, Inc., in 1964; and in 1967 to the Marcus & Wiesen Realty Corp., whose principals were the long-term garter-making tenants in the building. The southern portion of the lot and the building were conveyed in 1902 to the James McCreery Realty Corp., which retained ownership until 1965, when they were acquired by the Marcus & Wiesen Realty Corp. The entire property was sold to Irving and Elliott Sutton in 1979. The building became a condominium in 1999. The upper stories (Lot 1101), acquired at that time by the New School University, are currently in use as an annex to the Parsons School of Design, while the ground story contains a drugstore and several small shops.

Description

The Baumann Brothers Furniture and Carpets Store is a five-story, timber-and-iron-framed building, with a full cast-iron front facade on 14th Street (75 feet wide), that extends through the block with a rear facade on 13th Street (nearly 83 feet wide) that is clad in brick and stone with a cast-iron ground story. Original windows are two-over-two double-hung wood sash.

14th Street Facade: Base The storefront area has been altered a number of times over the years (including 1897, 1900-01, 1912, and 1958);⁶¹ the only remaining historic elements are the cast-iron end (and, probably, middle) pilasters (now partly or fully covered) ornamented with fluting and surmounted by panels with sunflowers. The entablature is covered with non-historic metal cladding. Current storefront conditions, from east to west: 1) a tiny, narrow sidewalk shop, with a rolldown gate, located to the east of the upstairs entrance and under the entrance awning; 2) a non-historic inset entrance to the upper stories (in the location of the historic pedimented entrance) with a metal door with a transom, tile floor, metal-clad walls and ceiling, a rolldown gate, and awning; 3) a non-historic drugstore storefront with plate glass, large signage, western entrance with metal and glass doors and a transom, and a metal sidewalk canopy supported by poles, and rolldown gates 4) a plate-glass storefront with glass door, awning/sign, and rolldown gate; and 5) a plate-glass storefront with glass door, awning/sign, and rolldown gate. **Upper Stories** The symmetrical eight-bay cast-iron facade is framed by continuous central and end pilasters and by entablatures that cap the middle stories and by the terminating cornice. The second story has rectangular windows each terminated by a decorative, angled fascia; central and end pilasters ornamented with fluting, stylized anthemias, and stylized capitals with swags; half- and quarter-round columns with bases ornamented with strapwork and anthemias and with composite capitals that support stylized pilasters; and a molded entablature ornamented with swags with sunflowers (both ends of the entablature corresponding to the terminations of the second-story end pilasters are missing). The third and fourth stories have flat-arched windows each terminated by a decorative, angled fascia; central and end pilasters ornamented

with fluting and panels with sunflowers and stylized foliage; half- and quarter-round columns with bases ornamented with strapwork and anthemion and with composite capitals that support arched impost blocks ornamented with sunflowers; and a denticulated entablature. Two poles with banners have been placed on the third-story entablature. The fourth-story central pilaster was originally terminated by a projecting pediment that is now missing. The fifth story has segmental-arched windows each terminated by a decorative, angled fascia and keystone; central and end pilasters ornamented with rusticated quoins; and half- and quarter-round columns with bases ornamented with strapwork and anthemion and with composite capitals that support pilasters ornamented with incising and bosses. The molded galvanized-iron cornice, above a paneled architrave, is ornamented with modillions and swags with sunflowers. A parapet with end urns originally terminated the cornice; it was removed prior to 1916. Panels with lightbulbs were inserted between the modillions post-1980.

13th Street Facade: **Base** The ground story is framed by ten cast-iron pilasters, each ornamented with rustication, incised panels, and concave stylized "capitals," that support a molded entablature. The nine bays, from west to east, have: 1) an inset non-historic service entrance with metal doors, surmounted by metal panels (a security camera has been placed on the western cast-iron pilaster); 2) non-historic metal and glass doors with a rolldown gate and canopy, surmounted by windows with metal mesh; 3) brick infill with a small window, surmounted by louvers; 4) brick infill, surmounted by louvers; 5) brick infill with windows, surmounted by louvers; 6) brick infill with windows, and louvers at the base; 7) brick infill with louvers at the base; 8) brick infill with a metal door and concrete steps, surmounted by a covered window with a small louver and metal grate 9) a non-historic entrance with metal and glass doors, transom and side panels, and a sidewalk canopy, surmounted by metal panels. **Upper Stories** The brick-clad upper stories are pierced by thirteen bays of rectangular windows with flush stone lintels and slightly projecting stone sills, connected by stone stringcourses. Second- and third-story windows are taller than those on the third and fourth stories. Original windows are four-over-four double-hung wood sash; some have one-over-one replacement sash and louvers. Two poles with banners have been placed above the second story. A fire escape is located near the center of the building. The facade is terminated by a molded stone band course and corbeled brick cornice.

Roof There is a bulkhead addition with a water tower at the east end, while a brick parapet has been added to the west end. **East Wall** The exposed east wall, visible from an alley, has been parged. **West Wall** The mostly exposed west wall, visible from an adjacent courtyard, is clad in brick, set back 30 feet from 13th Street, has iron star tie-rod plates on the northern edge of that section nearest to 13th Street, and is pierced by windows (some now covered) on the set-back section. A painted sign advertising "BAUMANN BROS/ FURNITURE/ INTERIOR DECORATION/ CARPETS" is still visible at the top of the wall along 13th Street.

Report prepared by
JAY SHOCKLEY
Research Department

NOTES

1. Adapted from: LPC, *East 17th Street/Irving Place Historic District Designation Report* (LP-1976)(N.Y.: City of New York, 1998), prepared by Jay Shockley and Gale Harris.
2. Moses King, *King's Handbook of New York* (Boston: M. King, 1893), 147-148.
3. New York County, Office of the Register, Liber Deeds and Conveyances; NYC, Dept. of Buildings, Manhattan, Plans, Permits and Dockets (NB 931-1880); Ubsdell, Pierson & Lake, advertisement, *New York Times* (NYT), Oct. 9, 1855, 5; Lake & McCreery, advertisement, NYT, May 4, 1867, 6; "Anniversary of the Methodist Missionary Society," NYT, Nov. 12, 1869, 2; "Moving Up Town: Methodist Book Concern...", *New-York Daily Tribune* (NYDT), Nov. 4, 1887, 3; "Its Facilities Increased," NYT, Mar. 5, 1890, 8; "Twenty-five Years of Prosperity," NYT, Apr. 29, 1894, 5; "M'Creery & Co. to Move," NYT, Aug. 3, 1895, 12; "Opening Their New Store," NYDT, Sept. 25, 1895, 7; "Clafin's Chain of Stores," NYT, Apr. 6, 1901, 14; James McCreery obit., NYT and NYDT, Feb. 28, 1903, 9 and 9; King, 852-853; James Crawford McCreery obit., NYT, Nov. 18, 1934, 34; Joseph Devorkin, *Great Merchants of Early New York: "The Ladies' Mile"* (N.Y.: Soc. for the Arch. of the City, 1987), 84-86.
4. Spingler was a hired hand on this farm, but during the Revolution its Tory owner abandoned it. After a period of tending the farm on his own, Spingler laid claim to the ownership. According to the U.S. Census (New York) of 1800 and 1810, Spingler did not own slaves. Burton J. Hendrick, "Permanent Owners of New York," *McClure's Magazine*, June 1912, 128-129.
5. After the start of the Civil War, Hamilton Easter was arrested in Baltimore for continued trade with Confederate states.
6. King, 852.
7. Feb. 28, 1903. He also had financial interests in silk mills in Paterson, New Jersey.
8. Mary F. Stroh, "Commercial Architecture of Alfred Zucker in Manhattan" (Pa. State Univ., M.A. thesis, 1973).
9. Apr. 29, 1894.
10. James McCreery & Co. became part of Associated Merchants Corp., along with H.B. Clafin Co. and Adams Dry Goods Co. The original McCreery store remained open until 1902; the 23rd Street store closed in 1913. A third McCreery location (1906), 9 West 34th Street, stayed in business until 1954. "M'Creery's New Shop," NYDT, Oct. 7, 1906, IV, 3.
11. *The Manufacturer and Builder* (Jan. 1881), 8.
12. Interior framing consisted of wood floor beams and girders, cast-iron columns on the first through the third stories, and wood columns on the fourth and fifth stories; the Buildings Department approved the substitution of a center brick wall with iron columns and girders.
13. West Side Architectural Iron Works, at 550-560 and 553-557 West 33rd Street, established by 1855 and operated by Andrew J. Campbell and William H. Van Tassel, was a structural and ornamental iron firm that manufactured "store fronts, girders, columns, lintels, beams and all kinds of building castings." The West Side works provided material for such structures as the Boreel Building (1878-79, Stephen Decatur Hatch, demolished), 115 Broadway. "West Side Architectural Iron Works," [Richard] Edwards and Critten, ed., *New York's Great Industries. Exchange & Commercial Review* (N.Y.: Histl. Publg. Co., 1885), 210; "Two Exciting Fires," NYT, Mar. 17, 1889, 3; West Side Architectural Iron Works, advertisement, *Year Book of the Architectural League of New York* (1893), 142.
14. Flint & Warren, advertisement, NYT, Oct. 10, 1881, 8; "Flint & Warren's New Store," NYT, Oct. 15, 1881, 8; "Business Embarrassments," NYT, Nov. 22, 1881, 3.
15. "Failure of E.D. Bassford, Dealer in Crockery Ware," NYT, May 15, 1883, 3. The building was known for a time as the Arlington Building, continuing the name of the previous building on the site.

16. LPC, architects files; Dennis S. Francis, *Architects in Practice, New York City 1840-1900* (N.Y.: Comm. for the Pres. of Archl. Recs., 1979); James Ward, *Architects in Practice, New York City 1900-1940* (N.Y.: Comm. for the Pres. of Archl. Recs., 1989); "D. & J. Jardine, Architects," *History and Commerce of New York* (N.Y.: American Publ. & Engraving Co., 1891), 113; D. Jardine obit., *American Architect & Building News*, June 18, 1892, 173; "John Jardine a Suicide," *NYT*, June 24, 1920, 26; "D., J., and G. Jardine," William M. MacBean, *Register of Saint Andrew's Society of the State of New York* 3 (N.Y.: S.A.S., 1923), 44-45 and 50; George A. Morrison, Jr., *History of the Saint Andrew's Society of the State of New York 1756-1906* (N.Y.: S.A.S., 1906), 266; Record and Guide, *A History of Real Estate, Building and Architecture in New York City* (N.Y.: Arno Pr., 1967), reprint of 1898 edition, 685-689.
17. No. 317 Broadway was demolished in 1971.
18. 319 Broadway is a designated New York City Landmark. 57 Walker Street is located within the Tribeca East Historic District. 734 Broadway and 678 Broadway are located within the NoHo Historic District. B. Altman & Co. Building is located within the Ladies' Mile Historic District. 121 Mercer Street is located within the SoHo-Cast Iron Historic District.
19. 35-37 West 23rd Street is located within the Ladies' Mile Historic District. 13-17 Jay Street are located within the Tribeca West Historic District.
20. Record and Guide, 600.
21. 71 West 83rd Street is located within the Upper West Side/Central Park West Historic District. The Wilbraham is a designated New York City Landmark.
22. Edwards and Critten, 173.
23. June 18, 1892.
24. LPC, *No. 361 Broadway Building Designation Report* (LP-1225)(N.Y.: City of New York, 1982), prepared by Anthony W. Robins; Margot Gayle and Edmund V. Gillon, Jr., *Cast-Iron Architecture in New York* (N.Y.: Dover Publs., Inc., 1974); Robert A.M. Stern, Thomas Mellins, and David Fishman, *New York 1880* (N.Y.: Monacelli Pr., 1999).
25. The Cary and Haughwout Buildings are designated New York City Landmarks, and are also included, respectively, within the Tribeca South and SoHo-Cast Iron Historic Districts.
26. This building is a designated New York City Landmark.
27. 881-887 Broadway is located within the Ladies' Mile Historic District and 28-30 Greene Street is located within the SoHo-Cast Iron Historic District.
28. 478-482 and 462 Broadway are located within the SoHo-Cast Iron Historic District.
29. This building is a designated New York City Landmark.
30. This building is located within the SoHo-Cast Iron Historic District.
31. This building is located within the SoHo-Cast Iron Historic District.
32. Metropolitan Museum of Art, *In Pursuit of Beauty: Americans and the Aesthetic Movement* (N.Y.: Rizzoli Intl. Publics., 1986), 19.
33. *New York City Directories* (1857-1899); *New York State Business Directory and Gazatteer* (1870), 222; "Albert Baumann" and "Ludwig Baumann," U.S. Census (New York, 1880) and www.familysearch.org website; "Business Notes," *Carpet Trade Review* (Feb. 1878), 21; "City and Suburban News," *NYT*, July 24, 1881, 12, and Jan. 17, 1888, 3; "Fine Furniture Displayed," *NYT*, Oct. 15, 1891, 5; L. Baumann obit., *NYT*, Feb. 21, 1904, 7.
34. "S. Baumann & Brother," *Carpet & Upholstery Trade Review*, May 1922, 53.

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35. *NYT*, Apr. 7, 1872, 7.
 36. Central Synagogue (1871-72, Henry Fernbach) is a designated New York City Landmark.
 37. "City and Suburban News," *NYT*, Sept. 2, 1881, 8.
 38. "Connoisseurs...," *NYT*, Nov. 9, 1881, 5.
 39. Baumann Brothers, advertisement, *NYT*, Nov. 27, 1881, 16.
 40. Baumann Brothers, advertisement, *NYT*, Nov. 4, 1883, 16.
 41. "Enlarging their Facilities," *NYT*, Jan. 6, 1884, 7.
 42. Baumann Brothers, advertisement, *NYT*, Nov. 23, 1884, 16.
 43. "Art in Furniture: A Few of the Pretty Things Shown by Baumann Brothers," *NYT*, Nov. 14, 1889, 8.
 44. Oscar P. Fitzgerald, *Three Centuries of American Furniture* (Englewood Cliffs, N.J.: Prentice-Hall, Inc., 1982), 255.
 45. "Flames in a Carriage Shop," *NYT*, May 31, 1893, 1. Albert and Ludwig Baumann were also associated with a number of other furniture companies with family members. In 1878, A. & L. Baumann was listed in a city directory at 512-514 8th Avenue; after 1882, the firm at this location was Ludwig Baumann & Co. (In 1956, Ludwig Baumann & Co., still in business, was called "one of the oldest furniture houses in New York"). Directories also listed (with, apparently, Albert's sons): J[acob]. & S[amuel]. Baumann (after 1887), which became S[amuel]. Baumann & Co. (after 1894); S[amuel]. Baumann & Brother (after 1888); and J[acob]. Baumann & Brother (after 1892).
 46. "Legal Notices: Baumann Brothers," *NYT*, Mar. 24, 1904, 11.
 47. *New York City Directories* (1896-1925); *Manhattan Address Directories* (1929-1993); "Business Troubles: H. Finkelstein," *NYT*, Dec. 12, 1897, 10, and Jan. 19, 1898, 9; "Bankruptcy Discharge Denied," *NYT*, Apr. 25, 1900, 11; Austin-Remsen Co., advertisement, *NYT*, May 10, 1898, 5; "Dispute Over a Bicycle Business," *NYT*, July 24, 1898, 18; "In the Real Estate Field [F.W. Woolworth]," *NYT*, June 19, 1900, 12; Karen Plunkett-Powell, *Remembering Woolworth's: A Nostalgic History of the World's Most Famous Five-and-Dime* (N.Y.: St. Martin's Pr., 1999); John K. Winkler, *Five and Ten: the Fabulous Life of F.W. Woolworth* (N.Y.: Robt. M. McBride & Co., 1940); F.W. Woolworth Co., *Woolworth's First 75 Years* (N.Y.: William E. Ridge's Sons, 1954).
 48. The *New York City Directory* of 1899-1900 lists Woolworth stores at 280 Broadway, 259 Sixth Avenue, and 208 West 125th Street, Manhattan, as well as 532 Fulton Street and 765 Broadway, Brooklyn.
 49. The building is a designated New York City Landmark and Interior Landmark.
 50. "The Road to Success," *NYDT*, Jan. 6, 1901, III, 9.
 51. Winkler, 128-129.
 52. Plunkett-Powell, 151.
 53. *New York City Directories* (1897-1925); *Manhattan Address Directories* (1929-1993); "Rubens & Meyer," *Clothier & Furnisher* (Feb.-July 1901), 81; "Guide for Buyers: Hosiery," *NYT*, Mar. 25, 1908, 13; "Delehanty Institute Renews 14th St. Lease," *NYT*, Jan. 21, 1941, 37; "Shoe Concern Gets Former Delehanty Gymnasium," *NYT*, Oct. 23, 1963, 68; Marcus obit., *NYT*, Aug. 13, 1954, 19.
 54. "The Rebuilding of Fourteenth Street," *NYT*, Aug. 29, 1926, RE2.
 55. Federal Writers' Project, *New York City Guide* (N.Y.: Octagon Bks., 1939), 202.
 56. Lewis M. Hornthal (c. 1844-1914) took over the firm of Hornthal, Weissman & Co., begun by his father; it later became Hornthal, Fiske & Co. The firm employed about 300 workers in this building in 1913.

“Copartnership Notices,” *NYT*, Sept. 13, 1907, 11; “Workers in Panic Over Fake Bomb,” *NYT*, Feb. 28, 1913, 10; Hornthal obit., *NYT*, Aug. 10, 1914, 7; “Lewis Marx Hornthal,” in Moses King, *King’s Notable New Yorkers* (N.Y.: M. King, 1899), 509.

57. The company, founded in 1884, was owned by Henry S. and Leo Sohn, Ferdinand Oppenheimer, and Herman Wolf.
58. Jacob, Benjamin, and Morris Golomb, Latvian immigrant brothers, formed the Everlast company in 1915. They made boxing gloves so successfully that “Everlast” became the brand of choice for championship boxers. J. Golomb obit., *NYT*, Aug. 25, 1951, 9; B. Golomb obit., *NYT*, July 24, 1952, 27.
59. Bon Marche, advertisement, *NYT*, Mar. 13, 1955, 106; “Furnishings Save Space and Cents,” *NYT*, Jan. 6, 1960, 39; “Accessories and Furniture Shop...,” *NYT*, Sept. 14, 1963, 29.
60. N.Y. County.
61. NYC, Dept. of Buildings.

FINDINGS AND DESIGNATION

On the basis of a careful consideration of the history, the architecture, and other features of this building, the Landmarks Preservation Commission finds that the Baumann Brothers Furniture and Carpets Store has a special character and a special historical and aesthetic interest and value as part of the development, heritage, and cultural characteristics of New York City.

The Commission further finds that, among its important qualities, the Baumann Brothers Furniture and Carpets Store was built in 1880-81 for James McCreery, a well-known textiles merchant of Scottish descent; that it was designed by the architectural firm of D. & J. Jardine, one of the more prominent, prolific, and versatile New York firms in the late-nineteenth century that executed designs for a wide variety of building types, including a number of notable cast-iron fronts, in contemporary styles, and whose principals, David and John Jardine, were brothers also of Scottish birth; that the wide cast-iron front facade of the Baumann Brothers store, manufactured by the West Side Architectural Iron Works, is one of the Jardines' and one of the city's most inventive, unusual, and ornamental, built toward the end of the heyday of cast-iron fronts in New York and the flourishing creativity in that material; that the Baumann Brothers store is also a signal achievement of Aesthetic Movement design, on which an amalgam of ornamental influences, including neo-Classical, neo-Grec, and Queen Anne styles, is embraced to achieve a decorative overall composition; that the building features another designed, though simpler, facade on 13th Street, which is clad in brick and stone with a cast-iron ground story; that the building's prime location was in the midst of Manhattan's primary retail shopping district, which included 14th Street, Union Square, and Ladies' Mile; that, from 1881 to 1897, it housed Baumann Brothers, a furniture manufacturing company established c. 1870 by Albert and Ludwig Baumann, Bohemian Jewish immigrants, and by 1884, the firm occupied the entire structure and billed itself as "the largest and most complete furnishing establishment in America"; that for eight decades, the ground story contained 5-10-and-25-cent stores, beginning with the fourth Woolworth store in Manhattan (1900-28), acclaimed at its opening as "the largest ten-cent store in the world" and in 1910 the location of the chain's first lunchroom, and continuing with F. & W. Grand, H.L. Green, and McCrory; and that the upper stories were leased for over eight decades for show rooms and manufacturing by various firms related to the textile and sporting goods industries, as well as a gymnasium and classrooms for the Delehanty Institute (1930-63), which trained candidates of the Police and Fire Departments.

Accordingly, pursuant to the provisions of Chapter 74, Section 3020 of the Charter of the City of New York and Chapter 3 of Title 25 of the Administrative Code of the City of New York, the Landmarks Preservation Commission designates as a Landmark the Baumann Brothers Furniture and Carpets Store, 22-26 East 14th Street (aka 19-25 East 13th Street), Borough of Manhattan, and designates Manhattan Tax Map Block 571, Lots 1101 and 1102, as its Landmark Site.

Robert B. Tierney, Chair

Pablo E. Vengochea, Vice-Chair

Frederick Bland, Stephen F. Byrns, Diana Chapin, Roberta Brandes Gratz,

Christopher Moore, Margery Perlmutter, Elizabeth Ryan, Commissioners



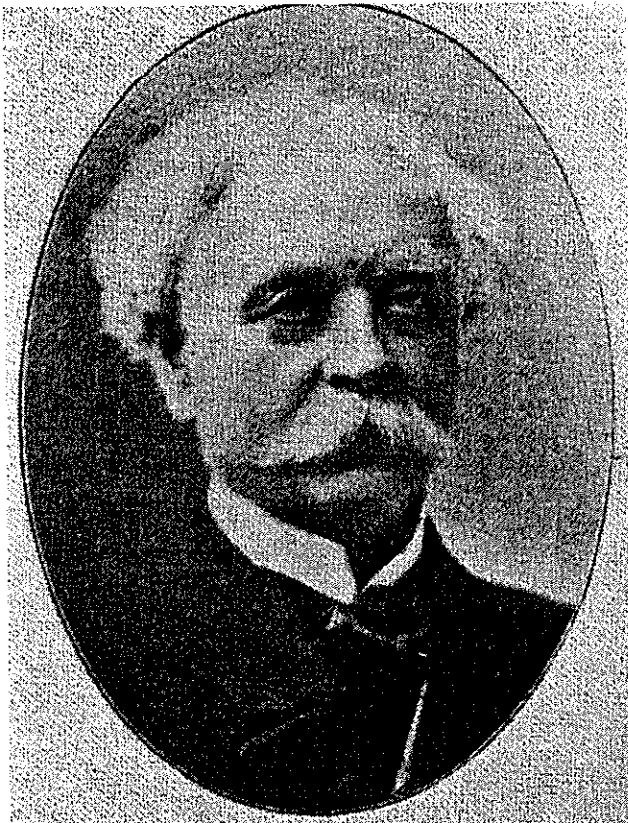
Baumann Brothers Furniture and Carpets Store, 22-26 East 14th Street, Manhattan

Photo: Christopher D. Brazee



Baumann Brothers Furniture and Carpets Store

Photo: Christopher D. Brazee



JAMES MCCREERY



James McCreery

McCreery & Co. Store (1868-69, John Kellum), 801 Broadway

Source: *Asher's New Pictorial Directory & Atlas of the City of New York* (1879)

Source: Moses King, *Notable New Yorkers* (1899)



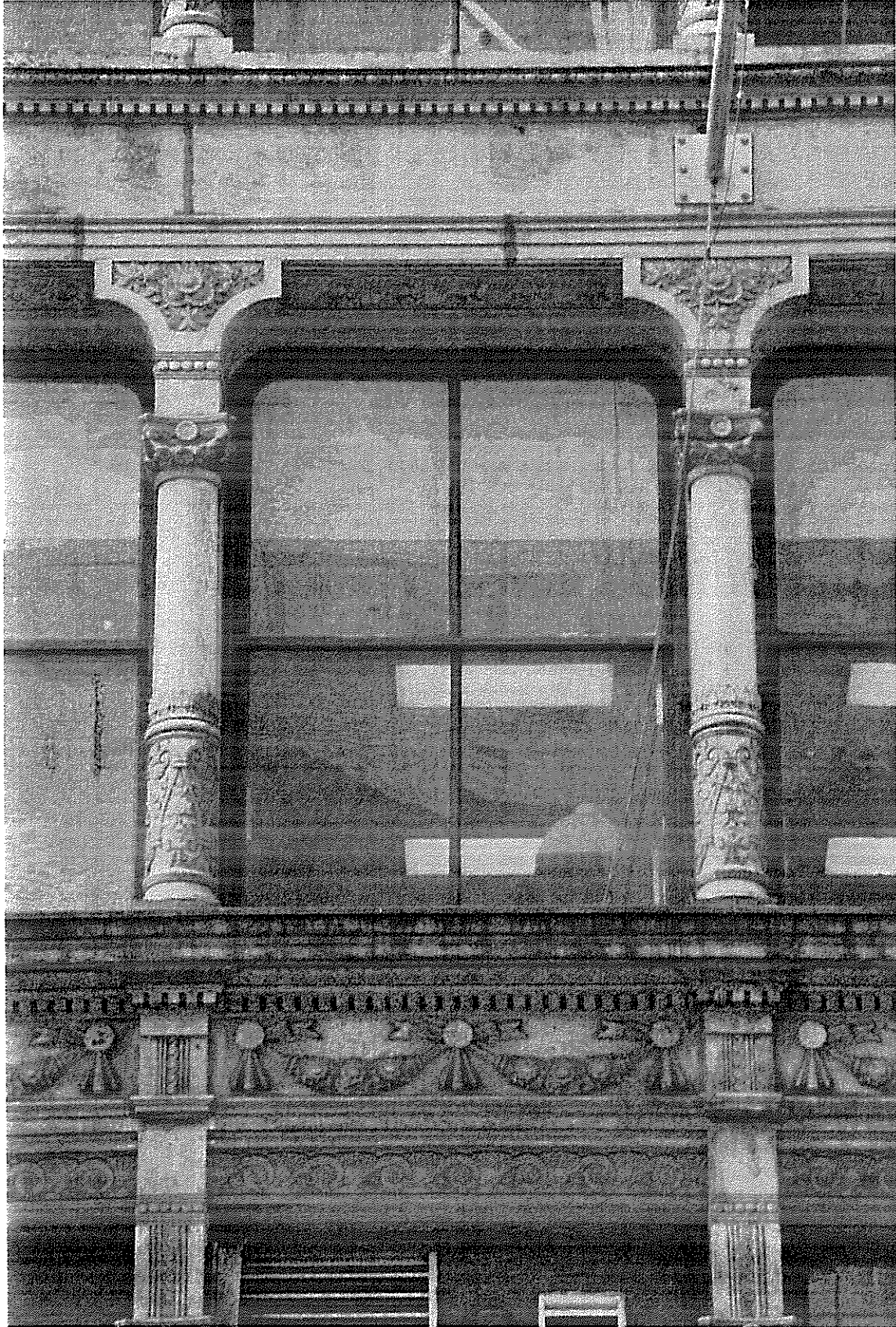
Baumann Brothers Furniture and Carpets Store (c. 1910, to left of Lincoln statue)

Source: Art Commission of the City of New York



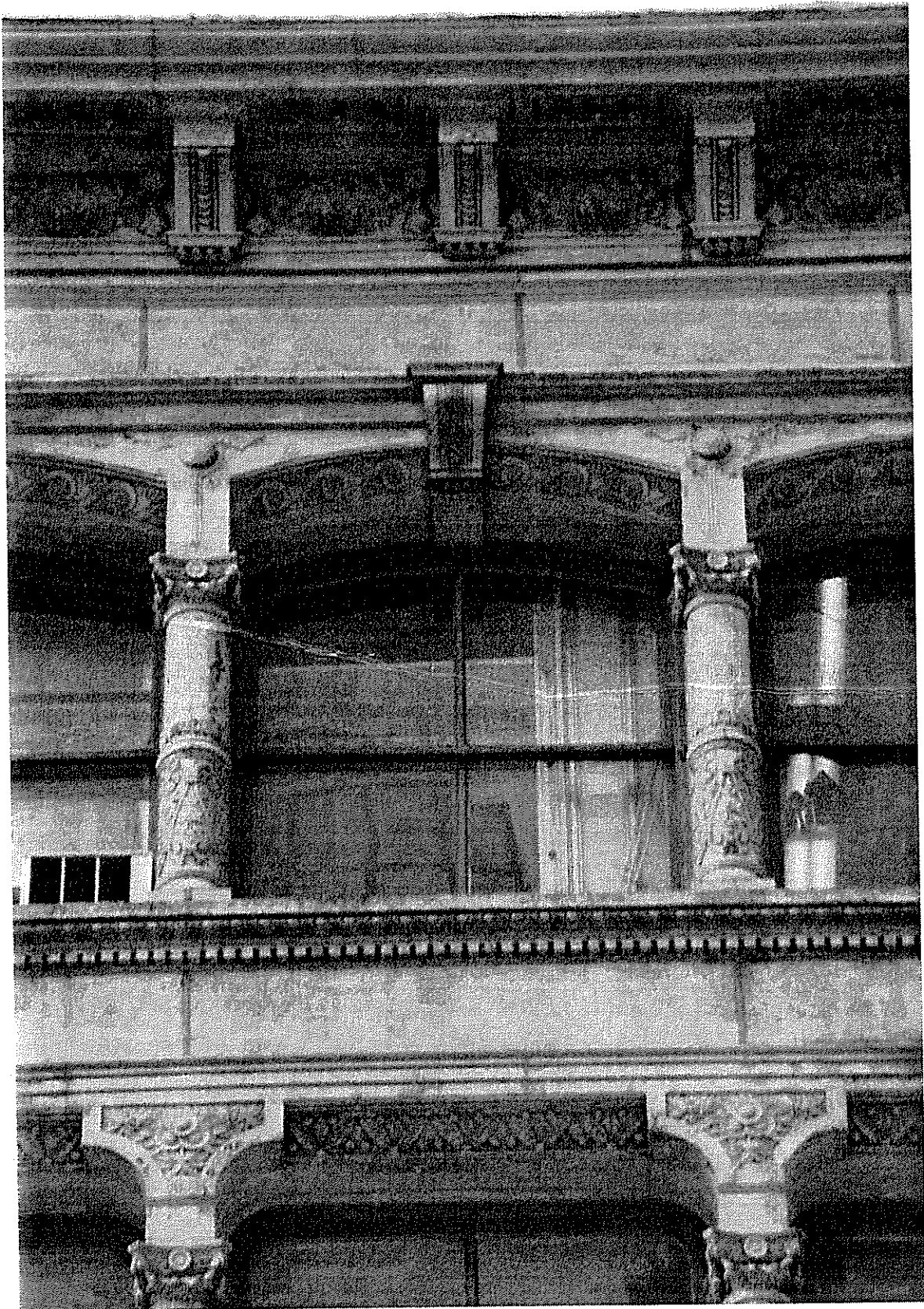
Baumann Brothers Furniture and Carpets Store (to right of lamppost)

Source: Moses King, *King's Photographic Views of New York* (1895)



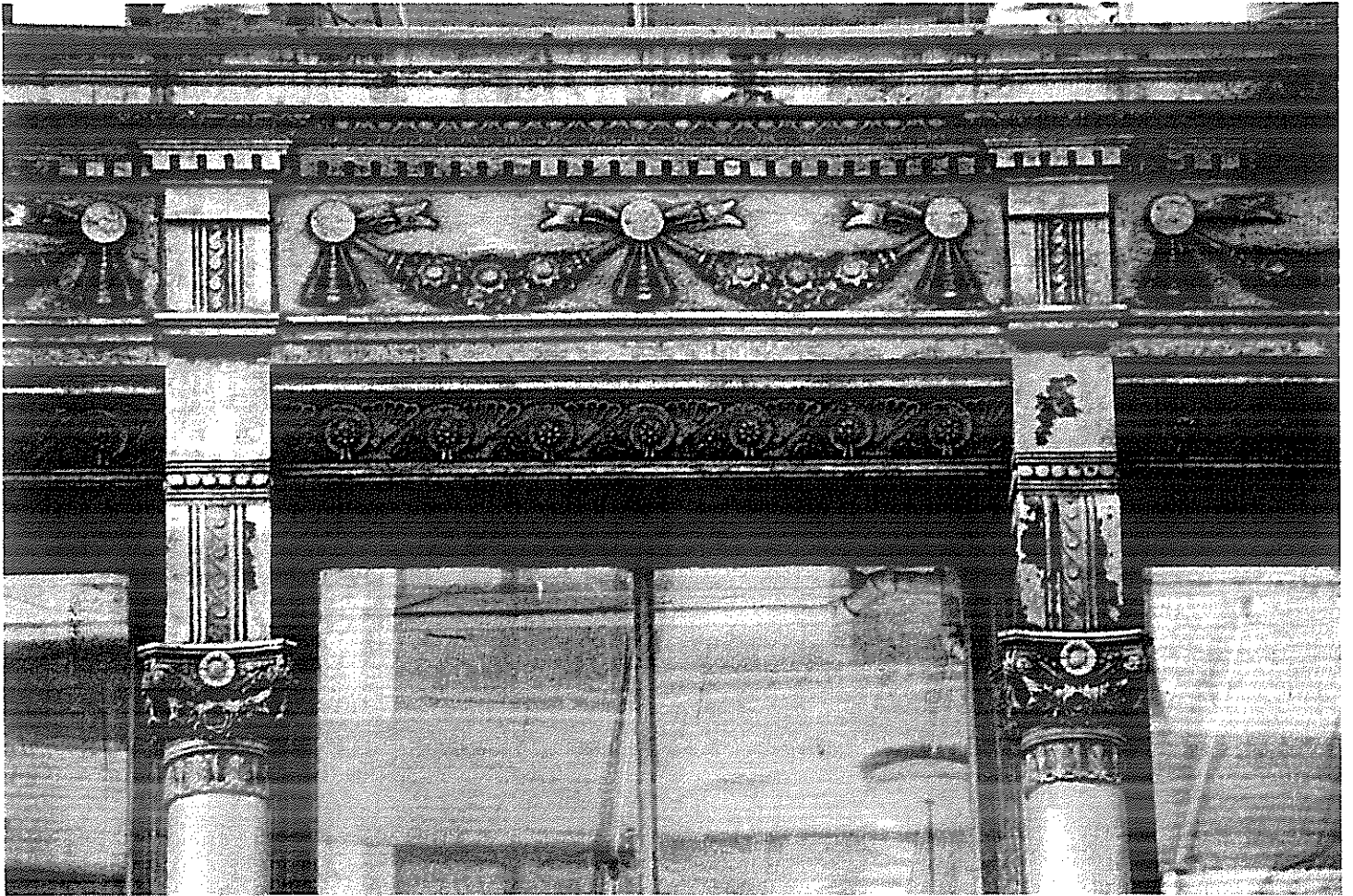
Baumann Brothers Furniture and Carpets Store, third story detail

Photo: Christopher D. Brazee



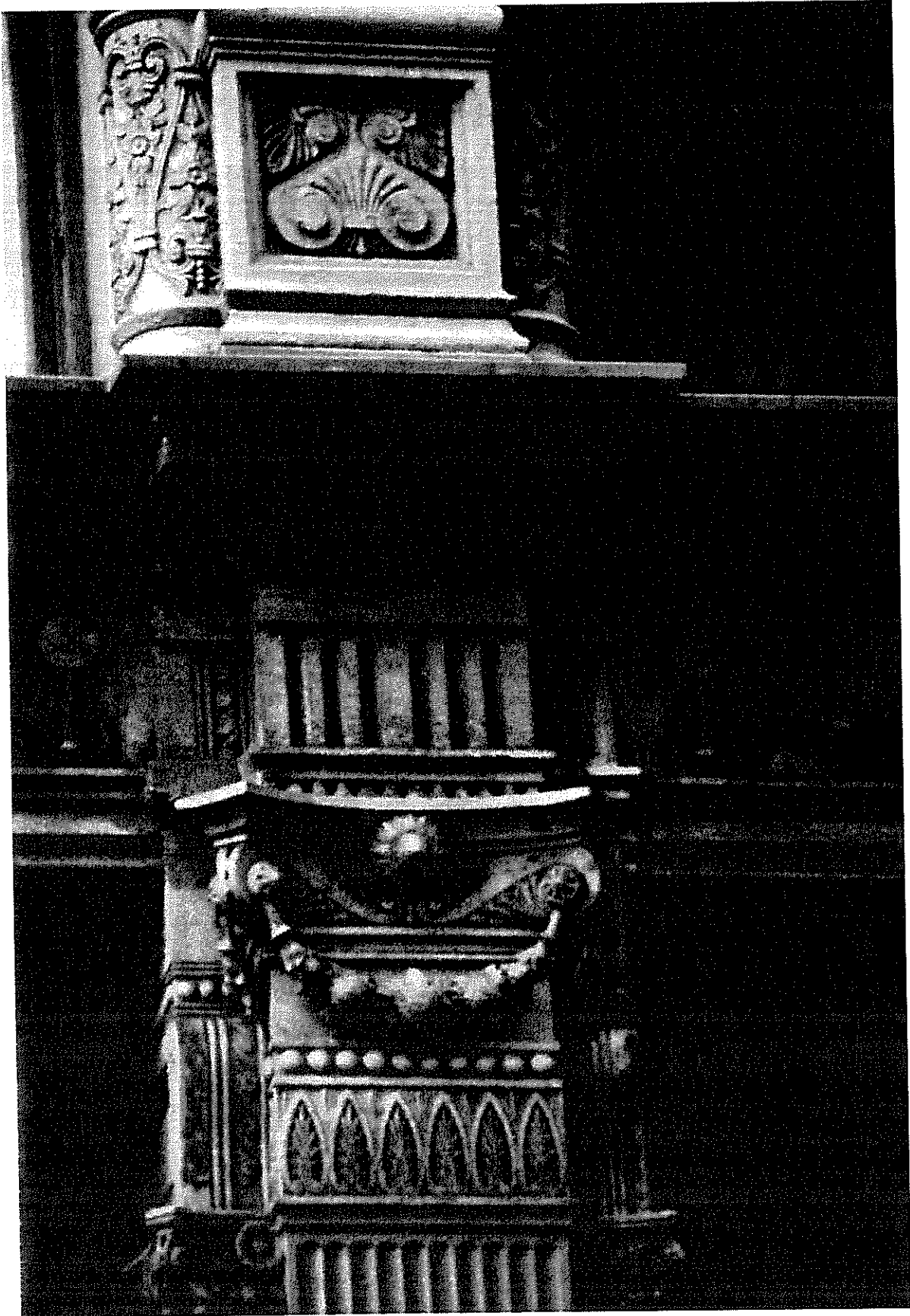
Baumann Brothers Furniture and Carpets Store, fifth story detail

Photo: Christopher D. Brazee



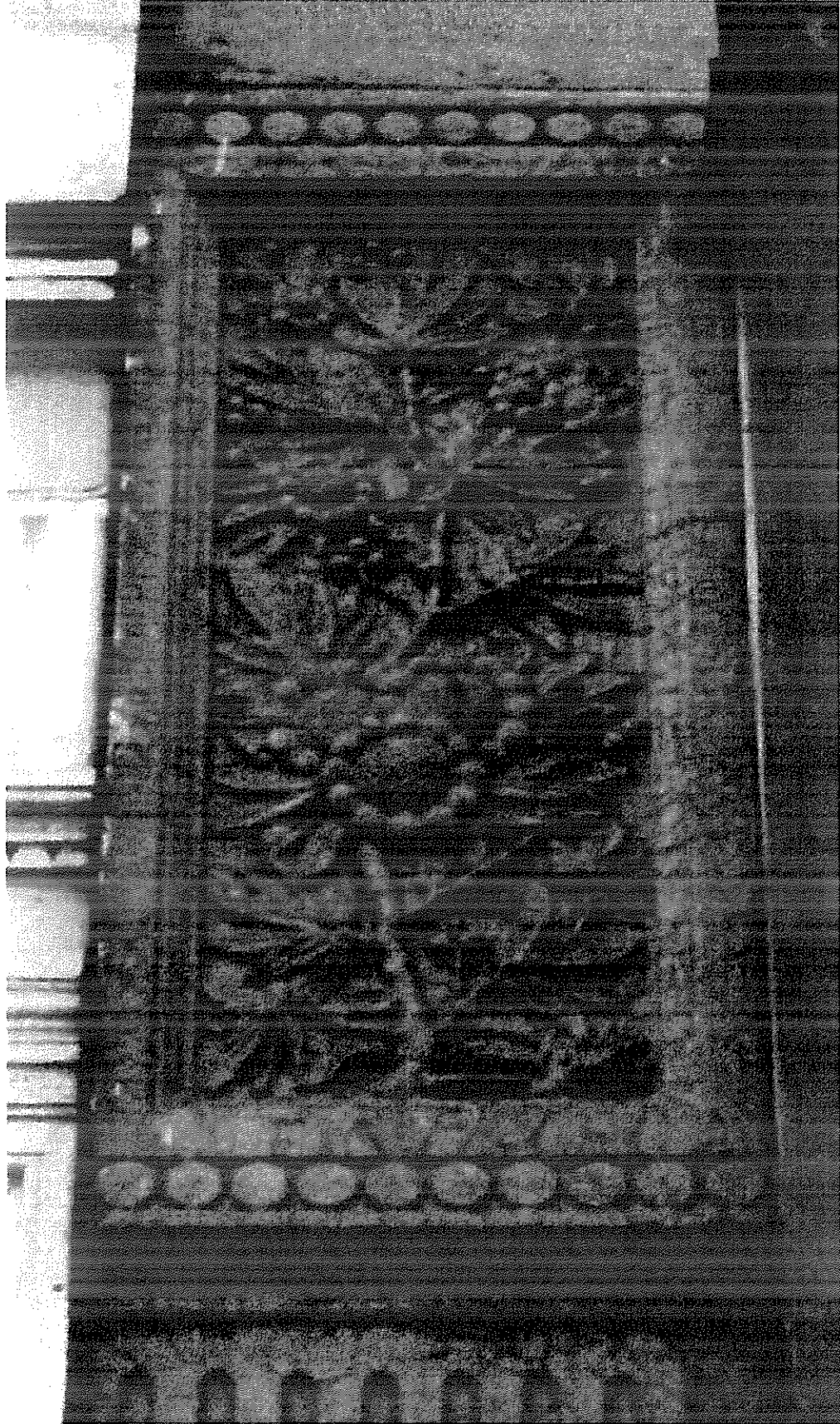
Baumann Brothers Furniture and Carpets Store, second story detail

Photo: Carl Forster (c. 2002)



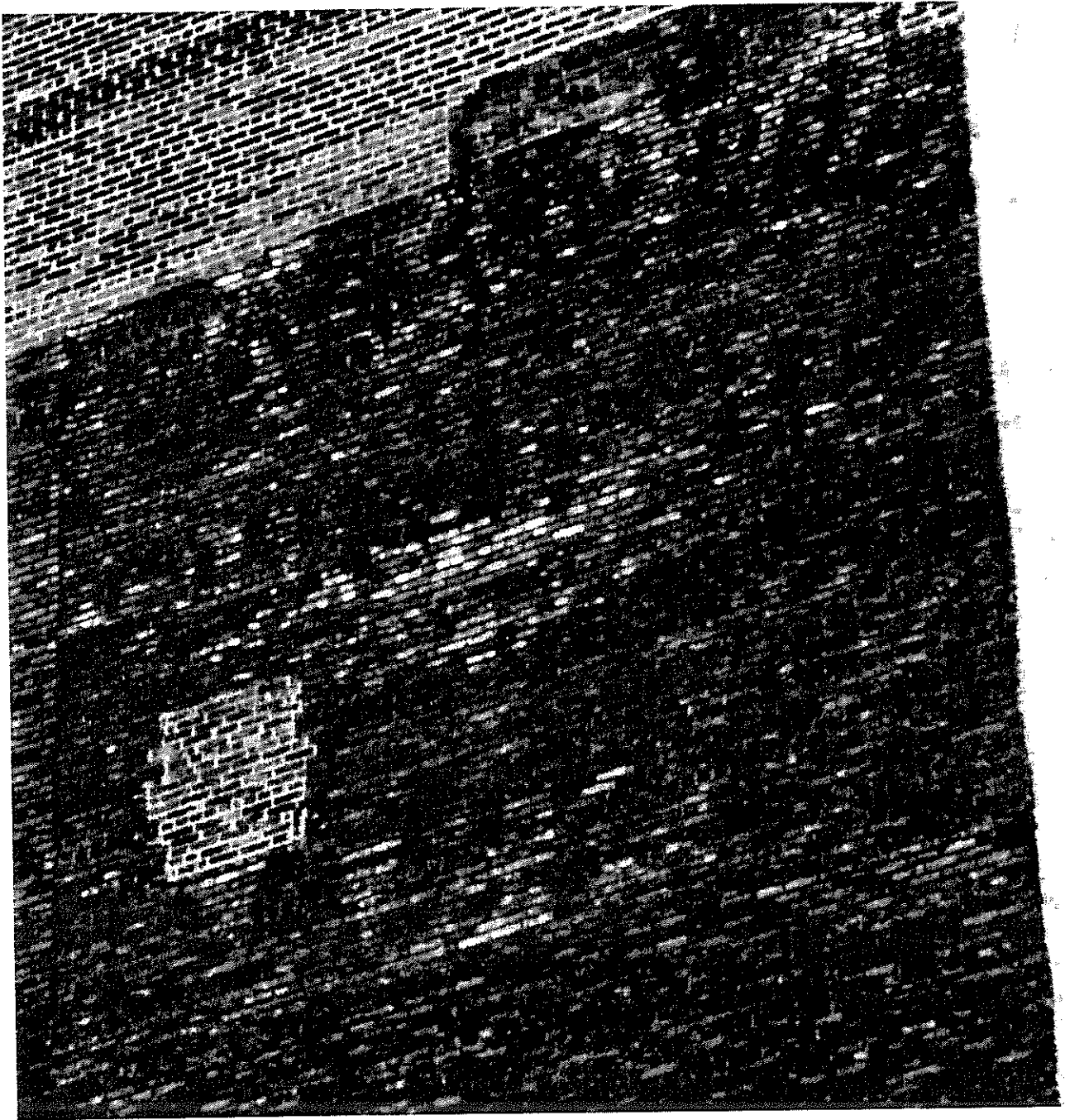
Baumann Brothers Furniture and Carpets Store, central pilaster detail

Photo: Carl Forster (c. 2002)



Baumann Brothers Furniture and Carpets Store, pilaster sunflower panel detail

Photo: Carl Forster (c. 2002)



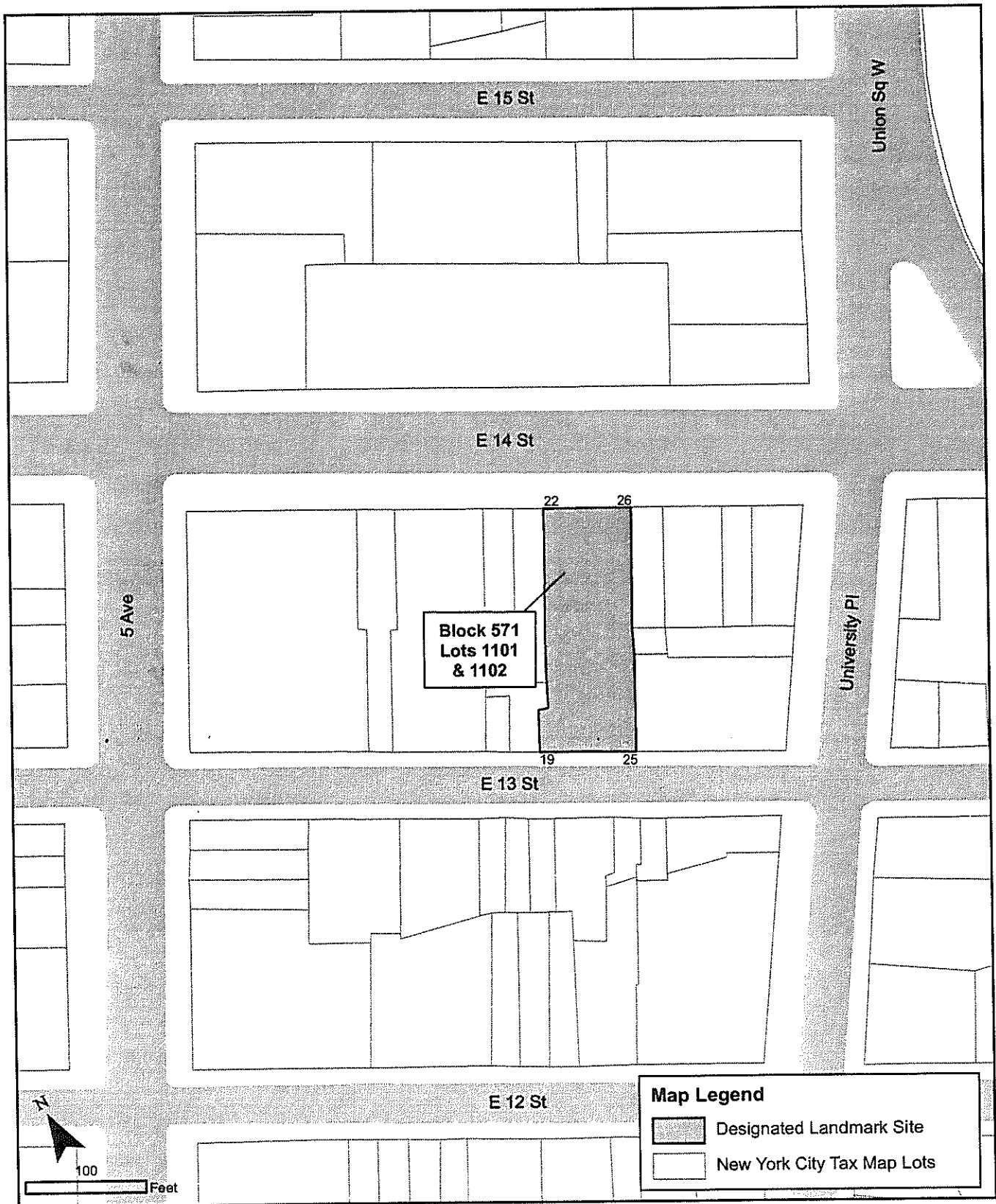
Baumann Brothers Furniture and Carpets Store, west wall painted sign
“BAUMANN BROS / FURNITURE / INTERIOR DECORATION / CARPETS”

Photo: Carl Forster (c. 2002)



Baumann Brothers Furniture and Carpets Store, East 13th Street facade

Photo: Christopher D. Brazee



BAUMANN BROTHERS FURNITURE AND CARPETS STORE [LP-2123], 22-26 East 14th Street (aka 19-25 East 13th Street). Borough of Manhattan, Tax Map Block 571, Lots 1101 and 1102.

Designated: November 18, 2008

Subject: Hearing
Date: January 26,2009
Issue: Impound Lot
Location: Springfield Gardens
Presented To: New York City Council

Introduction

I tried to sell the idea of the impound lot to our civic association, but I was taken aback when an old lady who has been residing in Springfield Gardens for over thirty years looked straight in my eyes and asked me if I could look myself in the mirror and tell myself that the ‘poison pill’ I was selling is good for her community. Before I could answer she recited the words of William Shakespeare,

“To thine own self be true
And it must fallow as the night the day
Thou canst not then be false to any man”

The words of the poem hit me deep within. They were like a thousand “butcher’s knives goring’ deep within my conscience. I knew that I could not look myself in the mirror and say that the impound lot that I was selling is good for our community. Hon. Council Members, I come to you today in the name of that eighty years old warrior and hundreds of other residents within our community begging you to disapprove this project.

Environmental Impact Study

The residents of Springfield Gardens, Brookville and Rosedale say no to the proposed Impound Lot because we strongly believe that this pound is not good for our community.

We take issue with the Environmental Assessment Study (EAS); we do not consider it to be meaningful because it does not truly

reflect the risks and danger posed to our health and the environment.

For any environmental study to be meaningful it must take a comprehensive approach towards all the agents of pollutants. It must take in consideration pollutants from the following sources:

Warehouses within the southerly end of Springfield Garden

JFK Air Port

Quick Courier

International Air Cargo (IAC)

The MTA

DHL Courier

Green Bus Line

Thousands of vehicles that drive through our community daily

The parking lot for heavy diesel vehicle located at the corner of Brookville and Rockaway Turn Pike.

It must take into consideration a private run prison, over saturation in our community of homeless shelters and group homes. It must consider the unfair burden that is placed on this community!

Any EAS that is based solely on a single facility is nothing but an attempt to obscure and deceive.

One facility by itself might not be significant but when all the facilities are taken in a group their impact is significant.

The Police could say that a community is crime free if the only incident they look at is the incident of Picking of Pockets; but that is not how crime statistic decided. Law enforcement looks at murder, rape, assault, trafficking of illegal drugs and car theft and a host of other crimes in the community and then they come up with their report.

In a Hearing at The Queens Borough Hall, the proponents of the pound have admitted that the pound is not suitable for certain communities but that Springfield Gardens is the ideal location for it. South East Queens has now become the official dumping ground for the city and the state of New York.

Hon. Council Members no one community, no matter how unimportant or insignificant in the eyes of a government agency or the government, should be so unfairly and unconscionable saddled with societies unpleasantness even when such unpleasantness are for the broader society good. Where is the 'Fair Share Criteria' that is mentioned in the Land Use Review Application?

What is happening in our community is a blatant disregard for the Fair Share Criteria doctrine and Environmental Justice.

At the Borough Hall's Hearing, the presenters for the City gave a commitment that the maximum number of cars to be stored at this facility will be no more than 3,500 and that the capacity will not be expanded. Unfortunately, at The Board of Standard and Appeal, a presenter for the City admitted that they expect to expand the capacity above the figure they gave at the Borough Hall's Hearing. This is a serious breach of trust on the part of the City.

The residents of Springfield Gardens and Rosedale are crying out for equity. We are carrying out for environmental justice. If the pound is not good for College Point, it is not good for us. If it is not good for Staten Island and Douglaston it is not good for Springfield Gardens.

Residents' Concerns

There are those who believe that the residents of these communities of Springfield Gardens and Rosedale have no reason to be concerned, but we have a right to. The mayor, City Council, EDC and Barrow Hall have their interests. In this instant our interests differ. We want to live and raise our children in a healthy environment therefore we must oppose this 'grave yard'.

It may be that only one person who must suffer the effect of pollutant; yet that one person is someone's child, wife, husband or parent. That one person's pain is worth fighting to prevent.

We might buy the concept that a minute pollutant may not be a significant factor in the short run; but hundreds or millions of

particulates when taken together over the long run, will pose serious health and environmental threats with lasting effect.

Unfortunately this report would have us believe that there is no harm.

I invite the Hon. Council Members take a brief look at some of the pollutants that we have to face daily in the communities of Springfield Gardens and Rosedale.

a- Nitrogen Oxide (NOX) that is caused from the burning of gasoline, natural gas, coal, oil.

Chief source are cars. This pollutant causes lungs damage respiratory illness it also affect ozone (smog effect)

b- Carbon Monoxide (CO₂) is caused from burning of gasoline, natural gas, coal and oil.

It reduces the ability of the blood to bring oxygen to body cells and tissues. It impairs the oxygen-carrying capacity of the blood, and in so doing it puts pressure on vital organs such brain.

Recent study suggested that co₂ exposures may increase the risk for heart disease, premature mortality and low birth rate.

Exposure to co₂ during pregnancy may cause birth defects. It is not only fetuses and young infants that are affected by co₂ but also the elderly.

High level of exposure to co₂ affects the central nervous system. It causes visual impairment, reduces work capacity and manual dexterity. It causes poor learning ability and difficulty in performing complex tasks.

c-Volatile Organic Compounds (VOCS) Fuel combustion, solvents, paints

Chief Source--cars

It causes ozone (smog) effect, cancer and other serious health problems

d-Particulate Matter

Emitted as particles or formed through chemical reactions, burning of diesel and other fuels

Chief Sources-- industrial processes

It causes eyes, nose and throat irritation. It also causes lungs disease, bronchitis, cancer and early death.

f-Noise –from motor vehicles and air planes.

Source—airplane and vehicles

PEOPLE AT RISK

People with heart disease, fetuses and young infants, pregnant women, the elderly, especially those with serious heart and lungs problem, people with coronary artery disease face serious risk. People with anemia, sickle cell disease and those with chronic lung disease such as, asthma and bronchitis are at risk from pollutants.

The EAS is blatantly flawed; it failed to look at asthma cases and heart disease patients. The report ignored infants, the elderly and pregnant women.

Nullifying The Sponge

We view the proposed site as a vital part of our green space and wet land that must be preserved. Unfortunately, there are many who believe that preserving green space and wet lands in certain communities is like “giving pearls to swine”.

This proposed site acts as part of the natural sponge that absorbs water. It therefore plays a significant role as a natural protection against flooding. This pond will play a negative role in nullifying the sponge effect of the wetland.

Traffic

We are told that there will be no effect on traffic, this is not correct. The turnpike is already heavily congested; the pound will only make it worse.

In the interest of our children and the preservation of our community, we are calling for a comprehensive approach. If we ignore the comprehensive approach, we are sentencing our children, our elderly and our whole community to a life of anguish and pain.

CONCLUSION

The people of Brookville, Springfield Gardens and Rosedale are saying we have had enough. For years the residents of College points have opposed the pound. They have viewed it as unsuitable for their community. We are also saying that we don't want it. We hear of the development of College Point and other communities, but for South East Queens it is the raping and degrading of our communities.

Our Communities are constantly being relegated to the City's and State's dumping ground.

It is time for a change.

The belief in the political circles is that the pound is a done deal and that the humble residents of Springfield Gardens cannot win this battle; but history will recall this day when a group of simple folks had the courage to stand up for their community against unbeatable odds. History will remember simple folks who stood up for the love, preservation and health of their community.

At this fateful moment, this moment of decision we are crying out for true environmental justice.

We are asking the City Council to do the only just thing, vote no against the impound lot.

Presented by: Derrick Warmington
Resident of Springfield Gardens
Member, Board 13

Eastern Queens Alliance, Inc.

PO Box 300818
Jamaica, New York 11430

**Land Use Committee
City Council of NYC
Monday, January 26, 2009
Meeting at 11:00 AM
Committee Room
City Hall
New York, New York**

**Testimony Re: Borough of Queens No. 21 NYPD Vehicle Storage Facility Relocation
Application 3090087PSQ, QWQR#08BS007Q**

The Eastern Queens Alliance is adamantly opposed to the siting of the NYPD Impound Lot on Rockaway Boulevard in Springfield Gardens, NY. We are, hereby, requesting that Application 3090087PSQ, QWQR#08BS007Q not be approved and that the NYPD Impound Lot be sited elsewhere in a more appropriate location.

For the past several years, the stretch of land along Rockaway Boulevard, just north of JFK Airport, has attracted projects that further pollute the air we breathe, pollute our ground water, and only bring more smog, congestion and traffic into our area. None of them benefit the community. The area was already saturated with airport emissions and diesel-intensive airport related businesses such as air cargo, a school bus company and a Department of Motor Vehicles facility on Rockaway Boulevard. Since 2000, Economic Development Corporation pushed through the construction of the International Air Cargo Center which was constructed on 25 acres of alienated park land on Rockaway Boulevard. The siting of Logan Bus Depot and Quick Courier on the south side of Rockaway Boulevard was also approved. And now we face the siting of the NYPD Impound Lot—another diesel-intensive facility—on a 13 acre open space area that contains 2.2 acres of wetlands along this same strip. In addition, the MTA is planning to put a storage parking facility for out-of-service buses where the Nassau Expressway meets Rockaway Boulevard. This is very close to the two other EDC projects and the impound lot – and right across the street from the former Green Bus Garage, now operated by an MTA operating subsidiary. All of these projects are also diesel-intensive, thus adding to the toxic mix of respirable particulates in the air we breathe here in the Brookville, Rosedale and Springfield Gardens Communities.

It must be considered that in addition to carbon dioxide, carbon monoxide, hydrocarbons, nitrogen oxides, diesel exhaust contains forty (40) substances that the U.S. Environmental Protection Agency (U.S. EPA) lists as hazardous air pollutants. Fifteen of these pollutants are considered probable or known human carcinogens. This in a community where asthma is rife as well as other conditions such as diabetes, cancer and cardiovascular disease! Research shows that these conditions are exacerbated by air pollution, i.e.,

- Chemicals in vehicle exhaust are harmful to asthmatics. Even short term exposure to vehicle exhaust may harm asthmatics.
- Exhaust can adversely affect lung function
- Vehicle emissions are particularly harmful to people with chronic obstructive pulmonary disease (COPD).
- The risk of having a heart attack is greater for people exposed to pollution from heavy traffic, as well as for those living near air-polluted roadways.
- EPA estimates that vehicle emissions account for as many as half of all cancers attributed to outdoor air pollution.
- Increasing levels of air pollution are associated with rising mortality rates among diabetics.

Eastern Queens Alliance, Inc.

Testimony Re: Borough of Queens No. 21 NYPD Vehicle Storage Facility Relocation

Application 3090087PSQ, QWQR#08BS007Q

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In addition, all of the above-referenced projects contribute to toxic runoff. We believe that **this constant barrage of projects that negatively impact our community threaten the very health of those who reside in Southeast Queens Communities and constitute a serious violation of environmental justice policies.**

Although the community has been calling for a cumulative risk assessment to take into account the many projects proposed and sited along this strip to evaluate the total cumulative impact, *none has been completed.* We are exposed to multiple exposures with multiple risks! Our air, water quality, and our health are being negatively impacted despite “negative declarations” in the individual EIS!

The site in question is valuable open space. It is not, as EDC claims, just empty space ripe for development. It, along with the other green spaces that are being gobbled up along the northern edge of JFK airport, have served as natural, green, environmental buffers between the airport, related services in the vicinity and the residential community. These green spaces help to lessen some of the pollution. While communities all over the country are striving to preserve their open space for ecological, health, aesthetic, and economic reasons the city seems to have targeted this strip for projects that contribute to pollution rather than help prevent it. It is important to note that according to the EAS for this project, there are 716 trees on this site. However, the reality is that many more are there. The *Wetlands & Ecological Assessment for the JFK Airport/NYPD Vehicle Storage Facility*, completed in 2006 by EEA, Inc. only counted trees with at least a trunk of six inches in diameter. Saplings were not included. Two years later, many of those saplings would now be included in the count. Therefore, many more than 716 are slated to be removed. Very few of the existing trees will be saved, since they are throughout the site and not mainly on the Rockaway Boulevard periphery. The reality is that the total number of trees that EDC proposes to plant or save will not come close to the number of trees removed from this site. They will also be young trees vs. the full grown trees that are presently on site and that would be necessary to camouflage the unsightly two and three-story stackers that will be on site.

What is happening in our community is diametrically contrary to the Mayor’s PlanNYC that calls for greening of the city. The Mayor recognizes that trees and plants help to clean the air of pollutants, this being the motivation for the Million Tree initiative. We know that increasing, rather than decreasing the vegetation, the greenery in our community, is critical to the health of the residents in Southeast Queens who live in the JFK airshed. Yet what we are witnessing is a degreening of our community. While the city plants a million trees, it has and is destroying thousands of trees and shrubs in this area.

Furthermore, the NYPD Impound project calls for filling 2.2 acres of freshwater wetlands. While these wetlands do not have a surface connection to other water bodies in the area, it is highly likely that they are connected to the system of ground water that is an integral part of the Jamaica Bay Watershed. We know that wetlands are natural sponges and filtering systems that aid in the prevention of flooding and poor water quality. Even small areas in our community should be preserved to help combat the flooding that plagues Southeast Queens. Yet the proposal for this project dismisses the importance of these wetlands by labeling them “non-jurisdictional”.

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Labeling the wetlands as *non-jurisdictional* would seem to be a matter of political double-speak. In fact, the letter it cites from the USACE states that the “site contains jurisdictional waters of the United States based on: the presence of wetlands determined by the occurrence of hydrophytic vegetation, hydric soils and wetland hydrology according to criteria established in the 1987 *Corps of Engineers Wetlands Delineation Manual*.” It seems to note that the only reason that they are considered, for the time being (perhaps five years) “non-jurisdictional” is the result of a 2001 U.S. Supreme Court decision (*Solid Waste Agency of Northern Cook County v. US Army Corps of Engineers*, No. 99-1178, Jan. 9 2001, which ruled that the designation of “jurisdictional” cannot be based solely upon their use by migratory birds.” The USACE also makes a point of saying, “It is strongly recommended that the development of the site...avoid the discharge of dredged or fill material into the delineated waters of the US....If not, authorization from their office may be necessary.” Clearly the USACE doesn’t view these 2.2 acres as just *mud puddles* as we were given to believe at the Public Hearing by EDC.

The EQA maintains that these wetlands should be preserved, not filled for an impound lot. A close reading of the EAS would seem to support this view when it maintains that the “center of the project site “is a wetland which appears to be supporting a diversity of wetland plant species; that a review of historical aerial photographs indicates that the project site “might have been retained to serve as a storm water detention area, receiving runoff from all of the surrounding paved services;” and that the project site contains 7 metal plate covers that are associated with “some type of storm water drainage system that discharges to the project site.” Yet this project would cover this site with an impervious surface, contrary even to recommendations and BMP’s in the Jamaica Bay Watershed Protection Plan. What’s to become of this critical flood control function of this site if the impound lot becomes a reality?

Per mitigation policy, at least acre for acre mitigation should be provided to account for any wetland loss. Virtually no mitigation for the loss of wetlands is planned as a part of this project. It is our position that there must be a plan for true mitigation—replacement, restoration or creation of wetlands-- for any wetland loss in our communities. While the community welcomes the transfer of the 22 acre Thurstin Basin parcel over to NYC Department of Parks and Recreation and the creation of a waterfront park, it maintains that this is not mitigation for the loss of wetlands on the 13 acre project site. The wetlands at Thurstin Basin are viable wetlands. They do not need restoration. Yes, the waterfront park needs to be created, but this is not mitigation. Furthermore, it is important to be aware that EQA has advocated for the Thurstin Basin property to be transferred over to Parks and turned into a waterfront park with a launch for canoes, kayaks and small motorized craft since 2002. At the Spring 2003 hearings held by the City Council Parks and Recreation and Waterfront Committee, EQA recommended that this property, along with other city-owned wetland properties that are a part of the Idlewild system, be transferred. In January of 2004, it wrote to the Mayor requesting that the Thurstin Basin property be transferred over to Parks as had been done with Udalls Cove in Northeast Queens, properties in Staten Island and other waterfront parcels discussed at the City Council committee hearings. EQA has also discussed this possible transfer with the local Councilman, with Trust for Public Land and with the NY/NJ Harbor Estuary. We are now convinced that the reason the Thurstin Basin

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property was not transferred over several years ago as others had been was so that it could be used by EDC as a *carrot* to achieve community acquiescence on the siting of the NYPD Impound Lot in Springfield Gardens. It is evident that this project was planned several years ago. It is evident from the documentation in the EAS that this site was chosen at least as early as the Spring of 2005, yet the community was not informed about this selection until the summer of 2008. Why this time lag? Why wasn't the community informed or consulted three years ago?

In addition, the EAS, as presented, seems to contain several flaws. First, the Land Use Review Application for this project includes only an eighteen block study area which is carved out in such a way as to conveniently leave out the residential community just north of the site thus giving the false impression that human beings don't live there. It is critical to understand that the residential community is just within a three to five block walk from Rockaway Boulevard. The south side of 147th Avenue is used as the northern boundary for the study area. Directly across the street, on the north side of 147th Avenue there are one and two-family homes. There is also a homeless shelter right across the street from the site, a second family shelter and a public school three blocks away, and a public park. Secondly, the EAS contains outdated materials commenting on the ecological value of the site. Both the letter from US Fish and Wildlife Service dated August 24, 2005, and the letter from the New York State Department of Environmental Conservation dated September 14, 2005, state that since their data bases are constantly being updated regarding significant habitat, plant and animal communities, if the proposed project was not completed within a year from the dates of the letters, the EDC should contact them again to ensure that the species presence/absence information for the project site is current. An update of information is not included in the EAS. There is no evidence that the agencies were contacted since 2005. We are also questioning the accuracy of responses in the *New York City Waterfront revitalization Program: Consistency Assessment Form* included in the supplemental materials of the EAS. Responses to the following items seem to be inaccurate: 6, 13, 22, 23, 24, 25, 26, 27, 28, 30, 31, 32, 34, 39, 42, 49, and 50.

Finally, the proposed **project runs contrary to several recommendations in the Jamaica Bay Watershed Protection Plan**. The JBWPP plan notes that some of the key issues that affect the water quality and the ecology in the bay are:

- Surface runoff as a result of urban development and the spread of impervious surfaces
- Displacing freshwater wetlands in the upper watershed ... impeding the natural wetland filtration process.
- Displacement and fragmentation of habitat...by land filling of ecologically sensitive areas, especially tidal...and freshwater wetlands and riparian areas in the upper watershed.
- Covering of soils with impervious concrete and asphalt surfaces, thereby decreasing ground water infiltration, while increasing the volume and rate of storm water runoff.

The JBWPP cites as an objective—To preserve and enhance natural areas along the periphery of the bay and in the watershed. It advocates the promotion of the use of BMP's in all new and existing development in the watershed, i.e.,

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Eastern Queens Alliance, Inc.

Testimony Re: Borough of Queens No. 21 NYPD Vehicle Storage Facility Relocation

Application 3090087PSQ, QWQR#08BS007Q

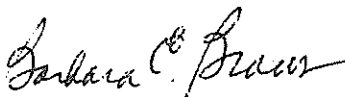
Page 5 of 5

- on-site detention and infiltration of storm water runoff
- minimization of impervious surface
- creation of natural systems to control and minimize storm water runoff
- stabilizing and restoring salt marshes, wetlands, soils and other natural areas
- strengthening ecological buffers

This is also an objective of the Alliance and is in concert with our efforts in Idlewild Park Preserve and all of the adjacent wetlands and open space in the area. It is towards these ends that we created a master plan for the Idlewild Preserve and ecological system and have been constantly seeking funds for the restoration of wetlands and upland areas in Idlewild replete with trails, boardwalks and open classroom areas that would not only return ecological function, but provide for environmental education, recreation--including waterfront access, and simply the enjoyment of the natural environment. It is for this reason that for the last several years we have also been calling for 1) the turning over of the Thurstin Basin area to NYCDPR for the development of a waterfront park, 2) the turning over of all the DCAS properties immediately adjacent to Idlewild Park Preserve to NYC Parks as recommended by NYC Wetland Transfer Task Force, and 3) a moratorium on the further elimination of open space along Rockaway Blvd.

This project not only flies in the face of all that the Eastern Queens Alliance has been advocating for over the last six years, and discusses in its Whitepaper for Quality of Life in Southeast Queens, but it flies in the face of Environmental Justice Policies, the recommendations of the *Jamaica Bay Watershed Protection Plan*, the *Recommendations for the Transfer of City-Owned Properties Containing Wetlands* promulgated by the NYC Wetlands Transfer Task Force, the Mayor's *Plan NYC* initiative as well the recommendations adopted by the NY/NJ Harbor Estuary, and a Community Board 13 resolution. We, therefore, strongly object to the siting of the NYPD Impound Lot on Rockaway Boulevard in Springfield Gardens.

Respectfully submitted,



Barbara E. Brown,
Chairperson

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Randall's Island Connector

Site Selection/Acquisition ULURP

**NY City Council Subcommittee Hearing
NYCEDC Testimony
January 26, 2009**

Randall's Island Connector

Neighborhood Context



Randall's Island Connector

Background: South Bronx Greenway



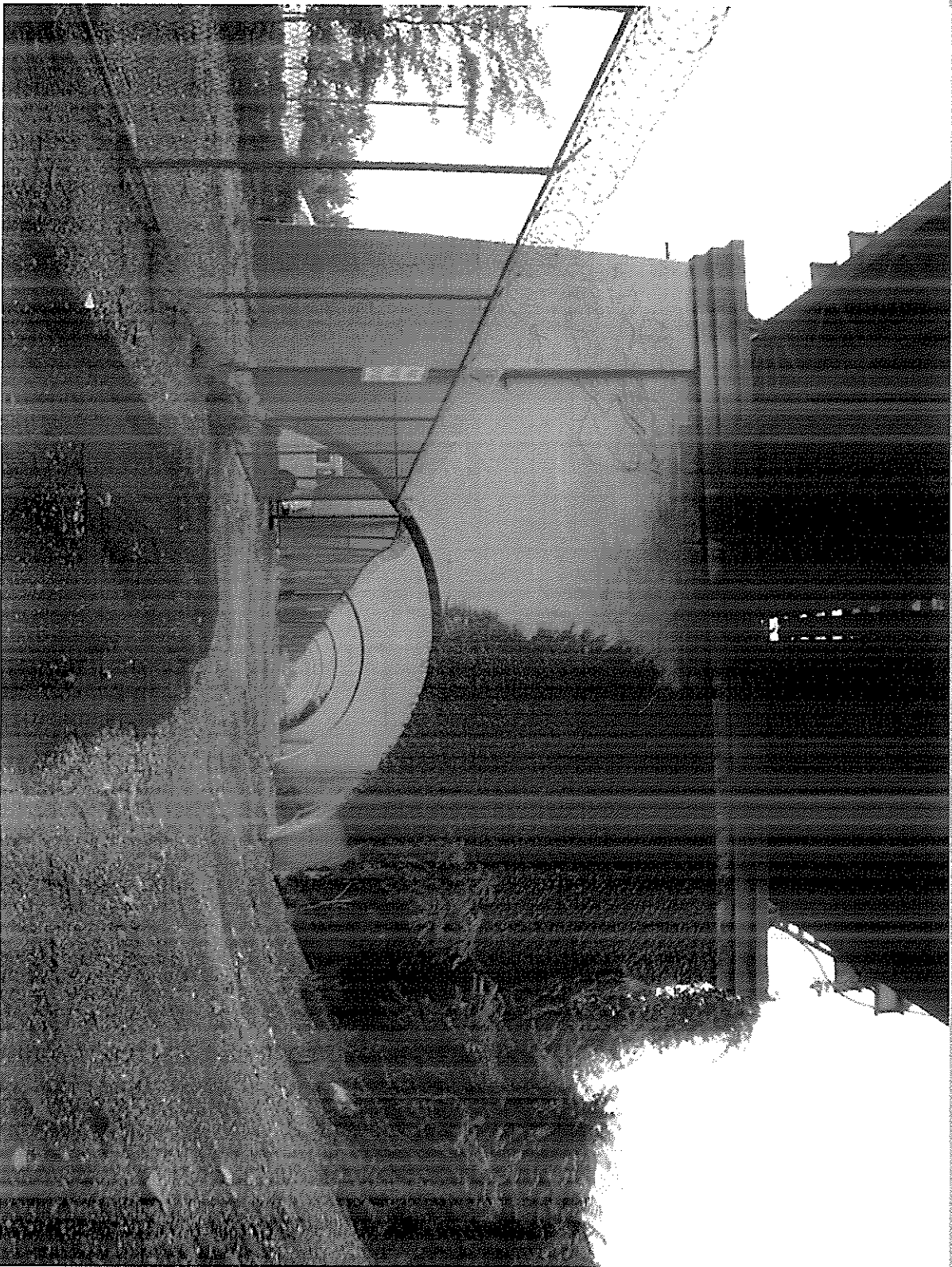
Randall's Island Connector

Site Location



Randall's Island Connector

Current Conditions



Randall's Island Connector Proposed Pathway



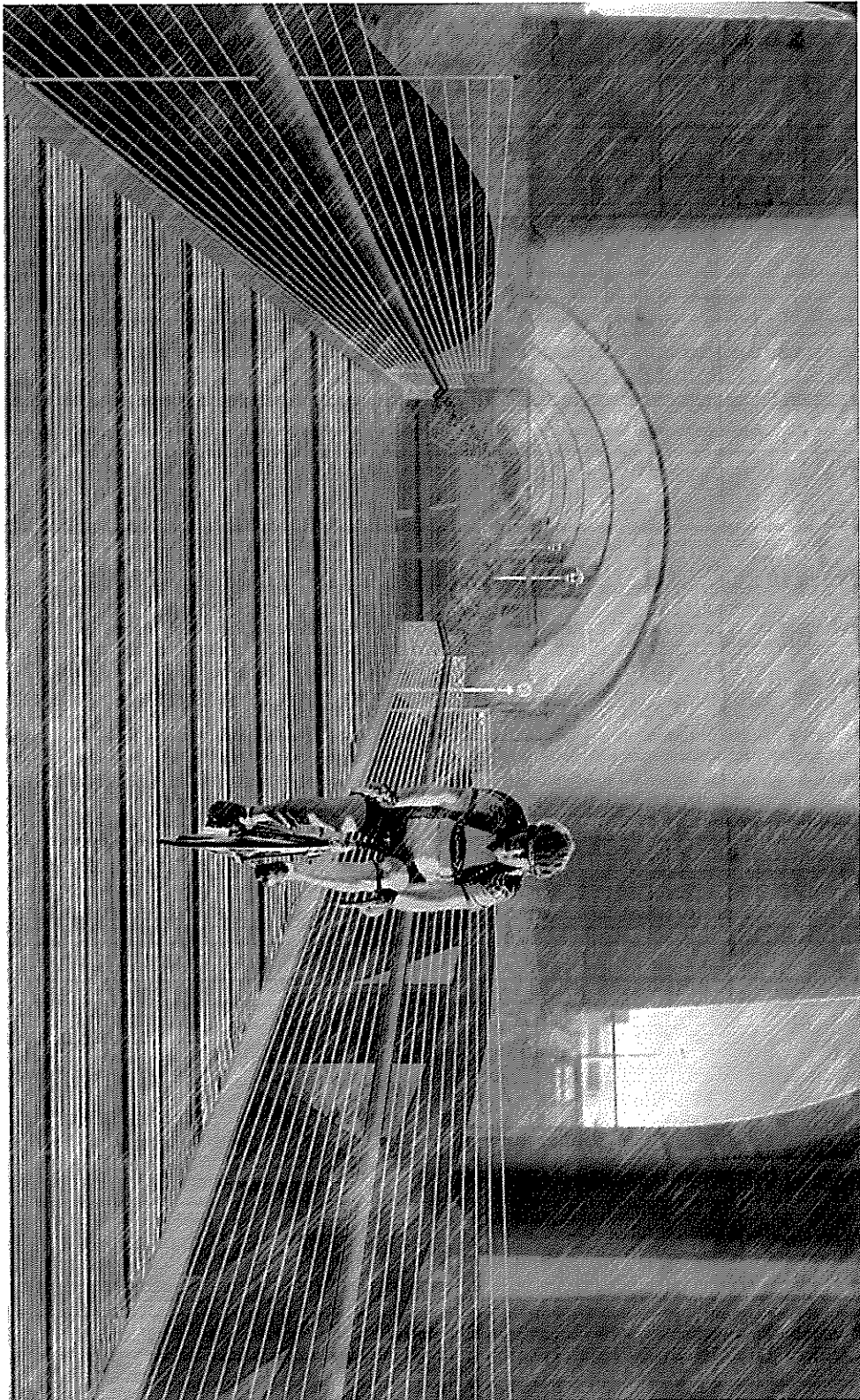
Randall's Island Connector

Current Conditions



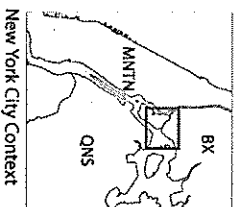
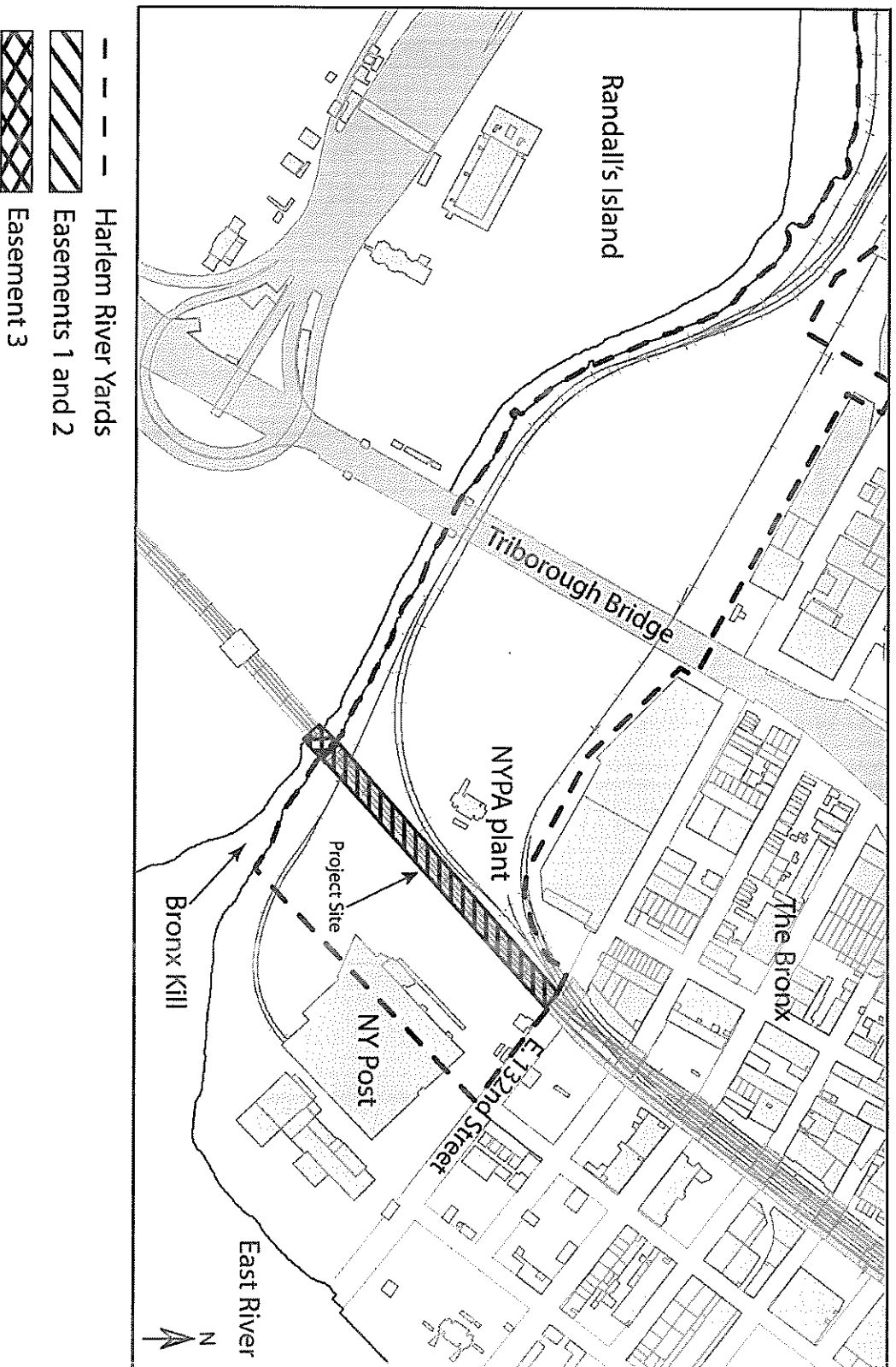
Randall's Island Connector

Proposed Pathway



Randall's Island Connector ULURP Action

Figure 1: Randall's Island Connector Location





Greenwich
Village
Society for
Historic
Preservation

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**TESTIMONY OF THE GREENWICH VILLAGE SOCIETY
FOR HISTORIC PRESERVATION
IN SUPPORT OF LANDMARK DESIGNATION
OF SILVER TOWERS/UNIVERSITY VILLAGE
January 26, 2009**

Thank you for the opportunity to testify before you today. My name is Andrew Berman, and I am the Executive Director of the Greenwich Village Society for Historic Preservation, the largest membership organization in Greenwich Village, the East Village, and NoHo. In 2003, GVSHP submitted the request for evaluation to the Landmarks Preservation Commission for Silver Towers which led to this November's designation. That designation had strong support from local elected officials including Councilmember Alan Gerson, Borough President Scott Stringer, Congressman Jerrold Nadler, State Senator Tom Duane, Assemblymember Deborah Glick, the board of 505 LaGuardia Place, and groups such as the Municipal Art Society, the American Institute of Architects NYC Chapter, and the Historic Districts Council.

This designation's import is undeniable. The design is widely considered a watershed by one of the late 20th century's most influential architects, I.M. Pei. The complex is also notable for its connection to the urban renewal schemes of Robert Moses, provision of affordable housing through the state's Mitchell-Lama program, integration of public art in urban planning, post-war university development, and the innovative use of poured in place concrete as a building material, all on a publicly-mandated limited budget.

The importance of the landmark designation extends beyond the recognition of these important historic qualities. NYU, which owns the land to be designated and which until very recently opposed the designation, is seeking to erect one or more 40-story towers on the site, which would violate the very design which is being honored. Pei created a similar complex in Philadelphia known as Society Hill Towers which was landmarked and given the highest level of protection by the City of Philadelphia. No new construction has been allowed on the complex's open space, which is such an integral part of the design and the balance of its pieces, much as it is in Rockefeller Center or the Seagram's Building or other modernist icons which have been landmarked. We are hopeful that landmark designation will help prevent NYU or anyone else from undertaking inappropriate new construction on the complex's open space, thus preserving this singular design for future generations, as well as the complex's residents, to appreciate.

I thus strongly urge the Subcommittee to vote in favor of the landmark designation. Thank you.

**TESTIMONY OF THE LANDMARKS PRESERVATION COMMISSION
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING, AND MARITIME USES ON THE DESIGNATION OF UNIVERSITY
VILLAGE, MANHATTAN**

January 26, 2009

Good morning Councilmembers. My name is Kate Daly, Executive Director of the Landmarks Preservation Commission. I am here today to testify on the Commission's designation of University Village in Manhattan.

On June 24, 2008, the Landmarks Commission held a public hearing on the proposed designation. Twenty-seven people spoke in favor of designation, including Manhattan Borough President Scott Stringer and Councilman Alan Jay Gerson, as well as representatives of Congressman Jerrold Nadler, State Senator Thomas K. Duane, State Assemblywoman Debra J. Glick and numerous community groups. Numerous letters in support of designation have also been received. New York University testified in support of designation and discussed its proposal to develop a fourth tower on the site, as well as to modify the landscaping. On November 18, 2008, the Commission voted to designate University Village a New York City individual landmark.

Designed by James Ingo Freed of I.M. Pei and Associates between 1964-67 for New York University, University Village is one of the finest examples of a mid-20th century residential complex in New York City. Originally acquired by the city in 1953, NYU took title to the land in 1963, agreeing to set aside one-third of the units for middle-income residents. The three identical free-standing 30-story towers were executed using exposed reinforced concrete. Falling into the category known as "Brutalism," each tower has deeply-recessed window bays as well as a 22-foot wide sheer wall, creating dramatic juxtapositions of light and shadow. The buildings, used as cooperative residences and faculty housing, were carefully arranged to maximize tenant views and privacy.

University Village has been the recipient of many architectural awards and was called out when Pei won the Pritzker Architecture Prize in 1983.

The Commission urges you to affirm the designation.

**TESTIMONY OF THE LANDMARKS PRESERVATION COMMISSION
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING, AND MARITIME USES ON THE DESIGNATION OF THE RED HOOK
PLAY CENTER (SOL GOLDMAN POOL), BROOKLYN**

January 26, 2009

Good morning Councilmembers. My name is Kate Daly, Executive Director of the Landmarks Preservation Commission. I am here today to testify on the Commission's designation of the Red Hook Play Center (Sol Goldman pool) in Brooklyn.

On January 30, 2007, the Landmarks Commission held a public hearing on the proposed designation. Seven witnesses spoke in favor of designation, including Parks Commissioner Adrian Benepe and representatives of various community groups. There were no speakers in opposition to designation. The Commission also received a letter in support of designation from Councilmember Sara M. Gonzalez. Several of the speakers and letters also expressed support for the larger designation effort of all the WPA-era Pools. On November 18, 2008, the Commission voted to designate the Red Hook Play Center (Sol Goldman pool) a New York City individual landmark.

The Red Hook Play Center (Sol Goldman Pool) is one of a group of eleven immense outdoor swimming pools opened in the summer of 1936 in a series of grand ceremonies presided over by Mayor Fiorello LaGuardia and Parks Commissioner Robert Moses. All of the pools were constructed largely with funding provided by the Works Progress Administration (WPA), one of many New Deal agencies created in the 1930s to address the Great Depression. The long, low design of the C-shaped bath house emphasizes the characteristic horizontality of the Art Moderne style, accentuated by horizontal bands of windows, contrasting cast-stone coping, and long cast-stone sills and lintels. The formal symmetry of the entire complex can be appreciated from all angles, both within the pool enclosure and outside of it.

The Commission urges you to affirm the designation.

**TESTIMONY OF THE LANDMARKS PRESERVATION COMMISSION
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING, AND MARITIME USES ON THE DESIGNATION OF THE MORRIS B.
SANDERS STUDIO AND APARTMENT, MANHATTAN**

January 26, 2009

Good morning Councilmembers. My name is Kate Daly, Executive Director of the Landmarks Preservation Commission. I am here today to testify on the Commission's designation of the Morris B. Sanders Studio and Apartment in Manhattan.

On October 30, 2007, the Landmarks Commission held a public hearing on the proposed designation. A representative of the owner spoke in opposition to designation. Two witnesses spoke in favor of designation. The Commission received three letters in support of designation, including one from Manhattan Community Board Six. On November 18, 2008, the Commission voted to designate the Morris B. Sanders Studio and Apartment a New York City individual landmark.

Designed and built by Morris B. Sanders, Jr., between 1934-35 in Turtle Bay, this building was one of the earliest structures in New York City to adapt the aesthetic principles pioneered by Le Corbusier and other European modernists starting in the 1920s. Planned with two duplex apartments and an office for Sanders on the first floor, the upper stories are cantilevered and clad with blue glazed brick and several types of glass. There is hardly any ornament, no stoop to ascend, and the entrance is set at a slight angle to the street. This level, in contrast to the floors above, is faced with white marble and features a curved, waist-high planting bed. The upper stories juxtapose solids and voids, alternating recessed balconies with rear walls of clear glass and glass block windows. The Architectural League of New York City awarded the project a silver medal for domestic architecture in 1935, applauding the architect's "fresh and modern use of glazed brick and glass brick and a harmonious color scheme."

The Commission urges you to affirm the designation.

**TESTIMONY OF THE LANDMARKS PRESERVATION COMMISSION
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING, AND MARITIME USES ON THE DESIGNATION OF THE GUARDIAN
LIFE INSURANCE COMPANY OF AMERICA ANNEX, MANHATTAN**

January 26, 2009

Good morning Councilmembers. My name is Kate Daly, Executive Director of the Landmarks Preservation Commission. I am here today to testify on the Commission's designation of the Guardian Life Insurance Company of America Annex in Manhattan.

On April 10, 2007, the Landmarks Commission held a public hearing on the proposed designation. Eleven people spoke in favor of designation, including representatives of State Senator Tom Duane and various community groups. A representative of the owner expressed no opposition to designation. The Commission also received numerous letters in support of designation. On November 18, 2008, the Commission voted to designate the Guardian Life Insurance Company of America Annex a New York City individual landmark.

The Guardian Life Insurance Company Annex is a rare example of a low-rise office building in the International Style. Designed by the New York firm of Skidmore, Owings, and Merrill between 1959-63, the building features a crisp curtain wall of anodized aluminum spandrel panels and tinted glass. This approach loosely reflects the rational building techniques promoted by the German-American architect Ludwig Mies van der Rohe, who sought to reduce building elevations to non-load-bearing skins of standardized metal and glass components. Despite minor changes to the East 17th Street façade, both elevations are extremely well-preserved and reflect the architect's original intent.

The Commission urges you to affirm the designation.

**TESTIMONY OF THE LANDMARKS PRESERVATION COMMISSION
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING, AND MARITIME USES ON THE DESIGNATION OF THE NEW
SCHOOL'S FORMER BAUMANN BROS. STORE, MANHATTAN**

January 26, 2009

Good morning Councilmembers. My name is Kate Daly, Executive Director of the Landmarks Preservation Commission. I am here today to testify on the Commission's designation of the New School's former Baumann Bros. Store in Manhattan.

On September 17, 2002, the Landmarks Commission held a public hearing on the proposed designation. The hearing was continued to June 17, 2003. The building was re-heard on September 16, 2008. Twelve people spoke in favor of designation, including representatives of one of the property's owners (the New School), State Senator Tom Duane, Assemblymember Deborah Glick, Councilmember Margarita Lopez, and several community groups. The property's co-owner spoke in opposition to the designation of their portion of the building, the ground story. In addition, the Commission received resolutions in support of designation from Manhattan Community Board 2 in both 2002 and 2008. On November 18, 2008, the Commission voted to designate the New School's former Baumann Bros. Store a New York City individual landmark.

Designed by the architectural firm of D & J Jardine between 1880-81 for the Baumann Borthers Furniture and Carpets Store, the wide cast-iron front façade, manufactured by the West Side Architectural Iron Works, is one of the city's most inventive, unusual, and ornamental. An amalgam of ornamental influences, including neo-Classical, neo-Grec, and Queen Anne styles, is embraced to achieve a decorative overall composition which is also a signal achievement of Aesthetic Movement design.

The Commission urges you to affirm the designation.

**TESTIMONY OF THE LANDMARKS PRESERVATION COMMISSION
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING, AND MARITIME USES ON THE DESIGNATION OF 144 WEST 14TH
STREET, MANHATTAN**

January 26, 2009

Good morning Councilmembers. My name is Kate Daly, Executive Director of the Landmarks Preservation Commission. I am here today to testify on the Commission's designation of 144 West 14th Street in Manhattan.

On October 28, 2008, the Landmarks Commission held a public hearing on the proposed designation. Six witnesses spoke in favor of designation, including the President of Pratt Institute and several community groups. There were no speakers in opposition to designation. The Commission also received letters in support of designation from Councilmember Christine Quinn, State Senator Thomas K. Duane, and Manhattan Community Board 2. On November 18, 2008, the Commission voted to designate 144 West 14th Street a New York City individual landmark.

144 West 14th Street is a grandly-proportioned Renaissance Revival-style loft building. Faced with limestone, tan brick and terra cotta, it was designed by the architects Brunner & Tryon in 1895-96. Seven stories tall, the street façade is articulated through a series of monumental arches, embellished with handsome classical details. Among notable past tenants are R.H. Macy's and jazz guitarist Les Paul. Today, the building houses the Pratt Institute's Manhattan campus.

The Commission urges you to affirm the designation.

**TESTIMONY OF THE LANDMARKS PRESERVATION COMMISSION
BEFORE THE CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING, AND MARITIME USES ON THE DESIGNATION OF FORMER FIRE
ENGINE COMPANY NO. 54, MANHATTAN**

January 26, 2009

Good morning Councilmembers. My name is Kate Daly, Executive Director of the Landmarks Preservation Commission. I am here today to testify on the Commission's designation of Former Fire Engine Company No. 54 in Manhattan.

On March 18, 2008, the Landmarks Commission held a public hearing on the proposed designation. Three witnesses spoke in favor of designation. On November 18, 2008, the Commission voted to designate Former Fire Engine Company No. 54 a New York City individual landmark.

Erected in 1888, the former Fire Engine Company No. 54 was designed by the prominent firm of Napoleon LeBrun & Son, architects for the New York City Fire Department, between 1879 and 1895. The design incorporated elements of the Queen Anne and Romanesque Revival styles. After nearly ninety years of use as a fire engine house, the building was converted to a theater and offices for the award-winning Puerto Rican Traveling Theatre in the late 1970s. Founded in 1967 as a means of bringing free theatre to the streets of New York's Latino neighborhoods, the PRTT helped launch the Spanish bilingual theater movement in the United States. For forty years, the group – which also has a training unit in East Harlem– has encouraged youth of economically disadvantaged backgrounds to pursue careers in the theatre.

The Commission urges you to affirm the designation.



Friends of Brook Park Testimony
Landmarks, Public Siting & Maritime Uses Committee, NYC Council
Randall's Island Connector Project of the South Bronx Greenway
Opportunity for relocating utilities and restoring the navigability of the Bronx Kill
January 26, 2009

Good morning. My name is Harry J. Bubbins, Director of Friends of Brook Park (FoBP), the South, South Bronx based environmental, arts and sustainable development organization. For over a decade FoBP has led bike and walking tours and canoe and kayak excursions at the locations under consideration and is committed to ensuring that our Mott Haven, Melrose and Port Morris communities enjoy water access and amenities.

The Randall's Island Connector Project of the South Bronx Greenway is an important priority that we have supported since its inception. We commend and appreciate the years of grassroots leadership of our partners in Hunt's Point, especially The Point, with Sustainable South Bronx and others, in working to ensure that this effort has been funded and moves towards accomplishment in the correct manner. It is important that this pathway not be a dead end, therefore we encourage all stakeholders to take a keen interest in making sure that the 103rd Street Bridge to East Harlem is opened as soon as possible.

The South Bronx Greenway master plan emerged from the Hunts Point Vision Plan. Divided into three phases the master plan calls for the implementation of a widespread series of projects even beyond the Hunts Point residential and commercial area. To date, nearly \$30 million is secured for greenway related projects. Given this significant investment, it is vital that we get the actual implementation right.

As most people involved in this project are aware, the natural route of the vital greenway encounters existing Consolidated Edison utility infrastructure in the form of two electrical feeder cables approximately 2feet by 3feet spanning the width of the Bronx Kill at water level. In addition, they are proposing to develop three more of these conduits, entwining this unrelated infrastructure construction with the vital Greenway project. Friends of Brook Park legal counsel indicates that this utility crossing is in violation of existing regulations pertaining to the navigability of waterways and needs to be relocated. Attached you will find counsel and Consolidated Edison's correspondence.

It is imperative that in addressing one environmental and open space injustice, we do not thereby legitimize and perpetuate another one. We cannot allow the Randall's Island Connector Project to be jeopardized by the less than optimum cooperation from Consolidated Edison. They are proposing concurrent to the Randalls Island Connector Project a large scale expansion of existing utility infrastructure, thus providing the ideal opportunity to address at one time all of the design and regulatory challenges facing the long-term successful outcome of the greenway.

That the existing cables obstruct the navigability of the Bronx Kill is not disputed by any parties. It is clear that at some point, either regulatory or judicial remedies will be leveraged to restore the navigation of this waterway. At that point the costs and infringement on the then completed greenway will be increased.

It is possible, because federal monies have been involved in this effort that there might be a parallel resource for utility relocation. In fact, Consolidated Edison's consultant on this matter, Parsons Brinckerhoff, is a recipient of the Federal Highway Administration's (FHWA) 2007 Excellence in Utility Relocation and Accommodation Awards having partnered with utility companies to relocate or adjust their facilities. As a result, the utility facilities were relocated within 6 months of the project notification, reducing the project's overall cost and construction time. Their expertise should be accessed.

In any case, it is well settled that "utility companies, which have been granted the 'privilege' of laying their utilities and mains in the public must relocate them at their own expense 'whenever the public health, safety or convenience requires the change to be made'. Besides the issues of navigation, even issues of aesthetics have been recognized by the court as compelling the relocation of utility lines. Our elected officials must demand that the relevant agencies work with Consolidated Edison in this matter to preclude the need for litigation and compensatory mitigation that could cause unnecessary delays and higher costs.

This project is jeopardized and the fear of delays emerge only if Consolidated Edison does not fulfill it's obligations. Given the appropriate information and interest, we are confident that they will do the right thing. They have a lot of investment in the area. Besides the recently completed multi-acre substation in the South Bronx, they are beginning construction of another power station on the north side of Randall's Island, which would likely alienate park land from public use, so they will surely want to offer the most mitigation possible for residents of the Bronx and Manhattan and the region.

The New York City Economic Development Corporation has the opportunity in collaboration with the New York City Department of Parks and Recreation, Randalls Island Sports Foundation, New York State Department of Environmental Conservation, New York State Department of State, and the US Army Corps of Engineers to compel Consolidated Edison to relocate the utility crossings rather than capitulate to them. We

hope that the City of New York will not have to rely on judicial remedies as it has in the past. Consolidated Edison can expeditiously comply with their clear duties and set an example of corporate responsibility for the environment.

Some of the relevant guidelines and authorities are as follows:

City:

New York City Waterfront Revitalization Program

Reduce potential navigation hazards by minimizing obstruction in coastal waters...

State:

Waterfront Revitalization of Coastal Areas and Inland Waterways

Assure public access to public trust lands and navigable waters.

Federal:

The US Army Corps of Engineers has historically managed navigation on internal waterways in the United States, and the corps' civil works projects have historically included removing obstacles from navigable waters.

Judicial:

The Supreme Court, Appellate Division, held that a utility which had to move its lines could be required to place lines underground at its own expense.

Greenways and Water Trails are natural compliments to each other, with recreational and economic benefits that benefit the entire region. We are confident that our elected officials will spearhead a creative collaboration led by NYCEDC to ameliorate significant impacts and address longstanding inequities with this unique opportunity.

Thank you.

The Bronx Kill is a local wonder of Nature whose shoreline wetlands hosts a wide variety of wildlife. As a safe connector between the Harlem and East Rivers, it has the potential to allow thousands of students and adults to directly engage with a unique natural resource. The Bronx Kill is a historic connector to and from the Bronx River and Long Island Sound

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"It's tricky to time it, to get under the conduits," Rob Buchanan said of navigating the Bronx Kill

By KATHERINE BINDLEY
Published: September 6, 2008

THERE are times when the narrow strait known as the Bronx Kill, which separates Randalls Island from the southern tip of the Bronx, looks neglected. At low tide one recent Saturday, for example, a T-shirt and a surge protector lay on the bottom, along with the remnants of a car that had turned the exact color of the rocks it had settled on.

But for canoers, kayakers and other boaters, who know to come when the tide is just right, the Bronx Kill is home to blue crabs and schools of fish, and serves as a precious passageway connecting the East and Harlem Rivers.

"It's a natural day trip — float through, have a picnic and come back," said Rob Buchanan, the president of the Village Community Boathouse in Manhattan.

But navigating the kill can be tricky. Directly over the water are two concrete beams, built by Con Edison in the 1960s, that contain cables that carry power to Randalls Island. Sometimes a boater has about a foot of clearance under the beams, but at other times it's down to inches. "It's tricky to time it, to get under the conduits," Mr. Buchanan said.

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Now, in light of significant changes planned for the area, boaters' concerns have turned to this tight fit.

The first challenge was a plan to build a pedestrian bridge over the kill as part of the South Bronx Greenway project. When local officials and boating representatives heard the idea, they lobbied the city's Economic Development Corporation to ensure that the bridge would be high enough for boat traffic. After seeing preliminary renderings of the bridge, the concerned parties were satisfied.

But now there is a second construction plan for the Bronx Kill. Con Edison wants to build more electrical conduits to Randalls Island to supply more power to a water treatment plant there.

The boaters say that if Con Ed proceeds with this project, it might as well raise the relatively low height of the current conduits. "If they're going to do a big investment here, let's do it all," said Harry Bubbins, the director of Friends of Brook Park, a community environmental group that frequently runs boats through the kill. Noting that the undersides of the Con Ed beams show signs of decay, he added, "There's a sense they're just going to throw these things in."

Chris Olert, a Con Ed spokesman, said that the utility hopes to finish the project by next summer. "We're working with the city E.D.C., and I'm sure we and they together will address concerns," he added. "There has to be sound engineering and the project has got to be affordable. Occasionally, people request things that just aren't affordable for all of our customers."

Meanwhile, Mr. Bubbins plans to continue to take people through the strait.

"We're taking more people out to the site, introducing people to the project and raising awareness about it," he said. "It's very different when you're on the water."

A version of this article appeared in print on September 7, 2008, on page CY8 of the New York edition.

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November 24, 2008

Mr. Kevin Burke
Chairman, President, and Chief Executive Officer
Consolidated Edison, Inc.
4 Irving Place
New York, New York 10003

Re: Notice to remove blockage of navigable waters across the Bronx Kill estuary

Dear Mr. Burke:

I am writing on behalf of Friends of Brook Park, and concerned individuals in the Bronx community, to convey deep concerns about the current blockage maintained by Consolidated Edison, Inc. ("Con-Ed") across the Bronx Kill.

Friends of Brook Park is a leading community based environmental organization in the Bronx, with a proud history of engaging community youth and adults in organic gardening; arts and cultural events; and activities that convey both a deep respect for the natural world, and for the history and people of the Bronx. In addition, Friends of Brook Park members are strong advocates for environmental justice, waterfront access and green space development while leading shore clean ups, canoe and kayak introductions, and ecology adventure tours.

Electricity feeder line cables that cross the Bronx Kill, under the Amtrak trestle, are blocking navigation on the waterway. The problem affecting navigability with the current feeder lines is that their extremely low clearance (i.e. a foot or less at high tide) limits the ability of even small, human-powered boats to access the Kill. This current blockage across the Bronx Kill is described and photographed in the September 6, 2008 *New York Times* City Section (see <http://www.nytimes.com/2008/09/07/nyregion/thecity/07kaya.html?partner=rssnyt&emc=rss>). The existing feeder lines must be raised to the height necessary for boats to slip through.

We are calling your attention to Con-Ed's obstruction of the navigability of this public waterway so that your corporation can remedy this by raising the existing feeder lines to a height adequate to allow boats to navigate through.

Friends of Brook Park would like the feeder line cables that currently cross the Bronx Kill under the Amtrak trestle, as well as any proposed feeder line cables for any planned projects that may obstruct the navigability of the Bronx Kill estuary, to be raised to at least 10 feet above the high tide level of the water surface.

Today growing numbers of New Yorkers are rediscovering our harbor. Community boating and boatbuilding programs are now active all over the city including several in the South Bronx. In the spring of 2008 the Parks Department launched an initiative called the "NYC Water Trail", linking more than two dozen human-powered boat launch sites in all five boroughs. Friends of Brook Park and many other community organizations in New York City recognize that the Bronx Kill must be restored as a safe, sheltered passage connecting the Harlem and the East Rivers, in a manner which recognizes its nautical and ecological importance.

The current feeder line cables under the Amtrak trestle create an obstruction of the Bronx Kill in violation of applicable regulations and statutes for structures or work in or affecting navigable waters of the United States. According to the applicable section of the United States Code:

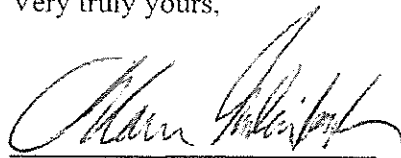
"The following minimum clearances are required for aerial electric power transmission lines crossing navigable waters of the United States. These clearances are related to the clearances over the navigable channel provided by existing fixed bridges, or the clearances which would be required by the U.S. Coast Guard for new fixed bridges, in the vicinity of the proposed power line crossing. The clearances are based on the low point of the line under conditions which produce the greatest sag, taking into consideration temperature, load, wind, length or span, and type of supports as outlined in the National Electrical Safety Code." 33 CFR 322.5(i)(2).

For the specific heights for electrical cables required by the statute see copy of the statute at <http://www.usace.army.mil/cw/cecwo/reg/33cfr322.htm>.

While Friends of Brook Park recognizes that certain government entities such as NYS Department of Environmental Conservation, U.S. Army Corps of Engineers, and the NYS Office of General Services, may have applicable jurisdiction over this blockage of navigable waters, the group prefers to reach a mutually favorably resolution of this issue directly with Con-Ed.

Overall, Friends of Brook Park appreciates Con-Ed for its general responsiveness and its active participation in improving our community. Friends of Brook Park is grateful to Con-Ed for its support of the organization and others advocating for clean, green community development, and will continue to acknowledge Con-Ed's support on the Friends of Brook Park public website at <http://www.friendsofbrookpark.org>.

Very truly yours,



Adam W. Scheinbach

ccs: Con-Ed Board of Directors, care/of Carole Sobin, Corporate Secretary, Con-Ed
Randolph S. Price, Con-Ed Vice President for Environment, Health and Safety
Charles E. McTiernan, Jr., Con-Ed General Counsel
Frances A. Resheske, Con-Ed Senior Vice President for Public Affairs
Pete Hoffman, Con-Ed Project Manager (re. electrical conduits to Randalls Island)



Mary Schuette
Vice President
Legal Services

January 16, 2009

Adam W. Scheinbach
Attorney At Law
2500 Johnson Avenue, 8J
Bronx, New York 10463

Re: Your letter dated November 24, 2008

Dear Mr. Scheinbach:

I write to follow up on our response letter to you dated December 8, 2009. In your initial letter dated November 24, 2009, you requested that we relocate the existing conduit and feeder line cables that cross the Bronx Kill underneath the Amtrak trestle. These feeder line cables are critical for serving customers on Randall's Island and the east side of Manhattan. As discussed more fully below, the plans and schedule that we have developed through extensive collaboration with governmental and government-related entities to maintain and enhance our electric services to Randall's Island, effectively require us to keep these existing conduit and feeder lines in place at this time.

later?
Feb.

The existing conduit and feeder lines were installed in 1967. The feeder lines are critical to meeting the electric service needs of Randall's Island including, but not limited to, the needs of the City DEP Water Pollution Control Plant, ~~Leahn Stadium~~, and the ~~FDNY Training Center~~. Additionally, the conduit also houses FDNY fiber-optic cables that enable critical FDNY communications. Con Edison has been working closely with the New York City Department of Parks and Recreation, the ~~Randall's Island Sport Foundation~~ and the New York Economic Development Corporation to increase electric capacity to Randall's Island while also coordinating plans for a pedestrian bridge to the island. The current plan, which has been worked out with the respective agencies over several years, is to install new feeder lines within a pedestrian bridge that will permit pedestrian ingress and egress from Randall's Island in connection with the City's proposed "Greenway Project." Those new lines will serve the increased electric needs of Randall's Island and the surrounding area, and are intended to supplement, rather than replace, the feeder lines that already serve the various Randall's Island facilities. To meet the agencies' schedules and requirements, we plan to proceed with the current plans to build new capacity and are not in a position to eliminate or relocate the existing facilities.

1967?
Someone added later?

Jerry's Stadium
golf etc.

under cover

I understand that your client has attended meetings with Con Edison staff to discuss the situation. We would be willing to meet with you and your client to further discuss the importance of the existing and future electric feeder lines and discuss possible alternatives regarding the concerns that you describe about access to the Bronx Kill. If you would like to schedule such a meeting, please contact Eric Soto, Director of Bronx Public Affairs at (914) 925-6303.

Regards,

Con Edison is a subsidiary of Con Edison, Inc.
A Irving Place New York, NY 10003 (212) 460-7400 (212) 520-7673 fax coned@coned.com

Does not address legality...

April 30, 2008

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Seth W. Pinsky, President
NYC Economic Development Corporation
110 William Street
New York, NY 10038

Hello,

We are writing to encourage the swift implementation of the entire South Bronx Greenway and to draw your attention to a particular concern regarding the Randall's Island Connector (RIC) project.

We understand that the New York City Economic Development Corporation (NYCEDC) is seeking a Consultant to create schematic designs, design development and construction documents for the Randall's Island Connector (RIC) project to build an at-grade bicycle/pedestrian pathway extending south of 132nd Street in the Bronx (underneath an existing Amtrak trestle) across the Bronx Kill into Randall's Island. We know this is part of the larger South Bronx Greenway Master Plan with funding provided through Federal Highway Administration Funds.

We appreciate that Randall's Island is an enormous park resource for all New Yorkers, and that this initiative to increase bike, pedestrian and skater access will do much to allay concerns in adjacent neighborhoods for the equitable use of passive and active recreational space.

However, the unique design feature that MUST be included in any finally approved design schematic is one that will allow on-water continuity along the Bronx Kill between the East and Harlem Rivers under the proposed connector. In order to permit the safe passage of human-powered craft, including kayaks, canoes and rowing vessels, the connector over the waterway will need to provide at least six vertical feet of clearance at maximum high tide as well as a horizontal span of at least 20 feet between any supporting structures. A navigable passage through the Bronx Kill is essential for the development of safe recreational boating in New York harbor and ongoing paddling and rowing programs, as well as the NYC Parks Water Trail, could be jeopardized without taking this into account.

We look forward to working with you to ensure that a satisfactory design is the outcome of a process sensitive to the diverse array of stakeholders eager to participate in the success of this initiative. Please respond in writing at your earliest convenience to the list below.

Sincerely, Complete List on Page 2

Randall's Island Connector (RIC) project Letter Page 2.

Signatories:

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West Village Station Box 20214
NY NY 10014

ADDED:

Erik Baard
Founder and Chair
LIC Community Boathouse
4120 29th Street 4A
LIC, NY 11101

Joel Kupferman, Esq.
Director, NYC Environmental Law & Justice Project
351 Broadway, #400
New York, NY 10013-3902

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition
of Greenway + WATERWAY

Date: _____

Name: Geoffrey Croft (PLEASE PRINT)

Address: 222 EAST 93RD ST

I represent: NYC Park Advocates

Address: _____

THE COUNCIL *Randalls Island Connector*
THE CITY OF NEW YORK

Appearance Card

[]

I intend to appear and speak on Int. No. _____ Res. No. 958

in favor in opposition

Date: 1/26/09

Name: Adam Liebowitz (PLEASE PRINT)

Address: 940 Garrison Ave Bronx NY 10474

I represent: THE POINT CDC

Address: 940 Garrison Ave Bronx NY 10474

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

C080533

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

W/ amendment
Date: Jan 26, 2009

Name: Robert Jerski (PLEASE PRINT)

Address: 2 Tudor City Place NY

I represent: Yorks Program - Enviro. monitoring

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

958

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/25/09

(PLEASE PRINT)

Name: Erica Johnson

Address: _____

I represent: Sustainable South Bronx

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 958 Res. No. _____

in favor in opposition (Both)

Date: 1/26/09

(PLEASE PRINT)

Name: Rob Buchanan

Address: 251 Claremont Av

I represent: Village Community Board

Address: Rm 40, Manhattan

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 2005213 Res. No. _____

in favor in opposition

Date: 1-26-2009

(PLEASE PRINT)

Name: JOHN KRAWCHUK, DIRECTOR OF HISTORIC PRESERVATION

Address: _____

I represent: COM. BENEDE NYC PARKS & RECREATION

Address: THE ARSENAL, CENTRAL PARK

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

957

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: DERRICK WARMINGTON

Address: 228-12 145 Ave Rosedale

I represent: SPRINGFIELD GARDENS League

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 957 Res. No. _____

in favor in opposition

Date: 1/26/69

(PLEASE PRINT)

Name: Marquez Claxton

Address: 223 407 135 Ave

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

0

I intend to appear and speak on Int. No. 957 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Barbara E Brown

Address: 146-21 220 ST Rosedale

I represent: Eastern Queens Alliance SKCA

Address: PO 3078 18 Jamaica | P.O. Box 300165

11430 Jamaica 11430

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1. 26 08

(PLEASE PRINT)

Name: Venetia Lannon

Address: _____

I represent: NYCEDC / Mayor's office

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. 958

in favor in opposition

Date: 1/26/09

(PLEASE PRINT)

Name: Alyssa Konon

Address: 110 William Street NY, NY 10038

I represent: NYC EDC
same as above

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. LU 958 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Kate Van Tassel

Address: 110 William St

I represent: NYCEDC
Address: same as above

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 20095212 HKM Res. No. Silver Towers
 in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Andrew Berman

Address: 232 E 11 10003

I represent: Greenwich Village Soc. for Historic Preservation

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 20095212 Res. No. thru 20095218
 in favor in opposition

Date: 1/26/09

(PLEASE PRINT)

Name: KATE DALY

Address: L CENTRE ST

I represent: LPC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____
 in favor in opposition

Support Greenway 4, Brox Kill Date: 1/26/09

(PLEASE PRINT)

Name: Harry Bibbins

Address: P.O. Box 901

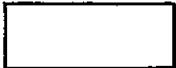
I represent: Friends of Brook Park

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 957 Res. No. 090087

in favor in opposition

Date: 1/26/09

PSQ

(PLEASE PRINT)

Name: INSPECTOR THOMAS PELEGRINO

Address: 1 Police Plaza

I represent: NYPD

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 957 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: William McDonald

Address: 183-11 145th Ave

I represent: Southeast Queens parents

Address: Same

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. 957 Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Scott Sigal

Address: City Hall

I represent: Office of the Mayor

Address: _____

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. LU 958 Res. No. C 080533
PCY

in favor
WITH AN
AMENDMENT...

in opposition

Date: JAN 26, '09

(PLEASE PRINT)
Name: CAROL ZAKALUK
Address: 422 EAST 136th ST.
I represent: Bronx NY 10454

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. L. U. N. 958
 in favor in opposition

Date: _____

(PLEASE PRINT)
Name: Roland Lewis
Address: 140 Street Rd
I represent: Metropolitan Waterboard Alliance
Address: 457 Madison Ave. New York

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card



I intend to appear and speak on Int. No. _____ Res. No. 957
 in favor in opposition

Date: 1/26/09

(PLEASE PRINT)
Name: Dwight Johnson
Address: 138-43225 STREET
I represent: Federated Blocks of Laurlerton
Address: _____

▶ Please complete this card and return to the Sergeant-at-Arms ◀

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: _____

(PLEASE PRINT)

Name: Matthew Klinman

Address: _____

I represent: Metropolitan Waterfront Alliance

Address: 457 Madison Ave, NY, NY 10022

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

in favor in opposition

Date: 1/26/09

(PLEASE PRINT)

Name: Siddhartha Sanchez

Address: 788 Southern Blvd, Bx, NY 10455

I represent: Congressman Serrano

788 Southern Blvd, Bx, NY 10455

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 20095215 Res. No. HKM

in favor in opposition

Date: JAN 26 '08

(PLEASE PRINT)

Name: DONALD WISE

Address: 219 E 49 ST

I represent: DONALD WISE

Address: SAME

Please complete this card and return to the Sergeant-at-Arms