

CITY COUNCIL  
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

of the

COMMITTEE ON LANDMARKS, PUBLIC SITING & MARITIME USES

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November 14, 2008

Start: 10:00am

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HELD AT: Council Chambers  
City Hall

B E F O R E: JESSICA S. LAPPIN  
Chairperson

COUNCIL MEMBERS:  
Annabel Palma  
Maria del Carmen Arroyo  
John C. Liu  
Leroy G. Comrie, Jr.  
James S. Oddo  
Charles Barron

## A P P E A R A N C E S

## COUNCIL MEMBERS:

Speaker Christine C. Quinn  
Alan J. Gerson

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

John Doherty  
Commissioner  
Department of Sanitation

Dan Kline  
Director of Real Estate  
Department of Sanitation

Bob Orland  
Deputy Commissioner  
Department of Sanitation

Steve Brautigam  
Assistant Commissioner  
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Philip Mouquinho  
Chair  
Community Sanitation Steering Committee

Michael Kramer  
St. John's Center

Richard Sloan  
Biomedical Researcher  
Columbia University Medical Center

Al Butzel

John Lee Compton  
Chair  
Chelsea Land Use Committee

Doris Corrigan  
President  
Chelsea Waterside Park Association

Edward Kirkland  
Executive Committee of West 300 Block in Chelsea

Maria Pasanante Derr  
Resident

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

Kim Talbot  
Resident

Julie Nadel

Denise Levin

Justin Hoi  
Save Chelsea

A. J. Pietrantone  
Executive Director  
Friends of Hudson River Park

Robert Trentlyon  
Board Member  
Save Chelsea

Mary Swartz  
President  
Save Chelsea

Andrew Neale  
Tribeca Community Association

Ellen Peterson-Lewis  
Public Member  
Community Board 2, Environment, Public Health and  
Safety Committee

Rosemary Curpat  
Resident

Susan Slovern  
Resident

Pamela Wolf  
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Matthew Washington  
Friends of Hudson River Park

## A P P E A R A N C E S (continued)

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Tribeca Community Association

Peter Gleason  
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David Reck  
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Community Board 2 Zoning Committee

John Slattery  
Resident

Gary Stephen  
Resident

Mark Mansonelli  
Resident

Barbara Siegel  
Vice President  
Canal Park Conservancy

Richard Barrett  
Canal West Coalition

Annie Washburn  
Meat Packing District Initiative

Mark Ameruso  
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Jana Haimsohn  
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530 Canal Street

## A P P E A R A N C E S (Continued)

Kalid Musso  
Program Director  
Visions

Chris Lynch  
Resident

Lynn Collins  
Director of Communications  
Sachi & Sachi

Timothy Robert  
Resident

Frieda Bradlow  
Member  
Community Board 2 Environmental, Public Health and  
Safety Committee

Devali Romcallowan  
Resident

Mr. and Mrs. Jebari Magnus  
Resident

Andrew Azulay  
Resident

David Levin  
Resident

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2 CHAIRPERSON LAPPIN: Welcome to the  
3 Land Use Subcommittee on Landmarks, Public Siting  
4 & Maritime Uses. I'm Jessica Lappin, the Chair.  
5 We're joined today by our Speaker, Christine  
6 Quinn, and members of the Committee, Council  
7 Member Annabel Palma of the Bronx, Council Member  
8 Maria del Carmen Arroyo from the Bronx, Council  
9 Member John Liu from Queens, Council Member Leroy  
10 Comrie from Queens and Council Member Jimmy Oddo,  
11 our Minority Leader from Staten Island.

12 This item today, I'm going to open  
13 the hearing on the Department of Sanitation Garage  
14 080281, which is located within the Speaker's  
15 district. And, before we hear from Commissioner  
16 Doherty, I wanted to give the speaker an  
17 opportunity to make an opening statement.

18 SPEAKER QUINN: Thank you very  
19 much, Chairperson Lappin and thank you, everybody  
20 for being here to hear this issue. You know,  
21 finding space for critical municipal facilities is  
22 no easy task in any borough. It's particularly  
23 challenging in the Borough of Manhattan and in  
24 Lower Manhattan. The Department of Sanitation has  
25 put together a plan, which they believe will

1  
2 provide for the sanitation needs of Sanitation  
3 Districts 1, 2 and 5 for the foreseeable future.

4 Now, I know there's a lot of  
5 opinions and thoughts out there about this plan.  
6 And, there are some who believe this plan is  
7 flawed. And, I want to thank some of the  
8 opponents, and not to put people into camps,  
9 because they've been incredibly thoughtful and not  
10 just saying no, but in trying to help us come out  
11 with alternative ideas that could meet the needs  
12 of the City, meet the needs of Sanitation, but do  
13 it in a way that is less objectionable to them.

14 Today, at this hearing, I think  
15 we're, obviously, going to hear from the  
16 Sanitation Commissioner and we're going to hear  
17 from all sides on this issue. Just so folks  
18 understand the challenges here. There's siting  
19 and municipal use in Lower Manhattan, which is  
20 challenging in and of itself. This issue is moved  
21 forward, so to speak, by the desire, need and  
22 legal mandate to move the sanitation trucks off of  
23 the Gansevoort Peninsula so that can become a  
24 park. That is something that is required by legal  
25 decision. So, we have to find a place for those

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2 trucks to go. So, there are competing, if you  
3 will, public policy issues here, between how do  
4 you effectively co-mingle municipal uses with  
5 residential areas and how do we move forward the  
6 need for parks in Lower Manhattan, a part of the  
7 City that is still, notwithstanding the expansion  
8 of Hudson River Park, starved for parkland.

9           So, that puts us, in the City  
10 Council, in one of those wonderful positions.  
11 We're going to have to make a choice and a  
12 decision that probably, in the end, even if we're  
13 able to improve it, will leave some people  
14 unhappy. But, we're going to have to, in doing  
15 this, take into account land use rationale,  
16 zoning, general compatibility with surrounding  
17 uses, ready access to artery and roadways for  
18 efficiency sake and anything we can do to minimize  
19 driving on residential streets.

20           We have to also think about the  
21 proximity to the districts being served, to both  
22 provide adequate services and, most importantly,  
23 how to reduce truck miles. That's been something  
24 incredibly important to this Committee and to the  
25 Department of Sanitation. And, we have to keep

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that in mind.

Obviously, the neighborhoods we're talking about doing this siting in are residential; many of them historic blocks. That has to be kept in mind as well. My office, and I want to thank them for their work, particularly Kate Seely Kirk [phonetic] and Gray Elam [phonetic] have met repeatedly with different stakeholders to prepare today's hearing.

Community Board 2, which contains the site considered for the three-district garage has been a strong and thoughtful advocate for the community in this process. Another such group my office has met with frequently, the Community Sanitation Steering Committee represents a well-organized mix of small business owners, large developers and residents. They have also articulated concerns regarding the impact of this project. These two groups have raised issues relating to air quality, traffic around the Holland Tunnel, fuel storage safety. They've talked about the opportunity for Spring Street to act as a pedestrian corridor to the Hudson River Park for residents in SoHo and Hudson Square area

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2 and about creative alternatives; a number of which  
3 we are still exploring with the assistance of the  
4 staff from the Department of Sanitation and other  
5 City offices. So, we will not have all of the  
6 answers today on some of the alternatives that  
7 have been proposed. We will continue to look at  
8 those as we move forward.

9 I've also heard concerns from  
10 communities that house some of the alternative  
11 sites studied by the Department of Sanitation,  
12 such as Community Board 4. You know, they've been  
13 in these discussions, as often happens with any  
14 siting, we'll move it to X and X is often out of  
15 the Community Board where the original site was  
16 in. So, you have to then go talk to that  
17 Community Board. And, in the case of Community  
18 Board 4, it's important to note that they already  
19 have the borough repair shop. And, it is set for  
20 summer of 2009 opening to be a three-district  
21 garage and salt shed on its own.

22 Park advocates and neighbors around  
23 the Gansevoort Peninsula have also raised concerns  
24 about the timeline to get the salt shed and  
25 garages from District 2 and 5 a new home so, as I

1  
2 mentioned, the Peninsula can be turned into  
3 parkland.

4           Now, as you can tell so far by the  
5 issues I've raised, there are a lot of different  
6 competing factors in siting this garage. But,  
7 couple of things are irrefutable. We have to find  
8 places for municipal uses. We have to get the  
9 trucks off the Gansevoort Peninsula. And, we have  
10 to try to do that in a way that is as minimally  
11 impactful as possible on residential  
12 neighborhoods. That's really the job of today's  
13 hearing and the choice we'll have to make between  
14 now and next week's stated meeting. I wish we had  
15 had all the answers fleshed out around the  
16 alternative sites. We don't. That's sometimes  
17 what happens, 'cause suggestions come up as the  
18 process moves along. And, we will continue to  
19 look at those and do our best to come up with a  
20 way to house these uses that is as minimally  
21 impactful as possible. But, I think we all need  
22 to recognize that continuing to have Sanitation's  
23 trucks sit and idle on the streets of Lower  
24 Manhattan, like we often see them do around Father  
25 Demo Square and other parts of the Village is just

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not an acceptable home for our garages.

So, I want to thank all of my colleagues for giving this matter the attention it deserves. And, I want to thank everyone in the community for being thoughtful and collaborative in our efforts to find the best possible solution. And, Commissioner Doherty, I want to thank you and your staff for their help, in particular Dan Kline [phonetic]. Is Dan here?

CHAIRPERSON LAPPIN: Yes.

SPEAKER QUINN: Dan, I've never heard so many good things said about a member of a City agency before. So, wherever we end up, everyone in the Village knows you've worked long and hard to try to work things out. So, thank you very much. Thank you, Madam Chair.

CHAIRPERSON LAPPIN: Thank you, Madam Speaker. So, before we give the floor over to the Sanitation Commissioner, I just wanted to explain to everybody who's here how the hearing is going to work this morning. We're first going to hear a presentation from the Department of Sanitation. And then, Committee members may have questions, I imagine that we will, to ask. We

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2 will then alternate panels in opposition and  
3 support. The first panel in opposition I will  
4 give ten minutes to speak. After that, everybody  
5 who is signed up to testify either in support or  
6 in opposition will have two minutes to speak.  
7 And, there's a clock up there. We ask that  
8 everybody respect those time limits so that we can  
9 hear from everybody who's here today and wishes to  
10 speak.

11 So, with that, I wanted to invite  
12 Commissioner Doherty, Bob Orland, Dan Kline and  
13 Steve Brautigam to begin by introducing yourself  
14 for the record and begin your testimony.

15 JOHN DOHERTY: Okay. Good morning,  
16 Chairperson Lappin and Speaker Quinn and members  
17 of the Subcommittee on Landmarks, Public Siting  
18 and Maritime Uses. I am John Doherty,  
19 Commissioner of the Department of Sanitation.  
20 And, with me, as you pointed out a minute ago, is  
21 Deputy Commissioner Bob Orland, Assistant  
22 Commissioner Steve Brautigam and our key player in  
23 this whole thing, Danny Kline, Director of Real  
24 Estate has done a great job. And, we just heard  
25 that from the Speaker. Now, we really appreciate

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2 that. We also have other members of the staff  
3 available should we need them.

4 We are here today to discuss the  
5 ULURP application submitted by the Department of  
6 Sanitation and Department of Citywide  
7 Administrative Services-- That loud enough?  
8 Okay.-- for our proposed Manhattan multi-district  
9 sanitation garage to be built on the UPS, United  
10 Parcel Service, trailer staging lot on West Spring  
11 and Washington Streets and for a salt shed nearby  
12 in Manhattan Community 2.

13 The Manhattan Community District 2  
14 and 5 garages are currently operating from an  
15 existing facility on a Gansevoort Peninsula, which  
16 in 1998 was included in the Lands designation for  
17 Hudson River Park under the State's Hudson River  
18 Park Act. The Peninsula also contains a salt  
19 shed. Our District 1 garage is currently located  
20 at Canal and West Streets, across the street from  
21 the proposed site for the new garages. The garage  
22 is severely undersized, forcing us to store our  
23 trucks on the local streets. Both the Gansevoort  
24 Street facilities and the District 1 garage are in  
25 Community Board 2. The proposed garage would

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2 house equipment and provide support facilities for  
3 the crews serving Districts 1, 2 and 5. Our ULURP  
4 applications also include the construction of salt  
5 storage facility on the site of the existing  
6 Sanitation Garage 1.

7           Related approvals include a waiver  
8 of the street wall height, setback and rear yard  
9 requirements for the garage and curb cut approvals  
10 for wide streets. After considering the final  
11 Environmental Impact Statement in connection with  
12 the ULURP application for this project, the City  
13 Planning Commission determined the action will  
14 have no significant impact on the environment. On  
15 October 7, 2008, the City Planning Commission  
16 overwhelmingly approved our ULURP application  
17 supporting the Department view that the proposal  
18 represents the best solution in the decade-long  
19 effort to relocate the sanitation garage and salt  
20 facilities from the Gansevoort Peninsula so that  
21 it can be developed as part of the Hudson River  
22 Park, while addressing the space shortages at the  
23 Sanitation District 1 garage.

24           Two critical goals will be achieved  
25 through the Department's construction of this

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2 multi-district garage project. First, it will  
3 replace three existing Department facilities that  
4 are inadequate, obsolete and permit the proper  
5 indoor storage of the Department's fleet and  
6 equipment. Second, by relocating the garages and  
7 salt shed for the Gansevoort Street Peninsula, the  
8 project will allow the reclamation and creation of  
9 the largest upland portion of the Hudson River  
10 Park waterfront available for recreational use.

11 The Department is facing strong  
12 pressure to complete this site selection. The  
13 1998 Hudson River Park Act designated parkland on  
14 the Hudson River from Lower Manhattan to West 59th  
15 Street. The Act required Department of Sanitation  
16 to relocate our salt shed and incinerator from the  
17 Gansevoort Peninsula by 2003. And, for the City  
18 to use its best efforts to relocate the Sanitation  
19 garage operations from Gansevoort Street as well.

20 Despite our efforts in this regard,  
21 in 2005, the Friends of the Hudson River Park and  
22 several elected officials and residents filed a  
23 lawsuit against the Department for failing to  
24 timely relocate its garage operations and salt  
25 shed. In October of 2005, the lawsuit also

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2 resolved through a settlement agreement and Court  
3 order. The order requires the Department to  
4 vacate its garage operations at Gansevoort Street  
5 by December 31st, 2013. It also requires the  
6 Department to pay fees to the Hudson River Park  
7 Trust for utilizing the Gansevoort Street  
8 Peninsula for its garage operations through 2013.

9           The order specifically contemplates  
10 the Department's garage operations at Gansevoort  
11 Street will be relocated to Spring Street site,  
12 subject to all pertinent reviews and approvals.  
13 The order also contains several milestone dates  
14 specifically tied to the design, environmental  
15 review and construction of the proposed garage at  
16 Spring Street.

17           The ULURP applications before you  
18 represent the City's best efforts to relocate  
19 those operations from Gansevoort Street.  
20 Considering all Manhattan Community Board 1  
21 District in the proposed new building will allow  
22 the demolition of the existing garage at Canal and  
23 West Streets located just south of the proposed  
24 garage complex and the construction of a salt shed  
25 there to replace the existing one at Gansevoort

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Street.

Replacing the severely undersized Sanitation District 1 Garage will enable the Department to discontinue our current practice of storing collection trucks outdoors on area streets. After we relocate our operations, the City will demolish the inactive incinerator and salt shed at Gansevoort Street and undertake the necessary cleanup.

The proposed site has been deemed the most appropriate when compared with alternative sites at West 30th Street and the West 40s. The sites were evaluated on the basis of location, potential neighborhood impacts, operational impacts for the Department and acquisition, construction and operational costs. For instance, Block 675, between 29th and 30th Street, between 11th and 12th Avenue, which has been proposed for the two district garages, below-grade, was found to be more expensive to both acquire and construct.

The proposed garage is primarily use within the Manhattan 2 and 4 manufacturing zone in which it is located. No rezoning is

1  
2 proposed. The site is located on Route 9A, a  
3 major through truck route enabling the Department  
4 ready access to the three service districts  
5 without traversing residential streets. The  
6 closest residential area of Hudson Square would  
7 experience no increase in Department truck traffic  
8 on residential streets east of Washington Street.  
9 All Community District 1 and 5 vehicles operating  
10 from the facility would be restricted to Canal,  
11 West, Spring, Washington and Clarkson Streets in  
12 Community Board 2 when entering or exiting the  
13 proposed new garage.

14 All the Department's diesel trucks  
15 will be equipped with state-of-the-art particulate  
16 filters and utilize ultra-low sulfur diesel fuel  
17 ensuring that the fleet emissions will be  
18 insignificant as determined by the City's air  
19 quality experts. Traffic impacts have been  
20 thoroughly studied and found not to be significant  
21 with minor signal adjustments at two locations.

22 The garage will feature sustainable  
23 energy design elements and have a green vegetated  
24 roof. It is expected to achieve LEED Silver  
25 status from the U.S. Green Building Council.

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2 The timely acquisition of the  
3 Spring Street side and the completion of the  
4 proposed garage construction will enable us to  
5 consolidate operations, vacate inadequate  
6 facilities and meet the terms of the Court Order.  
7 Failure to advance the proposed project under  
8 consideration will jeopardize the Department's  
9 ability to remain at Gandsevoort Street, provide  
10 timely essential sanitation services, including  
11 refuse collection, street cleaning and winter  
12 plowing and salting of streets to residents in the  
13 three community districts in Manhattan, delaying  
14 the creation of a useful parkland for Manhattan's  
15 west side community and subject to the City  
16 [pause] the Court-imposed sanctions for failing to  
17 vacate Gandsevoort Street by 2013.

18 My staff and I will now be ready to  
19 answer any questions for you. Thank you very  
20 much.

21 CHAIRPERSON LAPPIN: Thank you. I  
22 have a number of questions for you and I think the  
23 Speaker does as well. Then, we'll open it up to  
24 my other colleagues on the Committee. I wanted to  
25 start with, there had been a previous plan that

1  
2 had gone through the ULURP process to relocate  
3 your facilities from Gandsevoort. And, it had, I  
4 think, gone through with little or no opposition.  
5 And now, we're pursuing a different plan. Could  
6 you speak to that?

7 JOHN DOHERTY: Oh, the West 30th  
8 Street site?

9 DAN KLINE: Yes.

10 JOHN DOHERTY: Oh, okay. Dan, go  
11 ahead.

12 DAN KLINE: Okay. Good morning,  
13 Speaker Quinn. Thank you very, very much for the  
14 kind words that you mentioned before. I  
15 appreciate it.

16 CHAIRPERSON LAPPIN: And, could you  
17 just state your name for the transcript?

18 DAN KLINE: Daniel Kline--

19 CHAIRPERSON LAPPIN: Thank you.

20 DAN KLINE: -- Director of Real  
21 Estate for the Department of Sanitation. In 2004-  
22 2005, the Hudson Yard rezonings went through City  
23 Planning and the City Council. As part of that  
24 action, one of the ULURP actions was for the  
25 acquisition of all of Block 675, which were

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2 identified previously as being between West 29th  
3 and 30th Streets, 11th and 12th Avenues for a  
4 municipal facility that would include two  
5 sanitation districts, Districts 2 and 5 and/or the  
6 New York Police Department tow pound that's  
7 located on Pier 76. When we concentrated looking  
8 at that site, at the time, it was the best site  
9 available for a Sanitation facility. The property  
10 that UPS occupies at Spring Street was not being  
11 marketed.

12           Subsequent to the approval of the  
13 application and, as we started planning to do  
14 construction at the Block 675 site, we concluded  
15 that the acquisition of 675, which has almost a  
16 million square feet of developable space that  
17 would have to be acquired by the City and the  
18 extraordinary construction costs that are  
19 necessary to build a structure that would go down  
20 as much as 80 feet below grade at 12th, excuse me,  
21 at 11th Avenue and 30th Street, blew the project  
22 out of the water.

23           At the same time, UPS began  
24 marketing their property, looking for proposals  
25 for a development atop their space. They occupy

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2 roughly two acres at Spring and West Street. They  
3 would want to keep 75% of that space for their  
4 operation. And, we're looking to market the space  
5 above what they're using. We met with UPS; had  
6 executives from UPS come up from Atlanta to look  
7 at our proposal, look at existing sanitation  
8 facilities, including the 57th Street garage that  
9 was mentioned before that's under construction,  
10 other garages that had been completed. And, UPS  
11 concluded with Sanitation that a joint use of that  
12 site was doable and desirable. We concluded,  
13 after looking at the acquisition cost, which would  
14 be far less, again, be about a third of what the  
15 acquisition cost would be up at 30th Street and,  
16 the construction costs, that it made a lot of  
17 sense to do this.

18           Also, the 30th Street proposal only  
19 dealt with two sanitation districts, Districts 2  
20 and 5; did not resolve the problems of housing  
21 District 1, which, as we've said, has a lot of  
22 equipment that's parked outdoors and did not  
23 address the issues of relocating the salt pile  
24 that's on Gansevoort.

25           Doing our proposal enables us to

1  
2 solve the storage problems for the three districts  
3 and salt at a cheaper cost, would generate less  
4 truck traffic throughout the borough and we think  
5 is a win/win for, obviously, for Sanitation and  
6 for the borough as a whole.

7 CHAIRPERSON LAPPIN: So, let's talk  
8 a little bit, since you brought it up, the three  
9 districts that are going to be housed here because  
10 I think the Borough President recommended that  
11 there only be two. And, there's been discussion  
12 about which two and why you're choosing to house  
13 three instead of two. So, can you speak to that a  
14 little bit?

15 JOHN DOHERTY: Well, when you try  
16 to put two garages down there and the discussions  
17 were always about having District 5, Garage 5,  
18 move to another location. There's two major  
19 issues. One is the cost of trying to build two  
20 garages. And, it's estimated that it would  
21 probably cost us about 90 million to build a  
22 second garage. Whereas, we can do it for a lot  
23 cheaper by putting Garage 5 at the Spring Street  
24 site with the other garages. The other problem  
25 would be trying to acquire property someplace in a

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2 timely manner to ensure that we get out of  
3 Gandsevoort Street by the end of calendar year  
4 2013.

5 CHAIRPERSON LAPPIN: And, does, I  
6 mean, why 5 and not 6? By using these three  
7 districts in this garage, I think the Speaker  
8 alluded to, are you going to reduce truck traffic  
9 and miles on the street with this configuration?

10 JOHN DOHERTY: We reduce truck  
11 miles from where we are currently operating. In  
12 other words, the districts that are-- District 2  
13 that's coming out of Gandsevoort and District 5  
14 and District 1, there is a savings on truck  
15 traffic. And, that's not just looking at the  
16 truck traffic that's coming out of Gandsevoort  
17 Street and stuff. It's also the relay truck  
18 traffic, because many of these trucks are dumped  
19 on a second shift at night.

20 CHAIRPERSON LAPPIN: Right now, on  
21 Gandsevoort, you have which district?

22 JOHN DOHERTY: We have Districts 2,  
23 4 and 5.

24 CHAIRPERSON LAPPIN: Okay. And,  
25 District 1 is the one where you have parking on

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2 the street?

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JOHN DOHERTY: Gandsevoort Street,

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correct.

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CHAIRPERSON LAPPIN: Okay. I

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wanted to talk a little bit about the parking

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spots you've allocated within the facility. How

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many spots are you setting aside for DSNY

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employees?

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JOHN DOHERTY: Sixty-five.

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CHAIRPERSON LAPPIN: Sixty-five or

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JOHN DOHERTY: Sixty--

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CHAIRPERSON LAPPIN: I thought it

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was--

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JOHN DOHERTY: Sixty-five. Oh,

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sorry, 74.

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CHAIRPERSON LAPPIN: All right.

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JOHN DOHERTY: The numbers changed.

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Somebody got some extra parking spots.

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CHAIRPERSON LAPPIN: How did you

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arrive at that number?

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JOHN DOHERTY: I think that was

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based on the availability, what we could put into

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that level, that mezzanine level, that we had

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there.

CHAIRPERSON LAPPIN: How much money is it going to cost in terms of setting aside space and building out for those parking spots for City employees?

JOHN DOHERTY: We'll have to get back. There is some cost to it, but it's not that much. I think what we have to remember about the employees' parking is there's two issues there. One, it's important for the Department to have space for some of its employees during emergency situations. You have to realize that people in that area, some of them live in parts of the City where public transportation to get to work during an emergency's really not available. And, it's difficult to get from where they live to that garage, particularly if they live in one of the adjacent counties to Manhattan to New York City.

The other part of it is that arbitrators have upheld that when you provide something to employees for a period of time, a long period of time, they're entitled to that. So, if we were to say no parking for the employees, we would probably lose that if they

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2 took it for arbitration or to Court.

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CHAIRPERSON LAPPIN: And, actually what I meant with your staff, I asked about that in terms of collective bargaining and I asked that for the hearing today you have an answer. So, have you looked at the collective bargaining and how that--

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JOHN DOHERTY: [Interposing] It's not in the collective bargaining. This is based on our past precedent, and Bob Orland can talk a little bit about that, legal issues.

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BOB ORLAND: There are Public Employment Relation Board cases which have held that when employees have received parking in the past and that's taken away by the employer, that can't be done unilaterally. That employees had a reasonable expectation that that parking will continue and that, therefore, if you try to take away the parking, that becomes subject to mandatory collective bargaining.

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SPEAKER QUINN: Let me just say, I'm sorry, on the employee parking, I mean, one, my staff I think has already expressed concerns about the employee parking. And, it's something

1  
2 we're going to need to continue to discuss between  
3 now and next week. Two, if there's an official  
4 determination from the Office of Labor Relations  
5 on this, we would like to receive that in writing.

6 JOHN DOHERTY: Okay.

7 SPEAKER QUINN: Three, I understand  
8 that the history per cases and their potential  
9 impact on this. That said, the City is engaged in  
10 other efforts that run counter to the need for  
11 such consistency. And, we've begun to limit  
12 something wisely, others disagree, teacher  
13 parking. That's something that was longstanding,  
14 something UFT members had. The UFT is not shy  
15 about lawsuits. I don't think we've seen one  
16 around that. There's been recent significant  
17 cutbacks by the Administration, I think most of us  
18 agree, wisely in the number of parking shields and  
19 permits that different people in the FDNY and the  
20 NYPD and in EMS and other spots get.

21 So, the sanctity of this, as it  
22 relates to us buttressing ourselves from legal  
23 actions by employees or their representatives I  
24 just don't think is a consistent thing with the  
25 Administration. And, I don't think it'll bear out

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as a critical issue here.

Now, that said, I think we'd all understand why you might need a few spots for, you know, for somebody who had to rush in because there was an emergency situation. And, if there was a discussion of, you know, some handful of spots for that, that would all be altogether different than 74 spots. So, that's a number we're going to need to continue to discuss.

Just, on the UPS issue, I think I have a couple different questions. But, just to go back to UPS for a second. Can you explain why UPS couldn't be removed from the current proposal instead using the roof of its existing packaging distribution facility for staging operations?

JOHN DOHERTY: Using the roof of their building? Well, one, I think just from the viewpoint that the staging area that we want to use for the new garage contains their tractor trailers.

SPEAKER QUINN: Um, hm.

JOHN DOHERTY: I don't know--

SPEAKER QUINN: [Interposing] I mean, they're only using 75% of their ground floor

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2 space--

3 JOHN DOHERTY: Right.

4 SPEAKER QUINN: -- under the  
5 current proposal.6 JOHN DOHERTY: Right. Their ground  
7 floor, but you're saying put those trailers on top  
8 of the roof of the--9 SPEAKER QUINN: Well, use the roof  
10 for the package distribution facility. Seems like  
11 you could reconfigure the UPS--12 JOHN DOHERTY: [Interposing] Oh,  
13 the temporary--

14 SPEAKER QUINN: -- operation.

15 JOHN DOHERTY: Yeah. Bob can tell  
16 you, he's been working with UPS on that.17 SPEAKER QUINN: Great, great,  
18 great, 'cause I know the EIS says the "the impacts  
19 of the operation of the UPS package distribution  
20 facility would not constitute a significant  
21 adverse socio-economic," try to say that three  
22 times fast, "impact" if this was done.23 BOB ORLAND: The philosophy of the  
24 City in dealing with UPS is that UPS wants to stay  
25 in Lower Manhattan. They want to continue to park

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2 their tractor trailers or large trucks at this  
3 current site. They are willing, as a short term  
4 solution, to park their trailers and large trucks  
5 on top of the roof of the distribution center.  
6 That's where their employees currently park. It  
7 is their strong intention that they don't want to  
8 do that long term. They feel that would impact  
9 long term their business operations in the City.  
10 And, you know, we want to enter into a voluntary  
11 deal with UPS rather than doing condemnation.  
12 And, it's always been their preference that they  
13 keep approximately 60,000 square feet of space at  
14 their current site, which they'll use long term  
15 for their big trucks and have their employees park  
16 on top of the distribution center, which is what  
17 they currently do.

18 SPEAKER QUINN: I mean, I think all  
19 of us, you know, we passed Willet's Point  
20 yesterday. So, we'd all rather there be voluntary  
21 deals. But, we all recognize that that's not  
22 always, or at least most of us recognize that's  
23 not always, within the realm of possibility. And,  
24 I think UPS is a great part of the City's, you  
25 know, economic infrastructure and they're a

1  
2 tremendously philanthropic company. And, I, in  
3 all sincerity, they've been great, great  
4 supporters of stuff in the Village. And, I  
5 understand they want the best deal. But, you know  
6 what I mean, you don't always get that.

7 BOB ORLAND: Well, there're also  
8 belief that if they had to move from this site  
9 long term, it would greatly impact their  
10 operations in downtown Manhattan, potentially  
11 opening up the City to major consequential damages  
12 so that they would have to relocate their entire  
13 downtown operation. And, that wasn't something  
14 the City really wanted to try to address.

15 SPEAKER QUINN: Maybe just we can  
16 flesh that out a little more after the hearing,  
17 just so we can understand better what that means,  
18 you know what I mean, about their operations. I  
19 just wanted to switch for a second to the salt  
20 shed. Some folks in the community have raised the  
21 idea of both Sanitation and the Council  
22 considering two alternative sites. You know, and  
23 again, these are some-- one of these is in Board 1  
24 I believe. So, if not everybody who should be  
25 notified about these ideas be under consideration,

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2 I apologize. They were just suggested to my  
3 office and, I think Sanitation in the last few  
4 days. So, again, if full due diligence hasn't  
5 happened, we apologize. But, the two sites-- and  
6 they were both studied in the EIS. So, they  
7 wouldn't be a scope issue, so to speak. 281  
8 Watts at West, 575 Washington at Clark. And, just  
9 tell us a little bit about what you think of  
10 either of those sites as potential alternates for  
11 the salt shed.

12 JOHN DOHERTY: I'll let Danny here  
13 respond to that.

14 SPEAKER QUINN: Okay.

15 JOHN DOHERTY: He's been studying a  
16 lot closer than me. But, what, you know, our  
17 objection to most of these sites are, it's one,  
18 operationally trying to get our trucks in and out  
19 of there. And then, you put more traffic into the  
20 local street that that salt--

21 SPEAKER QUINN: Uh, huh.

22 JOHN DOHERTY: -- would be on  
23 versus where we want to put it now. So, we feel  
24 by keeping it down at the Spring Street around  
25 Canal Street removes traffic, which would be

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2 increased if we put it at one of these other sites  
3 in the area, whether it's south of Canal or north  
4 of Canal, depending on which site, you know, one  
5 we'd want to consider. But, Danny, you want  
6 to go into a little bit more?

7 DAN KLINE: Both the sites that you  
8 mentioned are part of the alternative site  
9 analysis that was done for the Environmental  
10 Impact Statement. And, they were sites that were  
11 first-- the first site, 575 Washington was our  
12 original proposal.

13 SPEAKER QUINN: No.

14 DAN KLINE: And, we originally were  
15 talking about doing the joint facility with UPS on  
16 the UPS property, converting the M1 Garage that we  
17 want to make a salt shed out of into a truck wash  
18 and fueling location and acquire the 575 parking  
19 garage for salt. And, at the scoping sessions  
20 that we had at NYU, seems like a lifetime ago  
21 almost, there was a lot of opposition from the  
22 community about the additional acquisition of 575  
23 Washington, partly because that garage is  
24 permitted to house 400 parking spots. And, a  
25 number of those spots are used by residents in the

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2 community and business interest. And, there was  
3 universal outcry about acquiring that piece of  
4 property. So, it's something that we went back  
5 and reconfigured what we were going to do to avoid  
6 taking that. And, the plan that's before you that  
7 was approved by the Commission does that.

8                   The 281 Watts Street, the West  
9 Street and Watts Street location is a 13,000  
10 square foot plus rectangular parking lot. It's  
11 large enough to put salt and that's why it's  
12 included in the analysis. It has an FAR 5, which  
13 means we have to acquire 65, 66,000 square feet of  
14 developable space at market rates before what's  
15 happened with real estate--

16                   SPEAKER QUINN: [Interposing] Do  
17 you mean, that you mean that you don't need? Are  
18 you saying--

19                   DAN KLINE: Well, we don't need it  
20 'cause we could do--

21                   SPEAKER QUINN: Right.

22                   DAN KLINE: -- our proposal  
23 addresses that. So, it's an additional  
24 acquisition that's not required.

25                   SPEAKER QUINN: [Interposing]

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That's what I just wanted to understand.

DAN KLINE: But, aside from the money, 'cause I argue with my staff that money should be one of the last things we look at, on an operational sense, that site is adjacent to an existing loft residential building that's mid-block between Watts and Canal on West Street. It's cattycorner to another residential building. And, it's across the street from the 290-unit Truffle rental that's under construction and will be leasing out apartments in 2009. So, it's directly surrounded by residential uses. Whereas, our proposal is adjacent to the ventilation tower of the Holland Tunnel and not adjacent to any residential building.

Also, to get trucks in and out of that site, especially trucks coming from the south that would have to get into that site, trucks would go south to Canal Street, go east on Canal two blocks to Greenwich Street, go a couple of blocks to Debrosses Street, past Pontis [phonetic], up West Street to the site, then go back to Greenwich Street to get out of the area. So, there's a lot more traffic that would pass by

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2 dozens of residential properties. And, we think  
3 the community impact on businesses and residences  
4 would be far greater than our proposal.

5 SPEAKER QUINN: I just want to, my  
6 final question, go follow up a little bit on some  
7 of the traffic issues, Danny, you were just  
8 raising. And, if you or the Commissioner could  
9 just take us through again, I think, you know,  
10 it's important to understand what the impact of  
11 the new garage, or the proposed garage, would be  
12 on traffic and congestion, in general, 'cause  
13 obviously that's something all of us with the swap  
14 and other plans have tried to be mindful of  
15 reducing.

16 JOHN DOHERTY: In general, the  
17 traffic pattern basically is going to change  
18 slightly. I mean, it's for garage District 5,  
19 Garage 5 will be down there. They'll be going up  
20 West Street, which is a very busy, heavily  
21 trafficked roadway. And, the truck traffic is  
22 not, based on the environmental study, is not  
23 going to impact that. Garage 2 is basically going  
24 to be going out. They're in that Community Board.  
25 Garage is located in that Community Board. So,

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2 the trucks are going to leave the garage and go to  
3 the community area that they're going to work in  
4 that day. District 1, which is currently there,  
5 has no change 'cause they're going to move south  
6 to collect from their areas. But, on the  
7 environmental issues, Steve Brautigam, you want to  
8 talk about the environmental issues and the truck  
9 traffic, how it was studied?

10 STEVE BRAUTIGAM: Sure. It's Steve  
11 Brautigam, Assistant Commissioner. As you've just  
12 heard, the District 5 traffic is directed leaving  
13 the building, goes right up the West Side Highway;  
14 does not go through residential areas. When it  
15 comes back, it enters--

16 SPEAKER QUINN: Can you move the  
17 mic a little closer or yell, one or the other?

18 STEVE BRAUTIGAM: When it comes--

19 SPEAKER QUINN: Whatever works.

20 STEVE BRAUTIGAM: -- back, it  
21 enters at Clarkson Street and then, heads south on  
22 Washington Street to come back to the building,  
23 also not going through any residential areas. So,  
24 we feel very good about the fact that District 5  
25 operations will not affect any residential areas

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2 in District 2. District 1 operations are  
3 unchanged really from what they are at present.  
4 They just leave the building and they head down  
5 south of Canal to service their district and  
6 return up the West Side Highway.

7 CHAIRPERSON LAPPIN: And, let me  
8 just jump in for a moment.

9 STEVE BRAUTIGAM: Yeah.

10 CHAIRPERSON LAPPIN: Because the  
11 Sanitation garage in my district, on 73rd Street,  
12 has been housing District 5 and District 6 has  
13 been downtown. Is that right?

14 JOHN DOHERTY: Correct. That was--

15 CHAIRPERSON LAPPIN: Okay.

16 JOHN DOHERTY: -- housing District  
17 5.

18 CHAIRPERSON LAPPIN: And, part of  
19 this plan is to swap those so that District 5 will  
20 be closer to its garage and District 6 will be  
21 closer to the garage in my district. Is that  
22 correct?

23 JOHN DOHERTY: Well, that's part of  
24 it. It's just a matter of being able to build the  
25 facilities that we need to house all--

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CHAIRPERSON LAPPIN: Right.

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JOHN DOHERTY: -- the districts in  
Manhattan.

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CHAIRPERSON LAPPIN: I guess it's  
just in terms of truck traffic, I think, I mean,  
that's an important part of this discussion that  
right now you've got an east side district going  
to a garage downtown on the west side and a mid-  
town west district going to the upper east side.  
And, part of this is to make that a more logical  
way and to reduce the truck trips.

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STEVE BRAUTIGAM: That's true.

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CHAIRPERSON LAPPIN: Okay.

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STEVE BRAUTIGAM: To reduce cross-  
town truck travel, right.

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SPEAKER QUINN: And, can you talk  
about that a little, 'cause I'm just-- I think  
that that issue of the reduction of cross-town  
truck traffic is-- we just need to understand  
better as we kind of weigh the various impacts of  
this.

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STEVE BRAUTIGAM: Right. The  
environmental analysis took a look at the net  
change in truck miles traveled annually, compared

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2 to current conditions. And, that's with District  
3 5 on Gandsevoort, remember, 'cause that's where it  
4 is now. We have to take a point in time. And, we  
5 found that the reduction is going to be 3,677  
6 miles per year reduced from current conditions by  
7 our proposed plan. We also looked at what would  
8 have been the case of having two districts at the  
9 Block 675 and we found that, again, our proposed  
10 plan would result in a savings of about 17,000  
11 vehicle miles traveled compared to having  
12 Districts 2 and 5 up at West 30<sup>th</sup> Street. So, we  
13 are going to be reducing vehicle miles traveled  
14 with this project, no question.

15 Now, one thing I wanted to say  
16 about the environmental review on the air quality  
17 side of this, as the Commissioner mentioned in his  
18 opening testimony, by law all of our trucks, all  
19 of our diesel collection trucks will have state-  
20 of-the-art particulate traps, which makes them as  
21 clean as natural gas vehicles. That's why we are  
22 retrofitting those trucks as we speak, spending  
23 17,000 per truck to do it. So, we're very proud  
24 of that and this is really going to show a  
25 substantial net reduction in emissions from our

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2 fleet.

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We also looked at traffic impacts at all the intersection affected. There were two intersections identified that showed a significant impact. But, that could be mitigated fully by just adjusting the signal timing.

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SPEAKER QUINN: Can you talk just a little bit about what work you've done around-- 'cause one of the other impacts we've talked about is trucks on streets and also anything you want to share about that, how this'll get trucks off of, you know, hanging around on the street, so to speak? And, two, related to all this are concerns about queuing and things of that nature. So, talk a little bit about what work you've done around that.

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JOHN DOHERTY: Well, on the, as everybody knows, at Garage 1 currently, because that was built probably in the 1920s when we used horses and carts. So, we've outgrown that over the years. And, we've been parking the trucks on West Street; sometimes on Spring Street and once in a while, they're up on Washington Street, too. And, some people probably say more than once in a

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2 while. And, I wouldn't argue with them. And,  
3 with the new garage, we won't have that. The  
4 garage is sized to handle all the equipment, from  
5 all three garages, districts in the one building.  
6 So, there'd be no parking on the street.

7           As far as the queuing goes, for  
8 fueling, there will be four pumps there to fuel  
9 the trucks. So, we can fuel four trucks at a time  
10 and it takes about three minutes to fuel a truck.  
11 The pumps'll pump about 15 gallons per minute.  
12 And, they take about, you know, 40 gallons,  
13 sometimes 30 gallons depending on the length of  
14 their run and the work they're doing that day.  
15 So, we can move quickly through there. We can  
16 probably process probably six or eight trucks in  
17 maybe six minutes.

18           We also have queuing on the street  
19 on that parking lane where we're parked now. If  
20 we have a problem, we can park about eight trucks  
21 there. I think what we would do, because  
22 somebody'd say well, what if you have a problem.  
23 What if there's a delay? Well, the alternative  
24 there is to move the trucks into the garage  
25 without fueling them at that point, so we don't

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2 end up with queue and traffic problems. We'll  
3 move them in and we can queue them, or fuel them  
4 at a later time. We've also considered, should  
5 there be a queuing problem, some of the trucks are  
6 coming back for lunch. We could fuel them at that  
7 point.

8 So, there's various things we can  
9 do to prevent queuing problems. We've considered  
10 all of them. We think we have a good fueling  
11 system that'll work efficiently. It'll work fast.  
12 But, if there are problems, there are ways of  
13 approaching it.

14 SPEAKER QUINN: District 5 trucks  
15 are not going to come back for lunch. Is that  
16 correct?

17 JOHN DOHERTY: Correct, they won't  
18 be back. It'll just be District 1 and some of  
19 District, not all of District 2 comes back 'cause  
20 some of the guys'll eat in the street sometimes.

21 SPEAKER QUINN: Okay.

22 CHAIRPERSON LAPPIN: One thing I  
23 wanted to raise is when we had our meeting, I  
24 think you were discussing having this fueling  
25 station be open to all City vehicles, which, to

1  
2 me, considering the traffic in the area, doesn't  
3 seem to be the best plan and maybe limiting it to  
4 Sanitation vehicles would make more sense. Have  
5 you thought about that any further?

6 JOHN DOHERTY: Well, that has come  
7 up. There's no question about it. I think, you  
8 know, from a global perspective, we are one City.  
9 We have fuel there. Other cities, other agencies  
10 do not have fueling stations. They got to be  
11 fueled someplace. So, one has to consider that.  
12 But, when you look at it from what's going on  
13 right now, vehicles are coming to that garage to  
14 fuel. So, there's not really going to be much of  
15 a change. If anything, it will improve, we  
16 believe, when 57<sup>th</sup> Street finally opens up next  
17 year, 'cause some of the vehicles will be fueled  
18 up there that are now coming to Garage 1.

19 When you look at the numbers, you  
20 get about less than 30 vehicles a day coming there  
21 to fuel. I think the numbers I looked was more  
22 like 26 or something like, but it'll vary from day  
23 to day, no question about it. And, they get  
24 fueled generally between, say, eight and noon,  
25 they come it. That's generally the time they come

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2 in.

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So, we don't see really any impact.

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And, that been studied in the EIS. I mean, that

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traffic flow-- because that's what's there now.

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So, it's not a change really. One would say yeah,

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why bring them there, no question about it. But,

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we have to look at, you know, where are these

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vehicles going to be fueled; how are they going to

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be fueled.

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CHAIRPERSON LAPPIN: But, when you

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say now, you mean Gandsevoort, right? Or, when

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you say now, what do you mean by now?

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JOHN DOHERTY: No, now at Spring

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Street, at the garage, Garage 1. There are some

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vehicles fueled at the Gandsevoort Street. I

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believe we have unleaded-- we have diesel fuel.

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Well, diesel fuel, not too many other City

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agencies are going to take diesel fuel. But, some

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of them do with sometimes if they have a problem.

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Most of the other City agencies either want the

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unleaded regular fuel or sometimes, the ethanol.

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CHAIRPERSON LAPPIN: And, we can

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continue to talk about it. But, this close to the

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Holland Tunnel with the congestion that exists in

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2 the area and having three, potentially having  
3 three districts housed here, it's something that  
4 is of concern to me.

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6 I wanted to go back to the salt  
7 shed for a minute and ask about the design of the  
8 salt shed, if it were to remain on this site,  
9 although I know the Speaker has raised some  
10 alternatives that you're going to continue to  
11 discuss. But, to discuss the plan that's on the  
12 table at the moment, there have been concerns  
13 raised by members of the community about the  
14 design and about having the opening to the salt  
15 shed so close to the lung, to the tunnel.

16

17 SPEAKER QUINN: I just want to  
18 underscore that concern.

19

20 CHAIRPERSON LAPPIN: And, to me,  
21 I'm not an engineer, obviously, but just from a  
22 common sense approach, it does raise some red  
23 flags for me.

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25 JOHN DOHERTY: Well, we feel that  
the salt, any dust created during the loading  
operation or actually even delivering salt there  
will be contained inside the shed. The shed  
currently is open the full width there. We are

1  
2 currently contemplating narrowing it, like we've  
3 done at other salt locations. So, that's going to  
4 restrict even more any salt dust that may be in  
5 the air.

6 I think the other thing to keep in  
7 mind is that I'm not sure, I mean, anybody can say  
8 dust is a problem, particulate matter is a  
9 problem. But, we have not found that to have any  
10 health impacts on our employees that have worked  
11 in these salt storage locations for many years.  
12 And, there's nothing in the salt that should  
13 affect the people. And, if one thinks about cars  
14 or anyone driving through the tunnel, you probably  
15 have more concerns about the air quality in that  
16 tunnel because of heavy trucks going through there  
17 and diesel fumes than you have a couple of times a  
18 year when it may suck in a little bit of salt  
19 dust. We don't see the problem with that. We  
20 will look to reduce it. As I said, we'll consider  
21 trying to narrow the front of it--

22 CHAIRPERSON LAPPIN: [Interposing]  
23 Would you consider enclosing it?

24 JOHN DOHERTY: Excuse me?

25 CHAIRPERSON LAPPIN: Would you

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2 consider enclosing or partially enclosing it?

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4 JOHN DOHERTY: Well, what we would  
5 do, we wouldn't enclose it. We'd have to figure  
6 out a door to put there so that it's not open all  
7 the time. But, once you go into the operation of  
8 loading the salt spreaders, you have to have that  
9 door open 'cause the spreaders are going to sit  
10 outside. The front-end loader goes in, picks up  
11 the salt, comes out and loads the salt spreader.  
12 They move on. And, the next one comes. You can't  
13 get the salt spreader into the building. You have  
14 to keep it [crosstalk]--

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CHAIRPERSON LAPPIN: [Interposing]

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Oh, I understand that.

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JOHN DOHERTY: Right.

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18 CHAIRPERSON LAPPIN: And, in an  
19 emergency, during a snowstorm, getting vehicles in  
and out--

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JOHN DOHERTY: Right.

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22 CHAIRPERSON LAPPIN: -- that's  
23 different than the other 360 days a year when it's  
24 just sitting there and potentially clogging the  
duct that is ventilating the tunnel.

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JOHN DOHERTY: We, as I said, we

1  
2 are looking at enclosing the front of it so it's  
3 not open. And, where the doorway would be, we're  
4 going to look into putting some type of a gate  
5 cover that's closed, either it can be a tarp,  
6 possibly a fast-acting gate. We have to look at  
7 what's the best door to put in there when we're  
8 not using it, because salt is kind of corrosive.  
9 So, we're concerned about that, too, on a  
10 mechanism.

11 CHAIRPERSON LAPPIN: That's exactly  
12 the problem.

13 JOHN DOHERTY: Yeah, well--

14 CHAIRPERSON LAPPIN: Salt is  
15 corrosive. So, what we'll--

16 JOHN DOHERTY: No question about  
17 it. But, it also gets rid of snow on a street and  
18 reduces ice. And, we can drive on it. We can be  
19 safe. We can save lives. So, we've got these  
20 conflicting issues to work with.

21 CHAIRPERSON LAPPIN: I think we all  
22 want to save lives.

23 JOHN DOHERTY: Definitely.

24 CHAIRPERSON LAPPIN: I think we're  
25 on the same page on that.

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2 JOHN DOHERTY: Good.

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CHAIRPERSON LAPPIN: I have one  
4 last question. And, that is involving park space  
5 and the Speaker mentioned this, too. Some of the  
6 community with their alternative plan have  
7 proposed incorporating park space into this  
8 facility. Have you looked at that? The roof,  
9 perhaps.

10

JOHN DOHERTY: Okay. Couple of  
11 issues on that. One to get to the building, the  
12 design of our building, does not provide for  
13 public access to the roof. We know that the  
14 developer, potentially, for St. John's building,  
15 is talking about a cross-over if they do something  
16 there to our roof. That may or may not be  
17 possible in the long run. We've got a roof design  
18 right now, which is a green roof and will have  
19 grass on it. I think it's something that could be  
20 looked at in the future. We're not designing it  
21 right now to be a park space.

22

I think one has to think about,  
23 when you ask about park space, one, we have the  
24 Canal Street park, which is very rarely used from  
25 our personal observations. And, we have the

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2 Hudson River Park all along there. So, I think  
3 there's a lot of park space. But, to address  
4 people's request, I think it's something that if  
5 the St. Johns' building is developed and there is  
6 access from that point, the City will have to go  
7 back and look to see what we can do. But, I think  
8 we will build it so that there'll be a strong  
9 enough structure there to hold, you know, a park  
10 on it should we go that route.

11 SPEAKER QUINN: Right. I mean, I  
12 think what, if it's not something that's  
13 immediately achievable, minimally we don't want to  
14 do anything that would preclude it in the future.

15 JOHN DOHERTY: Right. Correct.  
16 We're planning for that, yes.

17 CHAIRPERSON LAPPIN: Council Member  
18 Arroyo.

19 COUNCIL MEMBER ARROYO: Thank you,  
20 Madam Chair. Commissioner, how are you?

21 JOHN DOHERTY: Councilwoman.

22 COUNCIL MEMBER ARROYO: Always a  
23 pleasure to see you. We speak about so many  
24 unpleasant things whenever we see each other. How  
25 many trucks is this facility slated to

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2 accommodate?

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JOHN DOHERTY: Well, the--

4

5 didn't hear a number in your testimony.

6

7 JOHN DOHERTY: The total amount of  
8 equipment-- where's the total-- 128 pieces. And,  
9 that ranges from our garbage, large garbage trucks  
10 to vans to passenger cars. It'll hold 128  
11 vehicles. So--

12

COUNCIL MEMBER ARROYO: Okay.

13

14 JOHN DOHERTY: -- that's your  
15 question.

16

17 COUNCIL MEMBER ARROYO: And, you  
18 discussed the reduction in truck miles  
19 consequently because of the reconfiguration of  
20 where trucks are coming from to this facility.

21

JOHN DOHERTY: Correct.

22

23 COUNCIL MEMBER ARROYO: Have you  
24 done a cost benefit analysis of what savings the  
25 Department would realize in terms of reduction of  
fuel, maintenance and repairs of vehicles?

26

27 JOHN DOHERTY: No, we haven't  
28 looked at it. I mean, the reality of it, the only  
29 savings you're really basically going to have is

1  
2 in the fuel. I think the maintenance of the  
3 vehicles and the repairs to them, it's minimal for  
4 the mileage. The big thing is on the fuel.  
5 You'll save on fuel. But, did we run numbers on  
6 that? Not that I'm aware of.

7 COUNCIL MEMBER ARROYO: Okay.

8 Maybe we ought to take a look.

9 JOHN DOHERTY: Oh, yeah, we could.

10 COUNCIL MEMBER ARROYO: It might be  
11 one of the things that convinces us. The fueling  
12 of vehicles, I didn't quite understand. You're  
13 fueling vehicles that are only designated for this  
14 facility? Or, are other vehicles coming into the  
15 facility for fueling?

16 JOHN DOHERTY: The 128 vehicles  
17 that are in, whatever's working on a particular  
18 day will be fueled there.

19 COUNCIL MEMBER ARROYO: Only those  
20 vehicles?

21 JOHN DOHERTY: That's one group of  
22 vehicles. Then, there are vehicles belonging to  
23 other City agencies that may be coming there,  
24 Department of Buildings, the other agencies, I  
25 don't know the list off the top of my head, come

1  
2 to fuel up there. There is approximately less  
3 than 30 of those. And, these are light vehicles.  
4 These are passenger cars, maybe a pickup truck,  
5 generally. They're not heavy-duty vehicles. They  
6 will come there about, like I said, less than 30 a  
7 day. And, they come generally between eight and  
8 noon, when we don't have high traffic in that area  
9 at that point.

10 COUNCIL MEMBER ARROYO: And,  
11 lastly, I don't-- well, two more questions. On  
12 this salt shed, the design of it; one of the  
13 concerns is always the corrosion. And, what is  
14 the design of the facility to ensure that we don't  
15 have runoff into the street and the concern about  
16 the environmental impact there?

17 JOHN DOHERTY: Well, it's covered.  
18 There is no openings on the sides. At one point,  
19 one of the designs showed a space between the  
20 walls and the roof. We were asked to change that  
21 and completely enclose it, which we have. As I  
22 indicated before, we're going to close up the  
23 opening in the front, where we were going to keep  
24 it all open basically one side of the building.  
25 We were going to keep it open. We're going to

1  
2 close that. We're going to put some type of gate  
3 on that. The runoff is controlled, as it is now.  
4 Any runoff from any building, we have to control.  
5 And, that will be controlled. And, it'll go into  
6 the sewer system, no doubt about it. Just like  
7 when we put salt on the streets, any runoff from  
8 that salt goes into the sewer system. So, it's  
9 really no change.

10 COUNCIL MEMBER ARROYO: Okay. And  
11 then, lastly, this thing looks like it got dropped  
12 in by a spaceship. Can you tell us why it has to  
13 look so out of context with the rest of what's  
14 happening in the area?

15 JOHN DOHERTY: Well, let me put it  
16 this way. We've been to the-- what's the new name  
17 of the art commission-- Public Design. I never  
18 get it right. The Art Commission has been looking  
19 at this. I think we have another meeting with  
20 them in two weeks. Basically, they'll look at the  
21 final design of the outside of the garage and  
22 also, for the design of the salt shed. So, it has  
23 to be approved by the Art Commission. And, we're  
24 working with them on it. I think things like  
25 this, it's in the eyes of the beholder. And,

1  
2 we're going to have various people saying  
3 different things. But, the people that really  
4 make the decision on it is going to be the Art  
5 Commission basically.

6 COUNCIL MEMBER ARROYO: Have you  
7 heard about how much faith we have in the Arts  
8 Commission in this body?

9 JOHN DOHERTY: How much what?

10 COUNCIL MEMBER ARROYO: Faith or  
11 agreement--

12 JOHN DOHERTY: Oh, no, we  
13 [crosstalk]

14 COUNCIL MEMBER ARROYO: --we have a  
15 great deal of disagreement.

16 JOHN DOHERTY: They've given--

17 COUNCIL MEMBER ARROYO: You know,  
18 we argue with the Arts Commission about the most  
19 inconsistent-- lamp poles and--

20 SPEAKER QUINN: [Interposing] We're  
21 not in love with the Art Commission.

22 COUNCIL MEMBER ARROYO: -- you  
23 know, lamp poles in the community. If they're not  
24 in accordance with how we'd like to see those  
25 things happen, they don't happen. They can hold

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up a project. So, beauty is in the eye of the beholder. The eye of the Arts Commission is not one of the ones that I--

JOHN DOHERTY: [Interposing] Well, you know, that can be kicked around. But, we do have our design company, Datner [phonetic], looking at it. They have ideas. I know when I was over at the City Planning, there was a gentleman there who is a designer and, you know, and he looked it. And, he had, you know, some changes we had to make--

COUNCIL MEMBER ARROYO: Okay.

JOHN DOHERTY: -- with different times. So, we've been working on this. It's not an easy-- but, I'll tell you, as far as working with the Art Commission, Mike Frieland [phonetic], who's our designer, has won awards for some of our garages. So, you know--

COUNCIL MEMBER ARROYO: You know, but with that--

CHAIRPERSON LAPPIN: Commissioner--

JOHN DOHERTY: We're pretty proud of that.

COUNCIL MEMBER ARROYO: -- I think

1  
2 the point that I'm trying to make here is that I  
3 have a Con Edison Transfer Station in my district-  
4 -

5 JOHN DOHERTY: Right.

6 COUNCIL MEMBER ARROYO: -- that  
7 community residents continually go up and ring the  
8 bell and ask for applications for the apartment  
9 complex, because you can't tell it's--

10 JOHN DOHERTY: I know.

11 COUNCIL MEMBER ARROYO: -- an  
12 unpleasant facility that nobody wanted to have  
13 there in the first place. Thank you.

14 JOHN DOHERTY: Well, you know, it's  
15 designed for the flow and the area of the traffic.  
16 There's, on the side of it, they'll be metal  
17 louvers that'll move with the sun and it'll give  
18 it a nice flow of traffic, you know, through...

19 COUNCIL MEMBER ARROYO: Thank you,  
20 Madam Chair.

21 CHAIRPERSON LAPPIN: I wanted to  
22 note we've been joined by Council Member Barron,  
23 who also has a question.

24 SPEAKER QUINN: Yeah, I just want  
25 to make one point. I mean, I concur with Council

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Member Arroyo about concerns about the Art Commission, whatever its new name is and them being tedious at best and not necessarily aesthetically pleasing, at worst. But, the design, though, how much of the design, whether one likes it or doesn't like it, is due to the environmental nature of the building and the request from the community that the building surpass even Silver LEEDs standards?

JOHN DOHERTY: Well, it's going to meet the Silver LEEDs standard. It won't meet, I think, the next level is the Gold. I mean, you start to get into that and the cost just starts to go through the ceiling.

SPEAKER QUINN: No, but, isn't that the environmental nature and the neighborhood's desire to have the building be exceedingly green in large part, which driven the design?

JOHN DOHERTY: Yeah, we--

SPEAKER QUINN: Whether you like it or you don't like it, that's my understanding of why there's been less latitude in aesthetics of the design was 'cause of the neighborhood's request for it to be very green.

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2 JOHN DOHERTY: Be a green building,  
3 yeah. We've done a lot of work in that area.  
4 And, actually, some of them may not know, it's  
5 going to be heated by steam. So, we're not even  
6 going to have boilers that we have in many  
7 buildings in these cities, and, the fluid coming  
8 from the boiler. So, and, like I said, the green  
9 roof and other things; we're going to capture some  
10 of the rain water and use that. [Pause]

11 COUNCIL MEMBER BARRON: Oh, okay.  
12 Thank you very much. You know, we have multiple  
13 hearings going on. So, I was at the other  
14 hearing. I missed a lot of this. But, I'm always  
15 concerned about the environmental impact. And, if  
16 it was already covered, I just want to find out--  
17 talk to you a little bit about that, some of the  
18 environmental impact, you know. I know the  
19 trucks, you're going to use safer with the sulfur  
20 and some of the particulate matter. But, what is  
21 some of the environmental impact issues and some  
22 of the economic effects, you know, on this  
23 decision?

24 JOHN DOHERTY: I'm going to let  
25 Steve Brautigam, Steve's our environmental

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attorney and he's gone through all the EIS work.  
Steve, you want to talk about that?

STEVE BRAUTIGAM: Council Member,  
we did an entire Environmental Impact Statement of  
the study right here. And, it's on our website.  
And, it's summarized in our Notice of Completion,  
about five pages, which has been provided to the  
Committee. We did not find any significant air  
impacts from this.

COUNCIL MEMBER BARRON: Really?

STEVE BRAUTIGAM: And, that's  
really because of two reasons. One is the Council  
has already required us to retrofit our diesel  
trucks with the best available technology and that  
is particulate filters. So, we're already doing  
that. And, in a review by the--

COUNCIL MEMBER BARRON: [Crosstalk]  
but, did you say that you've zero air impact?  
None whatsoever.

STEVE BRAUTIGAM: No, what I said  
is no significant.

COUNCIL MEMBER BARRON: Well,  
what's significant? Well--

STEVE BRAUTIGAM: So, significant

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2 is--

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COUNCIL MEMBER BARRON: -- can you

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define--

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STEVE BRAUTIGAM: -- that's a fair-

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COUNCIL MEMBER BARRON: --

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significance?

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STEVE BRAUTIGAM: -- question. The

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City does environmental review guided by the

11

City's Environmental Review Technical Manual.

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And, the conclusions of our consultants who worked

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on this are then reviewed by the City's Air

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Quality experts in the Department of Environmental

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Protection. And, they looked very carefully at

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this. They have thresholds below which there

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would not be a significant impact from particulate

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matter, which is the area of concern here.

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COUNCIL MEMBER BARRON: Yeah,

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particulate matter's my definite--

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STEVE BRAUTIGAM: Now--

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COUNCIL MEMBER BARRON: -- area of

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concern.

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STEVE BRAUTIGAM: -- one thing the

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people, we should be glad to hear, is that with

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these new particulate traps, we have the analysis that demonstrates that it would take 180 of our trucks in one hour to exceed that significance level. With this project, there's no place where we're going to have more than 22 trucks. So, we're extremely clean. That's why we say our trucks are as clean as natural gas fueled vehicles with these particulate traps. By the time this garage opens, 100% of our diesel fleet will have those controls on them.

COUNCIL MEMBER BARRON: You know, I'm always concerned about EIS reviews because, in my community, they wanted to bring an incinerator in to take waste wood and convert it into electricity and then, sell it to Con Edison for a million dollars a month. And, they told us there would be no significant environmental impact on them. Of course, we got into what do you mean by significant and insignificant because that is in the eyes and minds of the beholder. But, we found out, you know, we're talking about 80 billion tons of sulfur dioxide, carbon, you know, it was just a mess and the particulate matter and I'm particularly concerned about that 'cause that's

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2 what really gets into us and causes a lot of the  
3 upper respiratorial problems.

4           So, and are there any other, aside  
5 from the trucks, are there any other environmental  
6 concerns, that's a pretty thick report there, that  
7 came out of that? And, I'm sure I'll read the  
8 summary. But, are there any other environmental  
9 impacts, 'cause I'm very concerned about that even  
10 with the trucks coming in. I just find it hard to  
11 believe that the environmental impact will be  
12 insignificant. It rarely is.

13           STEVE BRAUTIGAM: Well, here's a  
14 follow up on the air. Right now, we have the  
15 District 1 garage at Spring Street. It's right  
16 there now. It's heated by fuel oil. That's  
17 actually a comparatively less clean fuel than what  
18 we're proposing. We're proposing steam from the  
19 steam distribution system of Con Edison. So,  
20 that's a considerable amount of pollution that's  
21 just going to go away as a result of this project.  
22 I mentioned the cleaner fleet. We're using 100%  
23 ultra low sulfur diesel fuel on our trucks, with a  
24 5% biodiesel component, which gets you even better  
25 benefits on that. So, parts of that's renewable.

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We're happy and proud about that.

In terms of the other impact categories--

COUNCIL MEMBER BARRON: Right.

STEVE BRAUTIGAM: -- we followed the City's Technical Manual. We looked at noise. We looked at traffic.

COUNCIL MEMBER BARRON: Right.

STEVE BRAUTIGAM: I mentioned earlier, traffic impacts were found at two intersections. But, that could be mitigated just by adjusting the signal timing there, at West Street and Clarkson.

COUNCIL MEMBER BARRON: Good luck. That's not the easiest--

STEVE BRAUTIGAM: Yeah. And, Spring--

COUNCIL MEMBER BARRON: -- thing to do to.

STEVE BRAUTIGAM: -- and Hudson was the other. So, we're pleased with that. And, we looked at the economic aspect of this. We're not dislocating any businesses. We're not dislocating any residents from this. It's a truck staging lot

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2 right now. So, we did not find significant  
3 impacts for those categories, as well. So,  
4 overall, there were no significant, using the  
5 thresholds in the City's Technical Manual, which  
6 all projects are supposed to use, we didn't find  
7 significant impacts that could be [crosstalk]

8 COUNCIL MEMBER BARRON: Were there  
9 any groups or community groups or environmental  
10 groups that contradicted some of the things that  
11 you just stated that came up with a contradictory  
12 different kind of report, 'cause oftentimes, you  
13 know, I've been at many, many hearings. And, I  
14 came into the City Council around an environmental  
15 issue. And, usually, when you hear from-- when  
16 you hear one report done by those who want to  
17 build a project, it is, speaking of significance,  
18 it is significantly different than some  
19 independent or environmental groups that come up  
20 with reports. So, not that you agree with it.  
21 But, have you heard of any other reports by  
22 environmental groups that would contradict what  
23 you discovered or what you assessed?

24 STEVE BRAUTIGAM: What I can say is  
25 that we, of course, had this document in draft

1  
2 form, which we released to the community for their  
3 comments. And, we had a public hearing on that.  
4 And then, we responded to the comments that we  
5 got. Of course, there were comments from people  
6 who are opposed to the project. And, you'll see  
7 that those are summarized and responded to by  
8 category. And, it's our responsibility, as the  
9 lead agency conducting the environmental review,  
10 to take a hard look at information that comes in  
11 from that process.

12 COUNCIL MEMBER BARRON: Just one  
13 last question and I'll move on.

14 STEVE BRAUTIGAM: Sure.

15 COUNCIL MEMBER BARRON: Could you  
16 highlight one of the opposing assessments of the  
17 environmental impact that would be significant if,  
18 in fact, they were right?

19 STEVE BRAUTIGAM: Well, we received  
20 public comments about concerns, for example, about  
21 the storage of fuel at this location. We are  
22 currently storing fuel at this location right next  
23 to the ventilation building of the Holland Tunnel.  
24 We've done that since 1920, before the Holland  
25 Tunnel was built. We've never had a problem.

1  
2 But, as part of this project, and as it evolved,  
3 we changed our original plan to move that fuel  
4 away from the ventilation building and 300 feet to  
5 the north. So, it's at the extreme northern end  
6 of the property. So, that's a change that we made  
7 in response to the community.

8 A second change that we made in  
9 response to community comments, people were  
10 concerned about the height of the building.  
11 There's not an overall height limit in this zoning  
12 district. And, our analysis shows that if there  
13 were a commercial building built here, it would be  
14 taller than what we're putting here. But, we were  
15 able to reengineer the building through a value  
16 engineering process and combining some of the  
17 mechanics activities for the three separate  
18 garages to bring that building down by 30 feet, so  
19 that we're going to be lower than the adjacent and  
20 commercial development and residential development  
21 that's beginning to happen in the vicinity. So,  
22 we're proud about that change. And, that was a  
23 direct response to concerns raised by the  
24 community.

25 COUNCIL MEMBER BARRON: Thank you

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2 very much. Thank you, Madam Chair.

3 CHAIRPERSON LAPPIN: Thank you.

4 Thank you very much, Commissioner. We're going to  
5 move on to the first Panel--

6 JOHN DOHERTY: Thank you.

7 CHAIRPERSON LAPPIN: -- in  
8 opposition, which is Michael Kramer, Richard Sloan  
9 and Philip Moshino-- Mouquinho. And, as I  
10 mentioned earlier, we're going to give you a  
11 little latitude and allow you to speak for a  
12 little bit longer than everybody else who's going  
13 to come up and speak after you. [Pause] Okay.  
14 I'm going to ask everybody to take a seat, please,  
15 and be quiet. And, allow the panel to introduce  
16 yourself for the record and begin. Turn on the  
17 mic, please.

18 PHILIP MOUQUINHO: My name's Phil  
19 Mouquinho.

20 RICHARD SLOAN: I'm Richard Sloan.

21 MICHAEL KRAMER: My name's Michael  
22 Kramer.

23 PHILIP MOUQUINHO: Good morning,  
24 Madam Chair, Speaker Quinn and Honorable Committee  
25 Members. As I said, my name is Phil Mouquinho and

1  
2 I am the Chair of the Community Sanitation  
3 Steering Committee.

4 I was born and raised in Hudson  
5 Square and I am a resident and restaurant owner in  
6 the neighborhood. Over the past 18 months, I have  
7 met with many residents, merchants, workers,  
8 property owners and others that will be severely  
9 impacted by this facility. I'm going to have a  
10 chance to explain our plan in a little while. I  
11 just want to, after having heard Sanitation's  
12 testimony, I just want to make a few brief  
13 comments.

14 To begin with, I have the utmost of  
15 respect for Mr. Danny Kline and John Doherty is a  
16 great guy. But, what we've seen here is a lot of  
17 smoke and mirrors and hocus pocus and voodoo  
18 economics. What I've seen so far does not really  
19 merit what the reality of the thing is. For  
20 instance, when we were talking about trucks and,  
21 by the way, we have not only said don't do this in  
22 our backyards. So, it's not about nimby. What we  
23 did say was let's do it in a responsible way.  
24 Rather than leave this monstrosity of a building,  
25 let's leave a legacy for our children and for the

1  
2 future. Remember, this facility will be around  
3 for about 50 to 150 years. So, what we want to do  
4 is do something responsible.

5 One of the things that we did was  
6 we sought alternative sites for one of the  
7 district garages and for the salt pile. When we  
8 looked at alternative sites, we took into  
9 consideration the square footage needed by the  
10 trucks. And, we used the DEIS document in order  
11 to find the proper space for it. Well, the number  
12 of trucks went from 15 to 20 and finally, on  
13 Monday, when we were in Council Member's Gerson's  
14 office and we had an alternate site, Mr. Kline  
15 revealed to us that, in reality, they needed space  
16 for 47 trucks. So, the trucks keep having  
17 puppies. And, we keep looking for new spaces for  
18 those puppies. So, that's only one of the things.

19 I heard about entitlements to  
20 employees, reasonable expectations. What about  
21 our children's reasonable expectations? Their  
22 libraries are being shortened in hours. Their  
23 schools are not being built. And, their parks are  
24 going unconstructed. What about those reasonable  
25 expectations? I also heard about that UPS would

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2 be negatively impacted if they should move. I'm  
3 right across the street from UPS and they still  
4 lose my packages. The other thing is that  
5 District 1 and 2 trucks, when they said that their  
6 lunch trips, that they would be coming back for  
7 lunch, those trips were not recorded in the DEIS.  
8 And, one of our people who looked over this  
9 document with a fine-tooth comb, Denise Levine  
10 [phonetic], discovered that.

11 We also heard about limiting fuel  
12 to other agencies. This is totally unenforceable.  
13 When they compare the counts on Spring Street,  
14 it's like comparing apples to oranges, because,  
15 first of all, they're going from a four-pump  
16 facility to close to a 12-14 pump facility. And,  
17 City agencies go where the fuel is. And, it's not  
18 going to be just relegated to Sanitation trucks.  
19 Everyone, from the Mayor's cars to the Department  
20 of Buildings, to anyone with a City car will be  
21 using these. And, that will only increase the  
22 congestion and the pollution and the danger to our  
23 children crossing the streets.

24 Then, there was issues about a  
25 park. They said they wanted to build a green

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2 roof, put a little grass on the top. This would  
3 be at a height of 128 feet. This is totally  
4 unusable for the community. With our plan, it  
5 would call for a maximum height of 75 feet with an  
6 ADA-compliant angle of assent so that we could  
7 have a nice entry to the park and it would be  
8 shared and used by members of the community and  
9 others.

10 So, when they talk about no air  
11 change registered, no significant air change, we  
12 disagree with that. How can anybody with just a  
13 simple logical mind look at the number of trucks  
14 that are currently there and you're going to  
15 triple the count and you're going to quadruple the  
16 number of trips and reasonably imagine that there  
17 will be no significant air change.

18 We heard a lot about low sulfur  
19 fuel. We happen to have a scientist on our  
20 Committee who looked at this ultra low sulfur fuel  
21 and the filters with which they use it.  
22 Sanitation has used this fuel. However, what  
23 happens is the truck operating at stop and go  
24 conditions from five to ten miles an hour,  
25 continually stalls, at which point the garage is

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2 forced to remove the filter. So, there goes the  
3 incredible amount of money and millions of dollars  
4 we use in this extra low sulfur fuel. And,  
5 they're just blowing it out their tailpipes in  
6 more ways than one.

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8 And, I'm going to tell you  
9 something else. The air down there is the second  
10 worst on the northeast coast. They propose, with  
11 this facility, to make it even worse. Remember  
12 now, we have a UPS facility, a Federal Express  
13 facility. We have the Holland Tunnel. We have  
14 all of these pollutants and now, you're going to  
15 add two more districts, a salt pile and a 32,000  
16 gallon ethanol, diesel and gasoline facility. But  
17 yet, there will be no significant increase in air  
18 quality.

18

19 I could talk all day about this,  
20 but I want to limit it to the fact that as a  
21 lifetime resident of this area, I've watched this  
22 area grow ever so slowly into a gentrification  
23 level. We passed two resolutions. They were  
24 actually rezonings. What we were saying was bring  
25 us your children. Bring us your families. Bring  
us a new day down here so that we could start to

1  
2 begin and to enjoy the waterfront. And, right  
3 behind that, we're proposing to build this mega-  
4 garage, a 12-story monstrosity to what used to be  
5 called the Gateway to SoHo.

6 I honestly think that if you have a  
7 three-district garage next to residential and two  
8 parks, it's outrageous. A salt shed facing the  
9 intake fans of the Holland Tunnel is a catastrophe  
10 waiting to happen. An oversize fuel depot serving  
11 not only three districts, but all of the City  
12 agencies in the downtown corridor will back up  
13 Canal Street and the Route 9A corridor, as well as  
14 giving planners at Homeland Security extra  
15 worries.

16 Building personnel employee parking  
17 spaces at a cost of \$459 thousand dollars each is  
18 fiscal madness. Just Monday, this current class  
19 of police academy cadets was cancelled. But, yet,  
20 we need to satisfy the reasonable expectations of  
21 Sanitation employees for employee parking.

22 Well, I've taken a little bit too  
23 much of your time already. I would like to pass  
24 it on to Michael Kramer.

25 MICHAEL KRAMER: Good morning,

1  
2 Madam Speaker, Madam Chair, Council Members. My  
3 name is Michael Kramer. I represent the St.  
4 John's Center, who owns the largest property in  
5 Hudson Square. We're located directly adjacent to  
6 the proposed DSNY garage, just to the south of our  
7 four-block long building. And, we've actively  
8 opposed this ill-conceived proposal over the past  
9 18 months and ask that the Subcommittee consider  
10 that there is a better solution and that they  
11 learn more about it. This plan will have a very  
12 significant impact upon our building in terms of  
13 traffic, in terms of air, in terms of noise and in  
14 terms of safety issues.

15 On April the 3<sup>rd</sup>, we met with  
16 Commissioner John Doherty, who challenged us to  
17 come up with a better solution. And, the result  
18 was the Community Sanitation Steering Committee's  
19 Hudson Rise Initiative, which I'll take a moment  
20 and describe, and has been vetted by the local  
21 Community Board and the Manhattan Borough  
22 President's office. But, unfortunately, we still  
23 haven't gotten traction for the proposal because  
24 the proposal will require that the salt shed be  
25 elsewhere and also that we deal with two

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districts' garages, again, not being nimby, rather than three districts.

I wanted to remind our elected officials that we've been proactive in trying to find another location for the third district and we came up with six different locations as possibilities. And, we will continue to have those conversations.

My concern is about perhaps how history is being rewritten a little bit. The Commissioner was talking about, or Dan Kline was talking about how Sanitation's facility was coming on the block to market in 2004-2005, which is a little disingenuous because Sanitation was negotiating with UPS back in 1999.

We've been talking about this Block 675 on 30<sup>th</sup> Street and the salt pile was part of that original design. We understand that it's very costly to build underground. And yet, why not consider another solution like they're doing at Spring Street, where they're building above-ground. And, maybe that would have dealt with some of their concerns.

But, most importantly, there is an

1  
2 existing District garage at Block 675 on West 30<sup>th</sup>  
3 Street, the Manhattan District 6 Garage, which  
4 will be vacated when they go back to your district  
5 in East 73<sup>rd</sup> Street. And, that was one of our  
6 possibilities. We said if the City already has a  
7 garage at this site, why not swap in District 5  
8 for District 6. Again, you know, we did the  
9 numbers and we came up with \$20 million as the  
10 ultimate cost.

11 And, what I want to talk about is  
12 the numbers, because I think that's really what's  
13 of everybody's concern these days. UPS is  
14 requiring the City to buy all of their air rights,  
15 which is 427,250 square feet. If we were to  
16 reduce the size of the building, there would be,  
17 let's call them, unneeded air rights that UPS is  
18 requiring the City to do something with. But, our  
19 proposal would use only 235,000 square feet of air  
20 rights. The reason for that is because we would  
21 be able to get everything down to 75 feet instead  
22 of the 138 feet that the Sanitation Department is  
23 proposing; 118 feet plus 20 feet of mechanicals.  
24 By bringing it down to 75 feet, it would be the  
25 same height as our building, the St. John's

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There might be opportunities to connect the two buildings. The St. John's Center is willing to talk about those kinds of possibilities because we see it as a benefit for the full neighborhood. The plan here, which starts on Canal Street without a salt shed, would then go up, as Phil described, all the way up to eventually to a height of 75 feet. The first floor would still be the UPS semi-trailers. The second floor would be for District 2. The third floor would be for District 1. We've done architectural and engineering designs that our facility would cost \$124 million versus the Sanitation figure of \$285 million. We also have done a cost analysis where the acquisition would be only \$95 million instead of 144, because those unused air rights would have a value. They could be resold.

So, the bottom line is that we're talking about something that is \$240 million instead of something that's \$429 million. It includes an alternative site for the Sanitation District 5. It includes an alternative site for

1  
2 the salt shed. And, it saves almost \$200 million.  
3 And, we think it could be built cheaply and faster  
4 and you would leave a legacy of 2.5 acres of park.

5 So, on behalf of the St. John's  
6 Center, I'd like to remind everybody that the  
7 Sanitation Department should not be our lead  
8 planning agency. And, that, if we're going to  
9 make decisions, they shouldn't be in the maxim of  
10 garbage in and garbage out. Thank you very much.

11 RICHARD SLOAN: Madam Chair,  
12 Speaker Quinn, Council Members, I'm Dr. Richard  
13 Sloan. I'm a biomedical researcher at Columbia  
14 University Medical Center. And, I want to address  
15 a couple of the issues that have been touched  
16 upon, specifically, air quality. It's already  
17 been reported that the air quality in the  
18 neighborhood-- I, incidentally, live on Canal  
19 Street and West-- the air quality in the  
20 neighborhood is among the worst in the northeast  
21 of the United States. And, it is readily apparent  
22 from anybody who walks in that area what the  
23 source of that air quality problem is.

24 The Sanitation Department has  
25 indicated that it's going to retrofit diesel fuel

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2 vehicles with filters that improve the air  
3 quality. The Los Angeles Bureau of Sanitation has  
4 essentially done the same thing by fitting some of  
5 their trucks, converting their diesel trucks to  
6 natural gas and the comparison was made previously  
7 about natural gas. The experience of Los Angeles  
8 is that there's a reduction in nitric oxide  
9 emissions of 25%. That's impressive. Twenty-five  
10 percent means that 75% remains. These are not no  
11 emission vehicles. These are low emission  
12 vehicle. The EPA estimates that similar  
13 conversions reduce carbon dioxide emissions by  
14 25%. Again, that's a reduction, not an  
15 elimination of emissions, toxic emissions.

16           If, as we estimate, the increase in  
17 vehicle traffic is anywhere from 450 to 800 trips  
18 a day, even if there's a reduction in emissions,  
19 it's not an elimination of emissions. And, that  
20 means that, overall, our neighborhood is going to  
21 experience significantly increased toxic  
22 particulate emissions. So, regardless of what the  
23 Environmental Statement indicates, the description  
24 of no significant impact is utterly implausible.

25           Second, it's equally implausible

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that the traffic patterns will not be altered.

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If, in fact, there are 450 to 800 trips a day on

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the streets indicated, West, Washington, Spring

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and Canal, that can only mean that other traffic

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that attempts to use those streets has to be

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diverted to other streets. And so, the idea that

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the traffic impact is going to be restricted to

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those streets is also utterly implausible.

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And, finally, as you've just heard,

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the plan is fiscally irresponsible because a

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viable alternative, at about half the price, is

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certainly worth considering. I want to ask one

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more question of you. And, that is Speaker Quinn,

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you mentioned that you have been consulting with

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Sanitation repeatedly to consider modifications to

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this plan. I may have missed it. But, I didn't

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hear that those consultations also involved the

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community. And, if that's not the case, it seems

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to me to be a significant [crosstalk]--

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SPEAKER QUINN: [Interposing] Let

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me just jump in, 'cause typically we ask the

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questions. But, since you asked one, you weren't

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listening, 'cause I also outlined in my opening

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statement the long number of meetings my staff

1  
2 have held both with Community Board 2, Community  
3 Board 4, the entity to which Phil, I'm sorry I  
4 don't remember the name of, that pulled itself  
5 together. I, myself, met with Phil and two of his  
6 representatives day before yesterday. We're going  
7 to continue to hold those meetings next week.  
8 And, Kate and Gray have been in numerous, numerous  
9 meetings. If you'd like a log of all of them and  
10 the phone calls that have been follow ups and the  
11 e-mail transactions, we're happy to provide that  
12 to you.

13 RICHARD SLOAN: No. I heard that.

14 But, that's not what I'm referring--

15 CHAIRPERSON LAPPIN: [Interposing]

16 Okay. Let me--

17 RICHARD SLOAN: --to.

18 CHAIRPERSON LAPPIN: We're not  
19 going to have a back and forth.

20 RICHARD SLOAN: Okay.

21 CHAIRPERSON LAPPIN: But, we--

22 SPEAKER QUINN: [Crosstalk] clarify  
23 the record.

24 CHAIRPERSON LAPPIN: Right.

25 RICHARD SLOAN: I just want to

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2 encourage the three parties to meet together.

3 That was my concern.

4

5 been noted.

6

7 know, Chairperson, that has happened.

8

RICHARD SLOAN: Okay.

9

10 discussions with all the entities. But,  
11 certainly, you can rest assured, as the Chair can  
12 well tell you, in the final weeks of a Land Use  
13 negotiation, the three parties, the six parties,  
14 the 12 parties, the 18 parties, which is usually  
15 what it ends up being at the end, will all meet to  
16 the point of which they're sick of the sight of  
17 each other.

18

19 CHAIRPERSON LAPPIN: I had a  
20 question for Mr. Mouquinho. And, that, you know,  
21 this concept that all the sudden they're going to  
22 be new trucks in the area, because now we have 1,  
23 2 and 5 at Gansevoort. And, that's less than a  
24 mile away from where this new proposed garbage  
25 facility that we're discussing today is going to  
be located. So, I guess the concept to me and

1  
2 people define neighborhoods very, sometimes,  
3 narrowly. I consider them to be a little bit more  
4 broad. But, to me, to be 14, 15 blocks away and  
5 have the trucks shift from one site to another  
6 isn't really radically changing the number of  
7 trucks that already in the area. So, but, I  
8 wanted to give you a chance to respond to that.

9 PHILIP MOUQUINHO: Absolutely. I  
10 can tell you--

11 CHAIRPERSON LAPPIN: And, by the  
12 way, we're not going to have booing. We're not  
13 going to have hissing. And, we're not going to  
14 have clapping. And, if you continue to do that,  
15 we will have you removed. This is a hearing.  
16 We're all going to conduct ourselves with respect  
17 for one another. And, I am serious about that.

18 PHILIP MOUQUINHO: Okay. In answer  
19 to your question about number of trucks, to begin  
20 with, District 5, which is located in mid-town  
21 Manhattan, would now come down to Spring Street,  
22 which means that they will now be in our immediate  
23 area, where before they were on the West Side  
24 Highway and they were up near the 14<sup>th</sup> Street area  
25 and heading to mid-town. Now, they would have to

1  
2 be leaving from our particular garage on Spring  
3 and West. And, we did the analysis and it would  
4 actually be a significant increase in truck  
5 mileage, not to mention truck noise and truck  
6 pollution. So, that's one.

7           District 2, as you know, District 2  
8 goes from 14<sup>th</sup> Street all the way down to Canal,  
9 from the River over to the Bowery. If they stay  
10 on Gansevoort Peninsula, and I'm not advocating  
11 that, but I'm saying hypothetically to answer your  
12 question they stayed at that location, they would  
13 not be coming through all of Greenwich Village,  
14 where now, if you have them all the way at the  
15 very end of District 2, which is Canal Street,  
16 they would now be free to roam the entire area.

17           And, I could tell you just from  
18 personal experience, my restaurant is at ground  
19 level on Greenwich and Charlton. And, when a  
20 truck goes by there, it doesn't have to be low  
21 emitting in diesel fuel or anything like that.  
22 They keep it in a low gear and the noise is  
23 unbearable. We have to close the doors. So, you  
24 could now imagine not one district doing that, but  
25 three districts doing that. So, I hope I answered

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2 your question.

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CHAIRPERSON LAPPIN: Okay.

4

5 a moment to thank, particularly Phil, you, and  
6 everyone in your organization. You have been  
7 incredibly, you know, accessible, very, very  
8 thoughtful, very helpful, you know. Where this  
9 will all end up in the next week or whatever it  
10 is, we'll see. But, I think you guys have been,  
11 your coalition has been, a great example of folks  
12 who didn't just stand in opposition saying no, no,  
13 no and wagging your fingers and getting, you know,  
14 in big fights. But, said, look, we have concerns,  
15 but we understand larger policy, Citywide issues.  
16 Let's try to all roll our sleeves up and figure  
17 that out, which is no surprise, Phil, that you  
18 would lead such an effort given your long and  
19 distinguished career in the Village. So, I just  
20 wanted to thank you and the rest of the members of  
21 your coalition. Though, I apologize, I can't  
22 remember the formal name.

23

PHILIP MOUQUINHO: Thank you,

24

Speaker.

25

SPEAKER QUINN: You're welcome.

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CHAIRPERSON LAPPIN: Thank you.

2

SPEAKER QUINN: Thank you.

3

CHAIRPERSON LAPPIN: All right.

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We're going to begin to have panels alternated  
between in support and opposition. The next panel  
will be in support, Mr. Al Butzel, Mr. John Lee  
Compton, Mr. Edward Kirkland and Miss Doris  
Corrigan. We're going to put two minutes on the  
clock for each speaker. I'm going to ask, is the  
Sergeant here? Great. So, the Sergeant at Arms  
is going to be responsible for working the clock.  
I'm going--

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MALE VOICE: [Off-mic]

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CHAIRPERSON LAPPIN: Oh, and if you  
have anything to hand out--

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16

MALE VOICE: Quiet, please.

17

CHAIRPERSON LAPPIN: -- please give  
it to the Sergeant at Arms. He will distribute it  
to the members of the Committee. [Pause] -- and,  
is the Sergeant in the back?

18

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MALE VOICE: Yes.

22

CHAIRPERSON LAPPIN: Great.

23

MALE VOICE: [Off-mic]

24

CHAIRPERSON LAPPIN: Okay.

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2 Mr. Butzel, please introduce yourself and begin.

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AL BUTZEL: That work? Yeah.

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Okay. My name is Al Butzel and I'm appearing here today individually. I was once President of Friends of Hudson River Park. But, I'm not now. And, I'm not speaking for Friends. They'll speak for themselves today. I came down here because I was significantly involved in the negotiations between Friends and Sanitation that led to a compromise, which was aimed at clearing the Gansevoort Peninsula for public park use. And, I am here to support the proposal for the garage because I think that it's the most feasible and most immediately realizable of the options which will lead to Gansevoort being cleared of the Sanitation operations in a expeditious way and will therefore lead to the conversion of that piece of property, which is a very significant one on the waterfront to park use.

Now, part of the settlement required the City to contribute \$14 million to creating a park there and also to clean up the site entirely. And so, I think we have a feasible way of getting the job done. And, while I

1  
2 understand there are significant community  
3 concerns here, I think on balance, the importance  
4 of creating parkland at Gansevoort, the public  
5 benefits that will derive from that outweigh the  
6 impacts that are going to be on the immediate  
7 neighborhood.

8           So, I strongly support the idea of  
9 a garage at Spring Street. The law sort of  
10 requires it in a way. But, I also believe it  
11 represents probably the minimal impact. Having  
12 said that, I would encourage the Council to be  
13 aggressive in challenging Sanitation's assumptions  
14 and their assertions. In some ways, Sanitation is  
15 a universe into its own. It almost operates  
16 independently. And, I think if you can-- if it  
17 really were feasible to move a district out of the  
18 garage and lower the size, it would be well worth  
19 the effort and, the same with regard to the salt  
20 site. Thank you.

21           CHAIRPERSON LAPPIN: Thank you,  
22 Mr. Butzel. It's a new ring on our buzzer.

23           JOHN LEE COMPTON: I'm glad you're  
24 as shocked as we are by that. My name is Lee  
25 Compton. I'm the past Chair of Manhattan

1  
2 Community Board 4. I am the current Chair of the  
3 Board's Chelsea Land Use Committee. It's a  
4 pleasure to appear before you this morning.

5 I am speaking on behalf of  
6 Community Board 4. We normally do not interfere  
7 in the work of other Boards. But, we feel we must  
8 respond to CB 2's efforts to locate or suggest  
9 moving some of these facilities into our district.  
10 We recognize our obligation to support government  
11 facilities. In addition to our tow pound and a  
12 waste transfer station, we currently have four DOS  
13 facilities. And, this includes a three-district  
14 garage opening next year with more vehicles than  
15 the three that are being proposed for CD 2, a salt  
16 shed and the repair facility.

17 We remain willing, as we've said,  
18 to consider the suitability of Block 675 for  
19 additional facilities. You've heard DOS finds  
20 that very expensive. It is also part of a complex  
21 package for the community as part of the Hudson  
22 Yards rezoning. It hasn't been mentioned today,  
23 but we strongly oppose the siting the district  
24 garage and the repair facility on Block 670.  
25 This, we believe, would squander an expensive,

1  
2 carefully-designed facility that fills a crucial  
3 need for DOS. We believe it would be the  
4 equivalent of siting an internet café in an  
5 expensive emergency communication command post.

6 CB 4 already has 50% more vehicles  
7 from DOS than the proposed would place in CB 2.  
8 If you choose to site District 5 in CB 4, we then  
9 would have more than three times the vehicles that  
10 would place in CB 2. We wish the District 5  
11 garage could be sited in CB 5. But, if it cannot,  
12 the DOS proposal to site District 5 along with  
13 Districts 1 and 2 is both fiscally responsible and  
14 equitable in sharing the burdens of DOS  
15 facilities. Thank you.

16 DORIS CORRIGAN: [Pause] Oh, thank  
17 you. I'm Doris Corrigan, President of the Chelsea  
18 Waterside Park Association, which has successfully  
19 fought for a park on the Chelsea waterfront. We  
20 are supporters of the Hudson River Park and have  
21 spoken out for the inclusion of the Gansevoort  
22 Peninsula in the park and, against its use as a  
23 parking lot for the DOS facilities.

24 I'm here today to tell you about a  
25 cautionary tale about the 40 years it took to get

1  
2 the Chelsea Rec Center built. I was a community  
3 leader of this effort. And, when now, I see the  
4 attempt to derail the DOS garage plan for  
5 Springfield, I cannot but help but see a repeat of  
6 the Rec Center's disaster. To explain, in 1960,  
7 the U.S. Post Office, by eminent demain, uprooted  
8 400 working-class families in Chelsea, razed the  
9 existing Rec Center and built the Morgan Annex on  
10 the block between 28<sup>th</sup> and 29<sup>th</sup> Street, between  
11 Ninth and Tenth Avenues.

12 The Post Office gave New York City  
13 10 million towards a new Rec Center, the shell of  
14 which was created on 25<sup>th</sup> Street. But, soon after,  
15 it was bricked up because of the 1975 financial  
16 crisis. Almost 30 years later, with the help of  
17 Chris Quinn and the Senator Tom Duane, a new  
18 design for the existing space was created and  
19 Mayoral support was secured. It is now an  
20 important addition to New York City's park,  
21 Recreation Department.

22 We don't want to see the same fate  
23 for the present plan being discussed here. And,  
24 I'm asking you, please vote for the present plan  
25 for the three-district sanitation garage, which

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are already funded. Thank you.

CHAIRPERSON LAPPIN: Thank you.

Mr. Kirkland.

EDWARD KIRKLAND: Thank you.

Edward Kirkland. I'm not speaking today on Landmarks issues. But, I am speaking as a--

CHAIRPERSON LAPPIN: I know, it's unusual. You're throwing me off.

EDWARD KIRKLAND: -- but, as a member of the Executive Committee of the West 300 Block Association in Chelsea. We believe that the Sanitation garage on Spring Street should be built as proposed. No site for such a facility is ideal, without impacts on its neighbors. But, we don't see yet a better or more workable site for any of the trucks planned for this location.

The original site on 30<sup>th</sup> Street that Community Board 4 agreed to accept for many of the trucks at issue, was, at that time, part of a wasteland of repair and parking sites close to the High Line. But now, the City has decreed that the whole wasteland is to be transformed as part of the enormous upscale Hudson Yards development. There is no room there.

1  
2 The briefly notorious Block 675  
3 site was proposed for a whole stack of features  
4 relocated sanitation trucks, displaced tow pound  
5 cars, cosmetic park. On top of it all, remind me  
6 of some of this proposal, but that idea died from  
7 the realization that the polluted landfill mush on  
8 the site would cost millions of dollars to make it  
9 reusable for a large structure, partly below  
10 street level. And, incidentally, the proposed new  
11 rail tunnels for New Jersey, called Access to  
12 Region Corps might even have to pass only a few  
13 dozen feet below the surface here. Now it's going  
14 to be a luxury hotel. No room there.

15 The present Sanitation facility on  
16 the site is clearly a temporary makeshift. It's  
17 supposed to be replaced by one to the east side if  
18 it does not replace-- if you're going to put new  
19 trucks there, you're going to have to rebuild it  
20 to the modern higher standards. So, and it would  
21 cost a great deal of money because of the mush  
22 that is there. And, in this glorious new area  
23 which they want to be a new commercial and  
24 residential center; no room there.

25 I already talked about shoehorning

1  
2 a whole district-load of sanitation trucks into  
3 the existing borough repair shop. That won't  
4 work. No room there. Therefore, I say in trying  
5 to find a workable place, new place for the Board  
6 5 trucks is going to be almost impossible. And,  
7 in the meantime--

8 CHAIRPERSON LAPPIN: [Interposing]

9 Thank you. I have to ask you to wrap up.

10 EDWARD KIRKLAND: I will wrap up.

11 And, saying and it will just delay, as has been  
12 said before, probably for years and at constantly  
13 increasing expense and legal penalties. They are  
14 the universally longed-for goal of getting the  
15 trucks off Gansevoort and freeing up the Peninsula  
16 to become one of the finest parks, of Hudson River  
17 Park.

18 CHAIRPERSON LAPPIN: Thank you,

19 Mr. Kirkland. Thank you. The next panel in  
20 opposition, and I'm doing these to the best extent  
21 possible in the order they were handed to me.

22 But, Maria Pasanante Derr [phonetic], Kim Tabot,  
23 Julie Nadel and Denise Levine. Oh, I'm sorry.

24 And, I wanted to recognize we've been joined by my  
25 colleague, Council Member Alan Gerson from

1  
2 Manhattan. And, everybody but the baby has to be  
3 quiet. The baby can make as much noise as it  
4 wants. I am. I love that there are babies here.  
5 I think it's great.

6 MARIA PASANANTE DERR: Good  
7 morning. I'm Maria Pasanante Derr. I was born  
8 and raised in the community. And, I practiced law  
9 there for 25 years. I'm a former Chair of  
10 Community Board 2. And, I have been serving on  
11 the Board for six years now. The testimony I  
12 submitted deals primarily with the severely  
13 negative traffic impact of this project. But, I  
14 think I'm going to deviate for a minute and  
15 respond to some of the statements I heard here  
16 this morning.

17 First of all, I heard Commissioner  
18 Doherty sugarcoat this whole situation by saying  
19 that there's no rezoning involved here. Well,  
20 you've done everything but rezone this site. When  
21 you request, as part of this ULURP application,  
22 you requested special permits for relief from  
23 street wall, set-back requirements and height  
24 limits. This is not consistent with C6-2A and the  
25 contextual zoning in this area.

1  
2                   Second of all, I heard Daniel Kline  
3 tell us that UPS had been voluntarily marketing  
4 Spring Street and was considering using their roof  
5 to consolidate their operations. The fact of the  
6 matter is that UPS cannot operate without the use  
7 of this yard and they've been hammered for the  
8 last two years by the City with a threat of  
9 eminent domain.

10                   Third, Commissioner Doherty really  
11 exhibited a lack of candor about the employee  
12 parking spots. They cost \$459,000 for each of 74  
13 parking spaces, to a total of 34 million and it's  
14 totally unwarranted.

15                   Finally, Commissioner Doherty says  
16 that the traffic patterns in this area will change  
17 slightly. There's a reason why the air quality in  
18 this area is the second worst in the northeast  
19 corridor. Sixteen lanes of highly localized  
20 traffic merge into two lanes in the Holland  
21 Tunnel; four from Varick Street, four from Broome,  
22 four from Hudson, four from Canal, plus tributary  
23 lanes from Church, West and Watts Street.

24                   The siting of this project, at the  
25 base of West Spring and Washington Street is the

1

2 bookend for the Trump Hotel on the other end at  
3 Spring, between Varick and Sixth. Once you add  
4 the trucks from the three district garages, all  
5 other agency vehicles, which is a point I'll  
6 return to in a minute, who will be refueling here,  
7 plus salt spreaders from all the districts, this  
8 area will surely become a blender of traffic  
9 congestion and the air quality will surely be the  
10 worst in the northeast. Thank you.

11 KIM TALBOT: [Pause] and I'm a  
12 resident of Hudson Square. Just last week, I  
13 attended a Community Board 2 input session on  
14 potential rezoning of the area. A member of  
15 Speaker Quinn's office--

16 MALE VOICE: Make sure you speak  
17 into the mic so we can get--

18 KIM TALBOT: Sorry. Members of  
19 Speaker Quinn's office were also present and I'm  
20 sure they can attest that Hudson Square's biggest  
21 problems are hands-down-- not yet, can I--

22 MALE VOICE: [Off-mic]

23 KIM TALBOT: Okay. -- hands-down  
24 traffic, pollution, noise and poor pedestrian  
25 thruways. It's painfully obvious that this

1  
2 project will only exacerbate these problems to  
3 intolerable levels. Even Borough President  
4 Stringer and Senator Duane spoke out against this  
5 plan, claiming that it was just too massive for  
6 the neighborhood to handle.

7           As we know, in 2005, before  
8 powerful real estate interests decided to develop  
9 the Hudson Yards, this project was supposed to be  
10 located in Block 675. And, by the way, it hasn't  
11 escaped many of us here that Joe Rose, one of the  
12 Board of Directors for the Hudson River Park Trust  
13 just filed a permit to build a luxury hotel in  
14 that exact same spot. Anyway, the design for that  
15 project is over there. And, as you know, it went  
16 through the ULURP process and it was approved by  
17 the community.

18           This is what we're getting instead,  
19 a towering rectangle the size of a football field  
20 with no egress. I totally understand that perhaps  
21 the design for Block 675 wasn't fully feasible and  
22 that it may not have worked in our community.  
23 But, there is just a world of middle ground  
24 between these two proposals. The current design  
25 really gives nothing back to the community. And,

1  
2 we're just not appeased by the rooftop park. I'm  
3 not sure I understand the point of a rooftop park  
4 that no one can access or even see because it's  
5 taller than all of the buildings in the area.

6 I'm just disappointed that, in a  
7 City which claims to be innovative, forward-  
8 thinking and now green, that this is the best that  
9 we can do. I also find it alarming that the City  
10 is considering rezoning the area to attract more  
11 residents, but isn't concerned about making this  
12 project more neighborhood friendly. How can we,  
13 in good conscience, lure new families into the  
14 area knowing that we have the second worst air  
15 quality in the northeast and that it's only about  
16 to get worse. So, I urge you as Council Members  
17 to not necessarily take the practical vote, but do  
18 what's right for the families of Hudson Square.

19 JULIE NADEL: Hi, I'm Julie Nadel.  
20 And, I'm speaking against the plan. I'm speaking  
21 on my own behalf. Regarding the plan, I have  
22 several questions. This facility includes 74  
23 parking spaces for City employees to drive their  
24 private cars into work at an estimated cost of  
25 \$459,000 each, which has been discussed already.

1  
2 This suggests that the Administration's policies  
3 on automobile congestion in Manhattan are, at  
4 best, inconsistent and, at worst, deeply flawed.  
5 How can you propose taxing people to bring their  
6 cars into Manhattan, while simultaneously  
7 encouraging and storing, at great public expense,  
8 more private vehicles into the very same area?  
9 Because if these 74 DOS employees took public  
10 transportation like the rest of us, the City would  
11 save nearly \$34 million. And, aren't we facing a  
12 multi-billion dollar deficit?

13 My second point involves the  
14 extremely odd matter of having the original  
15 Community Board and City-approved site on West 30<sup>th</sup>  
16 Street bypassed for reasons that really don't make  
17 sense. This site could have housed part of the  
18 proposed mega-garage and advocates working on the  
19 site have noted that an influential real estate  
20 family, the Rose family, one that incidentally has  
21 an appointee on the Board of the Hudson River Park  
22 Trust, owns this site. What's wrong with this  
23 picture?

24 I'm a Board member of the Hudson  
25 River Park Trust. Regrettably, I was unable to

1  
2 vote against this giant sanitation shuffle because  
3 the issue was never brought before the Board.

4 Instead the Friends of Hudson River Park privately  
5 settled this lawsuit behind closed doors with this  
6 result. Do any of you really believe this is an  
7 example of how public policy should be created?

8 This Friends group raises money  
9 under the guise of helping to build Hudson River  
10 Park. And, according to their most recent  
11 published annual report, they raised \$995,000.  
12 But, regrettably, according to public records,  
13 only \$25,000 of this near million ever made it  
14 into the park. Let's do the math. Less than 3%  
15 of the money that Friends of Hudson River Park  
16 raises has gone towards actually building the  
17 park. What's going on here?

18 I hope someone will ask these  
19 questions in addition to me. Thank you.

20 CHAIRPERSON LAPPIN: We're not  
21 going to have clapping. We're just not.

22 DENISE LEVIN: I have a prepared  
23 remarks, which I gave to this gentleman.

24 CHAIRPERSON LAPPIN: We have them.

25 DENISE LEVIN: Okay. My name is

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Denise Levine. I feel that the City has understated the impacts of the proposed garage. For example, Sanitation says that the three-district garage would enable the trucks to shorten their routes. But, District 5's miles would actually increase by more than 4,200 miles a year. Also, Sanitation says there would be 480 peak day trips to and from the garage. But, as the document that I've distributed shows, it would be closer to 800 trips per day.

I also feel outraged, as other speakers have said, about the free parking for Sanitation employees. Employee cars would contribute about 240 vehicle trips per day. Given that the area is so congested with traffic, I also feel outraged that Sanitation would allow vehicles from other City agencies to fuel at the garage. And, I know Commissioner Doherty said that they're fueling there right now, which is true, except now there's one district garage and fueling. In the future, there would be three districts and fueling, which I think is ridiculous.

Besides the increased air pollution, noise and traffic, our health and

1  
2 safety would be infected in other ways. For  
3 example, there would be 34,000 gallons of fuel and  
4 oil stored at the garage. Commissioner Doherty  
5 said well, there's fuel stored there now. But,  
6 there's 9,000 gallons stored now, not 34,000  
7 gallons.

8                   Also, the salt shed would be open  
9 on one side and partially open on its three other  
10 sides, as the Sanitation diagram will show you.  
11 The rock salt contains an array of hazardous  
12 substances, which could become airborne for  
13 ingestion by humans and pets. Commissioner  
14 Doherty mentioned a tarp cover as a possibility to  
15 prevent airborne salt, which I think is  
16 ridiculous. Already, four of my neighbors have  
17 put their apartments up for sale because of the  
18 planned garage and salt shed.

19                   I hope that you'll consider actions  
20 to mitigate some of the impacts. The plan  
21 proposed, called Hudson Rise, would eliminate one  
22 district from the garage, locate the salt pile  
23 elsewhere and place a park on the garage's  
24 rooftop. I urge you to adopt that alternative.

25                   CHAIRPERSON LAPPIN: Thank you.

1

FEMALE VOICE: We're done?

2

MALE VOICE: Yes.

3

CHAIRPERSON LAPPIN: Okay. Council

4

Member Gerson had a question for Miss Nadel.

5

COUNCIL MEMBER GERSON: All right.

6

No, just in addition to the concerns, and I

7

recognize, Madam Chair, the focus of this hearing,

8

but, Julie--

9

JULIE NADEL: Yeah.

10

COUNCIL MEMBER GERSON: -- you

11

raised, I think, a very important issue of process

12

in addition to everything else. And, I just want

13

to make sure I'm understanding your testimony

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correctly, because you've been a member of the

15

Park Trust since the very beginning. So, are you

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saying that, and the Trust is the body that has

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primary jurisdiction over our waterfront and we

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all know how the proximity of this to our

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waterfront, are you saying the entire issue of the

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creation of this facility, the removal of

21

Gansevoort, the settlement of the lawsuit, that

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was never even discussed, let alone voted on at a

23

public meeting by the Trust?

24

JULIE NADEL: I don't remember it

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1  
2 being voted on. I'm quite certain it wasn't voted  
3 on. I've been to almost all the meetings. And,  
4 I--

5 COUNCIL MEMBER GERSON:

6 [Interposing] You sure have.

7 JULIE NADEL: -- don't remember a  
8 discussion of it as well. And, one additional  
9 things that I wanted to bring up in this context  
10 is, you know, one of the issues with the Hudson  
11 River Park Act says that there should be no  
12 negative effect of the building out of the park on  
13 the neighboring communities. It should be a  
14 positive effect to the adjoining communities.

15 COUNCIL MEMBER GERSON: Absolutely.

16 JULIE NADEL: And, one of the  
17 things here that's troubling to me is, and I  
18 realize this is just words, but actually, I  
19 believe these words, that when the park is built  
20 out, it should enhance the inboard communities and  
21 not create this kind of situation, where this is a  
22 direct negative effect of the building out of the  
23 part on those adjoining communities. So, I think  
24 that's a big issue. But, no, I don't remember any  
25 vote. I don't remember any discussion on this at

1  
2 all on for the Board or the staff; whatever the  
3 staff did, I don't know. But, the Board I don't  
4 believe ever discussed this at all. It just  
5 happened.

6 COUNCIL MEMBER GERSON: Well, that  
7 raises a lot of troubling issues of process, which  
8 we'll certainly pursue. Thank you, Madam Chair,  
9 for allowing me, as a guest of the Committee.

10 CHAIRPERSON LAPPIN: You're  
11 welcome. The next panel, which is in support, is  
12 Ms. Mary Swartz [phonetic], A. J. Pietrantone,  
13 Robert Trentlyon from Save Chelsea, and Justin Hoi  
14 [phonetic]. [Pause]

15 MALE VOICE: -- who spoke up first  
16 - - identify yourself. [Pause]

17 CHAIRPERSON LAPPIN: Please, go  
18 ahead. You can introduce yourself and begin,  
19 whichever order you'd like.

20 JUSTIN HOI: Good morning. I have  
21 a very short statement. My name is Justin Hoi.  
22 And, I'm here--

23 CHAIRPERSON LAPPIN: Can you pull  
24 the mic closer to you. The reason we ask is this  
25 is all recorded for transcription, so it's hard

1

2 for them to hear. It's hard for them to keep the  
3 transcript.

4

JUSTIN HOI: My name is Justin Hoi.  
5 I'm here with Bob Trentlyon's group in support of  
6 this facility. I think you have a highly  
7 professional competent Sanitation Department.  
8 They've got a great plan. It's an industrial  
9 site. The building improves the neighborhood. It  
10 doesn't detract from it. I think the issue of  
11 putting more green there or a park is kind of  
12 silly because there's the largest, best urban  
13 waterfront park in the world right across the  
14 street from it. So, you don't need a postage  
15 stamp park there.

16

I suggest that this plan has been  
17 in the making for so long, it's silly to slow it  
18 down now at the 23<sup>rd</sup> hour with an afterthought.  
19 Let the Sanitation Department has what it need to  
20 build infrastructure for this century. Thank you.

21

A. J. PIETRANTONE: Morning,  
22 Chairman Lappin, members of the Council. My name  
23 is A. J. Pietrantone. I am the Executive Director  
24 of the Friends of Hudson River Park, a position  
25 I've held only since May of 2008. Friends of

1  
2 Hudson River Park is the 501(c)(3) organization  
3 that exists to support the completion and  
4 maintenance of the Hudson River Park as a world-  
5 class amenity. We are the only community  
6 organization exclusively dedicated to the creation  
7 and preservation of the entire Hudson River Park.  
8 We advocate for public funding, raise private  
9 sector support and support the activity of the  
10 Hudson River Park Trust, as well as take steps to  
11 ensure the integrity of the Hudson River Park Act  
12 of 1998, which established it.

13 I am here this morning to provide  
14 context for the impetus to relocate Sanitation's  
15 facilities, currently occupying the Gansevoort  
16 Peninsula, to clarify that our organization played  
17 no role in the City's planning of that proposed  
18 facility and to urge the members of the Council to  
19 take action in the best interests of the community  
20 at large.

21 Under the terms of the Act, the  
22 City of New York and DSNY were obligated to  
23 relocate all Sanitation uses by December 2003, as  
24 those were defined as incompatible with park use.  
25 In early 2005, after the City had missed those

1  
2 deadlines and continued to violate the provisions  
3 of the Act by constructing new Sanitation  
4 facilities on Gansevoort, Friends, with 14 other  
5 plaintiffs, including State Senator Tom Duane,  
6 City Council Member Gale Brewer and District  
7 Leader Kathryn Brigger [phonetic] brought a  
8 lawsuit to enforce the Act. That was resolved in  
9 October 2005 in a settlement agreement that was  
10 shared with members of the Council and other  
11 elected officials before it was finalized. And,  
12 Friends has never taken any legal costs for its  
13 actions on behalf of the community.

14           The primary goal throughout our  
15 negotiations was to convert the Sanitation sites  
16 to open space as quickly as possible in compliance  
17 with the Hudson River Park Act. And, our  
18 agreement only references the Spring Street site  
19 because it was designated by DSNY as their  
20 preferred location.

21           We understand the community  
22 concerns about the size and scope of the proposed  
23 garage and concentration of districts. And, these  
24 concerns should be given their due consideration  
25 just as the freeing up of Gansevoort demands.

1  
2 That is the decision before the Council. We urge  
3 you to act in the context to take some specific  
4 action. If there is an alternative that you can--

5 CHAIRPERSON LAPPIN: [Interposing]  
6 I have to ask you to wrap up.

7 A. J. PIETRANTONE: If there's an  
8 alternative you can identify that would meet the  
9 greater need of the City and allay the concerns of  
10 the community and delay getting off of Gansevoort,  
11 we would not object as long as the integrity of  
12 the Hudson River Park Act was not further  
13 infringed. Thank you.

14 ROBERT TRENTLYON: Chair Lappin,  
15 I'm Robert Trentlyon. And, I'm a member of the  
16 Board of Save Chelsea. I think all of us must try  
17 to be reasonable in deciding where government  
18 facilities should be built. Because of the high  
19 cost of land in Manhattan, I understand why DOS  
20 has decided to build garages that house three  
21 different Sanitation districts. This is true of  
22 the West 57<sup>th</sup> Street structure, the proposed East  
23 74<sup>th</sup> Street structure and the proposed Spring  
24 Street structure.

25 If CB 4 must house CB 5 vehicles

1  
2 and CB 6 vehicles on 30<sup>th</sup> Street, as well as CB 4,  
3 CB 4A and CB 7 on 57<sup>th</sup> Street, it will be housing  
4 three times as many vehicles as CB 1 and CB 2  
5 combined. And, that is unreasonable. When CB 4  
6 and DOS negotiated over the 57<sup>th</sup> Street site, CB 4  
7 asked for an attractive building, since it would  
8 be located opposite Hudson River Park and that DOS  
9 would assure CB 4 that all its vehicles would be  
10 parked within the structure and not on the street.  
11 We now will have an excellent building,  
12 constructed of Indiana limestone, with enormous  
13 windows on its upper floors. That was it. No  
14 interminable arguing.

15 In taking a tour of the new 57<sup>th</sup>  
16 Street facility, I was delighted by the amount of  
17 natural light that streamed into the building and  
18 the beautiful views of the Hudson and of Hudson  
19 River Park that could be seen. In addition, the  
20 entire building's environmentally friendly, with  
21 frequent air exchanges, waste water controls and  
22 eating areas for employees.

23 The Spring Street building has been  
24 planned with even more environmental features.  
25 This is why I was so struck by the residential

1  
2 developers' proposal to put the garage underground  
3 in order not to block the Hudson River views of  
4 prospective condo purchasers. Why shouldn't the  
5 250 Sanitation workers who'll be working in Spring  
6 Street garage and who pick up our garbage, be  
7 allowed to enjoy the afternoon light and have  
8 views of the Hudson River? I think this would be  
9 reasonable. Reasonable means that every Community  
10 Board takes its fair share of those City uses that  
11 no community really wants.

12 MARY SWARTZ: Hello. My name is  
13 Mary Swartz. I'm the President of Save Chelsea.  
14 I'm testifying on behalf of Save Chelsea and  
15 myself. I've also handed up written testimony  
16 from the Executive Committee of the West 400 Block  
17 Association. Save Chelsea's an organization  
18 representing about 700 people, who live or work in  
19 Chelsea or are otherwise concerned about what  
20 happens to Chelsea.

21 I'm here to testify in favor of the  
22 Subcommittee approving the Department of  
23 Sanitation's proposal to put up the new garage.  
24 Save Chelsea's aware of some opposition to  
25 including District 5 in that new garage. And,

1  
2 some have suggested that District 5 vehicles, both  
3 the garbage truck and other required vehicles, be  
4 overnigheted in some facility in Sanitation  
5 District 4, most of which is comprised of Chelsea.  
6 It's not a good idea or a fair idea.

7           The siting of buildings that house  
8 the essential services of government is obviously  
9 necessary. Everything has to go somewhere. And,  
10 the City does make an attempt, I think, to spread  
11 out its service buildings in a fairly even-handed  
12 fashion. Chelsea now already has an enormous  
13 number of government buildings. Just to mention a  
14 few, a women's prison at 20<sup>th</sup> and 11<sup>th</sup>, a U. S. Post  
15 Office maintenance facility at 24<sup>th</sup> and 11<sup>th</sup>, the  
16 tow pound at 37<sup>th</sup> and 12<sup>th</sup> and the much-  
17 unappreciated heliport at 31<sup>st</sup> and 12<sup>th</sup>. And,  
18 Chelsea already has two Department of Sanitation  
19 facilities; the Sanitation garage at 30<sup>th</sup> and 12<sup>th</sup>  
20 and the Bronx and Manhattan Major Repair facility  
21 at 26<sup>th</sup> and 11<sup>th</sup>.

22           For the simple sake of fairness,  
23 Chelsea should not be required to take yet more  
24 Sanitation facilities. Save Chelsea urgently asks  
25 the Subcommittee approve the Department of

1  
2 Sanitation's proposed new garage, as it is or, at  
3 least, with no revisions that would foist yet more  
4 such vehicles on Chelsea. Thank you very much.

5 CHAIRPERSON LAPPIN: Thank you very  
6 much. Thank you all. And, I did want to thank  
7 the Friends of Hudson River Park Trust for being  
8 somewhat flexible and giving the community the  
9 opportunity to work to find an alternative that  
10 might be feasible.

11 The next panel, which will be in  
12 opposition, Andrew Neale, Ellen Peterson-Lewis,  
13 Rosemary Curpat [phonetic] and Susan Slovern  
14 [phonetic].

15 MALE VOICE: - - if you have any  
16 copies of your statements, I'll take them now.  
17 Please use the side door when exiting the room.  
18 We have another meeting next door. Thank you for  
19 your cooperation.

20 CHAIRPERSON LAPPIN: Go ahead.  
21 Turn on the mic, please. Thank you. When the  
22 light is off, the mic is on.

23 ANDREW NEALE: Okay, that's better.

24 CHAIRPERSON LAPPIN: There.

25 ANDREW NEALE: Good afternoon,

1  
2 Madam Chair, Council Members. My name's Andrew  
3 Neale from the Tribeca Community Association. We  
4 believe DSNY has not sufficiently studied the  
5 effects of the proposed action on Land Use zoning  
6 and public policy.

7           Three years ago, several blocks to  
8 the southeast of the proposed site were rezoned  
9 C6-2A mixed use, and have attracted substantial  
10 residential and retail use since then. Just south  
11 of Canal Streets, a four-block rezoning has taken  
12 place at the Jack Parker sites and City Planning  
13 and Community Board 1 are working hard to expedite  
14 the rezoning of 45 blocks of North Tribeca to  
15 mixed use commercial. The M1-5 district to the  
16 east of the proposed site is also being considered  
17 for rezoning from manufacturing to commercial  
18 mixed use.

19           As a result of the illegal  
20 settlement between the Friends of Hudson River  
21 Park and the City, Sanitation Districts 2, 5 and 4  
22 must move from the Gansevoort Peninsula. However,  
23 a solid waste transfer station will be built on  
24 the Gansevoort Peninsula and, given the proximity  
25 of this facility to the proposed District 1, 2, 5

1  
2 and Sanitation garage, not having an analysis of  
3 the truck traffic expected to be generated by the  
4 Sanitation facility is a fatal flaw in the DEIS.

5           Envisioning Hudson Square design  
6 charrettes conducted in October and November 2007,  
7 five architecture and design firms shown their  
8 visions for the future of Hudson Square, all of  
9 which included mixed residential and commercial  
10 uses in the area of the UPS lots and the St.  
11 John's building.

12           The redevelopments at Pier 40 is  
13 another factor that cannot be ignored when  
14 considering a project, such as the combined  
15 Sanitation garage. Yet, the DEIS makes no mention  
16 of this. The latest incarnation of Pier 40 has up  
17 to three schools located on the Pier, along with  
18 considerable and substantial public recreation  
19 use.

20           The Tribeca Community Association  
21 and the residents of North Tribeca consider the  
22 plan for the combined District 1, 2 and 5 garage  
23 and the DEIS to be inadequate, flawed and ill-  
24 considered and not part of the comprehensive plan  
25 for the area and against public policy. And, we

1  
2 urge the City Council to vote no, or at least  
3 consider the plan with the removal of the District  
4 5 and the salt shed, the parking spots and the  
5 refueling facility removed. Thank you very much.

6 ELLEN PETERSON-LEWIS: Good  
7 afternoon. My name is Ellen Peterson-Lewis. I'm  
8 a public member of CB 2 Environment, Public Health  
9 and Safety Committee. I am sure that the  
10 Committee is well versed in the contents of the  
11 City Charter. I am referring to Chapter 69,  
12 Community District and Co-Terminality of Services,  
13 Section 2704, part (a)(1). "The head of each  
14 agency responsible for one or more services listed  
15 below shall organize the local service delivery  
16 district of such agencies as follows." Street  
17 cleaning and refuse collection is one of the  
18 services listed.

19 DSNY is totally ignoring this  
20 section of the City Charter by siting a three-  
21 district garage in Community Board 2 and also by  
22 siting a salt shed in the Community Board 2, which  
23 will serve four Community Boards, CB 2 1, 2, 5 and  
24 parts of 4. The siting of these facilities will  
25 have an adverse effect on the environment, as well

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as the public health and safety of all residents.

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That's it? Oh. Children, senior-- oh, dear-- of

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all residents, children, seniors and asthma

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sufferers adjacent to the site, as well as to the

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residents who are within 400 to 1,000 feet from

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the site.

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In addition, patrons of nearby

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commercial establishments and pedestrians who work

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in the area, as well as adults, children and

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seniors who use the adjacent parks, Canal West,

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the Hudson River Park and Pier 40, will be

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negatively affected by diesel particulates for

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more than 500 trip-ins of Sanitation trucks, I've

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included the Gansevoort recycling center, and

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fugitive cell particles from the three-sided salt

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shed. Using a three-sided salt shed for the

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storage of salt in use during snow removal will

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have an adverse affect on the marine life in the

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Hudson River Park, a marine sanctuary for the

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striped bass. Changing this salinity of the

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protected marine habitat would kill all marine

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life.

24

CHAIRPERSON LAPPIN: You can use a

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couple of sentences to conclude.

1  
2 ELLEN PETERSON-LEWIS: Okay. Thank  
3 you. There are constant winds coming off the  
4 river from different directions. The Holland  
5 Tunnel vent shaft will cause wind shear and  
6 fugitive cell particles from a three-sided salt  
7 shed will become airborne.

8 Also, in snow or a rain/ice event,  
9 in the loading of salt trucks at the site,  
10 fugitive salt leaking from the trucks and at the  
11 loading site would enter the combined sewer  
12 system, as well as becoming airborne. The  
13 combined sewer systems in this area are old and  
14 inadequate. Most date from the late 19<sup>th</sup> century  
15 to the late 30s. When significant rain events  
16 occur, the Newtown sewage treatment plant cannot  
17 handle the rain event, raw sewage back-up occurs.  
18 Overflow valves are open to relieve the over-  
19 capacity. Raw sewage and salt contaminants would  
20 then directly be introduced into the protected  
21 marine habitat at the Canal Street overflow vale.

22 CHAIRPERSON LAPPIN: Thank you.

23 ELLEN PETERSON-LEWIS: Thank you,  
24 Chairman, for allowing me to continue.

25 CHAIRPERSON LAPPIN: Sure.

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ROSEMARY CURPAT: My name is Rosemary Curpat. I've lived in Hudson Square for 25 years. I can't help but say that it's a sorry state in civic affairs when governmental initiatives pit community against community. The DSNY proposal, as drawn, is too large and too expensive and too burdensome to residents who live nearby. It is wrong for Spring Street and it would be wrong for Chelsea. So, shame on our neighbors to the north for not acknowledging that.

My local neighbors and I accept and understand the necessity of Sanitation services and the inarguable need to site facilities. What we do not accept is an overly large multi-district facility and a salt shed immediately across the street. It's an unfair share. We do not accept that green space was appropriate for this facility when designed for Block 675, but not for Spring Street.

The community's alternative plan proposes to handle two districts' worth of trucks without destroying the emerging neighborhood, which, I might add, lies at the nexus of three post-industrial residential communities; Tribeca,

1  
2 SoHo and the Meat Packing District. It is the  
3 last great opportunity to create and build  
4 community on the lower west side and the DSNY  
5 proposal will destroy that. And, with all due  
6 respect to the Hudson River Park, I must say that  
7 people should come before parks.

8           Given the nation's economic crisis  
9 and the undeniable impact that contraction in  
10 financial services will have on New York City tax  
11 revenues, it is simply irresponsible to spend  
12 nearly \$500 million on a facility that can be  
13 achieved much more cost effectively. I do  
14 understand that there is a difference between the  
15 City's capital budget and its expense budget. I  
16 will remind you, however, the debt service is  
17 funded out of the expense budget. The \$200  
18 million in extra costs will cost the City at least  
19 \$9 million, based on current rates for ten-year  
20 AAA Munies [phonetic]. That's the minimum cost,  
21 since the City is likely to offer these on longer  
22 terms and municipal buy-in rights are rising. In  
23 fact, they are five-eighths higher than they were  
24 one year ago.

25           We do not come here today to ask

1  
2 you to kill this project. We come here to ask you  
3 for time enough to build it livably and  
4 affordably. Please, do not destroy our  
5 neighborhood, our health or the value of our  
6 homes. It is the least you can do as our elected  
7 representatives. And, it is what we should be  
8 able to fairly expect of you. We want only to be  
9 asked to accept our fair share and nothing more.  
10 Thank you.

11 SUSAN SLOVERN: My name is Susan  
12 Slovern. I also live at 304 Spring Street. And,  
13 although my sightline is directly to the proposed  
14 DSNY consolidated facility, I do not oppose the  
15 facility in this location per se because I, like  
16 Rosemary, believe that every community must be  
17 willing to bear a fair share of services.  
18 However, what I do oppose is the scale of this  
19 facility. It is overly large and too expensive.  
20 Further, I do not understand why Sanitation  
21 workers require free parking on floors with high  
22 ceiling heights, when the rest of New York City's  
23 workers have to pay for their own parking.

24 I do oppose the open salt shed  
25 directly across the street, in combination with

1  
2 these two facilities will destroy the emerging  
3 residential character of our neighborhood. All I  
4 ask is that you exercise your authority to direct  
5 DSNY to scale down the garage and relocate the  
6 salt shed.

7 CHAIRPERSON LAPPIN: Thank you very  
8 much. The next panel, Pamela Wolf, Vicky  
9 Blankenship [phonetic], May Gamble [phonetic],  
10 Justin Hoi already spoke. We had two slips for  
11 him. And, Matthew Washington.

12 MALE VOICE: Have any written  
13 statements, please have them ready when you come  
14 up.

15 CHAIRPERSON LAPPIN: That's okay,  
16 'cause this is the last panel in support. So,  
17 please, go ahead, introduce yourself and begin.

18 PAMELA WOLF: Do we each get four  
19 minutes each?

20 CHAIRPERSON LAPPIN: You don't.

21 COUNCIL MEMBER BARRON: Good try.

22 CHAIRPERSON LAPPIN: But, nice try.

23 PAMELA WOLF: It was worth a try.

24 Good morning. My name is Pamela Wolf. Good  
25 morning, Chairperson Lappin and Council Members.

1  
2 I'm speaking for the Chelsea Waterside Park  
3 Association. For the last 19 years, I have been  
4 in charge of the Chelsea Waterside Park  
5 Association's annual sale on the Clearwater, Pete  
6 Seeger's Hudson River sloop. I'm sure you're all  
7 familiar with it, as well as shipping out, as a  
8 crewmember, on the Clearwater for a week every  
9 summer.

10 Because I'm interested in the  
11 development of Hudson River Park, I have paid  
12 special attention to the state of the park of the  
13 Piers and of the blocks east of the highway.  
14 Contrast between the area from Canal Street north  
15 to 14<sup>th</sup> Street, the northern end of CB 2, and the  
16 area of CB 4 from 14<sup>th</sup> Street north to 59<sup>th</sup> Street  
17 is dramatic. I will quickly note Piers with major  
18 structures, as well as governmental buildings  
19 located one block east of the highway. In CB 2,  
20 on the waterfront, there is the Holland Tunnel  
21 ventilation tower at Canal Street, Pier 40 at  
22 Houston Street and Gansevoort Peninsula, where the  
23 Sanitation building will be torn down and a  
24 transfer station will be built one block east of  
25 the highway.

1  
2           There is no major governmental  
3 structure in the Chelsea part of CB 4 north of 14<sup>th</sup>  
4 Street. On the waterfront, we have Pier 57, the  
5 former Mab [phonetic] Store garage at 15<sup>th</sup> Street,  
6 Chelsea Piers 59, 60, 61 and the heliport at 30<sup>th</sup>  
7 Street. On the block east of the highway, we have  
8 the women's prison at 20<sup>th</sup> Street, a USPS  
9 maintenance facility at 24<sup>th</sup> Street, the Bronx and  
10 Manhattan DOS repair and maintenance facility at  
11 26<sup>th</sup> Street and the CB 6 Sanitation garage at 30<sup>th</sup>  
12 Street. There's also a Con-Ed facility at 29<sup>th</sup> to  
13 30<sup>th</sup> Street.

14           I could enumerate the structures  
15 between 34<sup>th</sup> Street and the north end of CB 4 at  
16 59<sup>th</sup> Street, but I don't have that much time.  
17 Briefly, from 34<sup>th</sup> to 59<sup>th</sup> Street, there are 11  
18 Piers, including one transfer station. On the  
19 block east of the highway, there are eight major  
20 governmental and industrial users. Clearly,  
21 Chelsea and CB 4 have more than their fair share.  
22 Thank you.

23           CHAIRPERSON LAPPIN: Thank you.

24 And, other people have testified to the facilities  
25 in the area. So, I think we have a good sense.

1  
2                   MATTHEW WASHINGTON: Thank you,  
3 Madam Chair, for the opportunity to speak. My  
4 name is Matthew Washington. I'm with Friends of  
5 Hudson River Park. I was not planning on  
6 presenting testimony today. But, thought I should  
7 respond to some comments that were made in context  
8 of the Spring Street garage.

9                   I would like to briefly address the  
10 settlement agreement that was brought up, which  
11 does reference the Spring Street garage. And, I  
12 have copies of that settlement if you'd like me to  
13 submit that.

14                  CHAIRPERSON LAPPIN: Sure, you can  
15 give it to the Sergeant.

16                  MATTHEW WASHINGTON: Sure.

17                  CHAIRPERSON LAPPIN: And, could we  
18 close the window here? Is there a window open?

19                  MATTHEW WASHINGTON: Thank you.  
20 I'm freezing.

21                  CHAIRPERSON LAPPIN: Thank you,  
22 Alonzo.

23                  MATTHEW WASHINGTON: It was said  
24 that this was a closed-doors document. In fact,  
25 if you look at the list of defendants, you see

1  
2 that the Hudson River Park Trust is listed at one  
3 of the defendants. And, the Hudson River Park  
4 Trust also signed off on this agreement. Also,  
5 one of the plaintiffs in the suit was Franz  
6 Leichter, who you probably know is one of the  
7 members of the Board of the Hudson River Park  
8 Trust.

9           If you look at paragraph 4, which  
10 references the Spring Street garage, it says that  
11 the City has identified this as the optimal  
12 location for the uses that need to be removed from  
13 the Gansevoort Peninsula. To that degree, we have  
14 been supportive of this to gain control of that  
15 site so we can convert it into parkland. Through  
16 this agreement, \$21.5 million has gone to the  
17 Hudson River Park Trust, or will go for  
18 construction, which is a far greater number than  
19 the \$25,000 that you heard earlier.

20           And, there are a number of other  
21 uses and Friends of Hudson River Park has really  
22 been a steward of the Hudson River Park Act of  
23 1998 and has been working very hard to eliminate  
24 incompatible uses within the park. To that  
25 degree, as it was mentioned earlier by A. J.

1  
2 Pietrantone, we are supportive of any decision  
3 that the Council makes in terms of looking at  
4 alternative locations. But, the City has  
5 identified this location and we are working very  
6 diligently to make sure we increase the amount of  
7 parkland because everyone deserves parkland.

8 CHAIRPERSON LAPPIN: Thank you very  
9 much.

10 MATTHEW WASHINGTON: Thank you.

11 CHAIRPERSON LAPPIN: The next panel  
12 in opposition is Carol De Sarar, De Sarah, De  
13 Saram.

14 MALE VOICE: De Saram.

15 CHAIRPERSON LAPPIN: Thank you.  
16 Peter Gleason [phonetic], David Reck and John  
17 Slattery [phonetic]. Turn on the mic. Is the mic  
18 on? When the light is off-- yeah, push it in.  
19 When the light's off, it's on.

20 CAROL De SARAM: Okay.

21 CHAIRPERSON LAPPIN: There you go.

22 CAROL De SARAM: My name's Carol De  
23 Saram, President of Tribeca Community Association  
24 and resident of, and a member of Community Board 1  
25 and also a resident of the area since 1974.

1  
2 Last week, because of the fiscal  
3 crisis, the Mayor will cut services for child  
4 protective services, dental care for the poor,  
5 police, fire protection and this is just the  
6 beginning. Sanitation Districts for Staten  
7 Island, Brooklyn and 73<sup>rd</sup> Street have been  
8 postponed. But, the Mayor has a \$0.5 billion for  
9 the Taj Mahal on the Hudson; \$460,000 per parking  
10 space for 74 employees.

11 DOS Commissioner Doherty said today  
12 they're going to heat with steam heat. Where are  
13 the Department of Transportation approvals? Has  
14 New York State DOT and UPS been notified that  
15 they're going to be digging up the West Side  
16 Highway from 14<sup>th</sup> Street to Canal, or Washington  
17 Street, where FedEx and UPS operate from Houston  
18 Street to Canal? Are they planning to put them  
19 out of business?

20 This is all because the Mayor is  
21 honoring a real estate deal to move an existing  
22 already approved ULURP garage out of Chelsea and  
23 put it downtown. We are accepting Districts 1 and  
24 2 and other facilities. The City Council Members  
25 cannot justify a vote for a \$0.5 billion for the

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Taj Mahal when the City is suffering, especially the poor. The City Council should be aware that we will not tolerate this and that we will make sure that every City Council Member who votes in favor of the \$0.5 billion Taj Mahal, that their constituents in their communities will be aware of this because these monies should be used for these City Council Members and their communities where these services are desperately needed. Thank you.

PETER GLEASON: Good afternoon. My name is Peter Gleason. And, I'm a Tribeca resident. I'm appalled to propose-- to the spending of precious funds on this ill-conceived project, when the City is canceling the next police academy class. I grew up in this City. I remember the City in the 1970s. It was a war zone. We need police on the streets. We don't need another garbage depot. Or, we need to come up with a better plan, which has been proposed here today.

As a matter of public policy, though, we need our elected officials to be honest. And, I apologize if I usurp the decision making process. But, it's obvious. This is a

1  
2 done deal. So much so that I look as suspect with  
3 Speaker Quinn's departure when Ms. Derr was called  
4 to speak. As a matter of my public testimony  
5 here, I will incorporate everything that Miss Derr  
6 shared with this body. And, I thank you for your  
7 time.

8 DAVID RECK: Okay. I pressed the  
9 wrong button. I am David Reck. I Chair Board 2's  
10 Zoning Committee and I'm the official  
11 representative of the Board today. Brad Hoylman  
12 sends his regards. He was unable to make it.

13 Brad specifically noted that I was  
14 obligated to note the fine work of the staff of  
15 the Speaker, who have spent a lot of time on this  
16 issue. I would also note the hard work of the  
17 Land Use people at the Borough President's office,  
18 and not to slight our other public officials, they  
19 have been very supportive in our efforts of all of  
20 this.

21 I also own 512 Greenwich Street,  
22 which is-- I bought 30 years ago when this area  
23 didn't even have a name. This was a very  
24 forgotten area all those years ago. And, I am one  
25 of many people who spent a great deal of effort

1  
2 bringing this neighborhood along. I am the guy  
3 who spearheaded the first Hudson Square rezoning,  
4 which was very successful, enacted five years ago.  
5 That's why I Chair the Board's Zoning Committee  
6 today.

7 I have to tell you, this is not a  
8 new issue. This issue's been around for at least  
9 ten years. And, ten years ago, Community Board 2,  
10 Community Board 4 and the Sanitation Department  
11 all copped a deal that everybody knew about,  
12 everybody was in agreement to. The end result of  
13 that deal was all of this was supposed to move to  
14 Block 675, up below the Hudson zoning. Now,  
15 today, it appears that Sanitation and Community  
16 Board 4 have developed Alzheimer's. I don't get  
17 why they don't understand that they made this  
18 agreement. And now, they've reneged on the  
19 agreement. They got their benefit from the  
20 agreement. Now, it's our problem.

21 And, the Board was not at all  
22 consulted about any of this. In, two years ago,  
23 in December, just right at the Christmastime, I  
24 find out that there's going to be a scoping  
25 meeting from Sanitation from this. They never

1  
2 even talked to the Community Board. Community  
3 Board took the position of being realistic here.  
4 We have been trying to work out some kind of  
5 compromise deal. We brought up all kinds of  
6 issues. We've talked about everything that you  
7 can imagine about all of this. And, every time,  
8 Sanitation's got the same answer. No. The  
9 answer's no.

10 And, what Board 2 is willing to do,  
11 despite the fact that this does not comply with  
12 our agreement of ten years ago, today we are  
13 willing to accept two districts of sanitation.  
14 Why District 5 is there, we cannot fathom. It is  
15 so far removed from here. We want the elimination  
16 of the salt pile, the elimination of employee  
17 parking. We want to create a community friendly  
18 design on the roof. And, we would like a  
19 pedestrian crossing to the west side.

20 This is like way too much, all  
21 dumped on us in an area that has already been  
22 proven to have extremely excessive traffic. And,  
23 that's no kidding. If you want to see incredible  
24 traffic, please come down there tonight at five  
25 o'clock and you'll see what we have to live with.

1  
2 It is totally specious of Sanitation to say that  
3 they're not going to pollute us and they're not  
4 going to ruin our traffic. It's already  
5 horrendous there. Thank you.

6 JOHN SLATTERY: My name is John  
7 Slattery. I'm a resident of 304 Spring Street.  
8 And, I echo David. I live at one of those traffic  
9 lights that has been determined to be deeply  
10 impacted by DSNY's plan. It is already, as David  
11 said, if you come down there at five o'clock, it  
12 is already a solid line of traffic from West  
13 Street to the 7<sup>th</sup> Avenue entrance, Varick Street  
14 entrance to the Holland Tunnel.

15 The air quality, as has been  
16 mentioned, is some of the worst in the northeast,  
17 which is not going to get any better from an  
18 increase of 800 trips through the neighborhood by  
19 these trucks.

20 Also, I'm concerned deeply about  
21 the storage of 34,000 gallons of fuel, diesel and  
22 gasoline adjacent to the ventilation building of  
23 the Holland Tunnel. Although, DSNY says that it's  
24 been stored there since the '20s, unfortunately,  
25 we don't live in the '20s anymore. And, Homeland

1  
2 Security issues are not what they were in the  
3 '20s.

4 I have a 9-year-old son. The  
5 building I live in, there are four babies that  
6 have been born in the last year. The air quality  
7 is already terrible. It's difficult to get across  
8 the street. Walking home from school, it's a  
9 constant line of traffic down Varick Street.  
10 Every box is blocked. The concentration of  
11 traffic is already horrendous. Between trucks  
12 idling, the air quality will be worse.

13 Again, we, in the neighborhood, we,  
14 in the district, accept our fair share. But, this  
15 is more than our fair share. And, I urge you to  
16 adopt the community proposal of Hudson Rise with a  
17 rooftop park and other features that make it more  
18 community friendly. Thank you.

19 CHAIRPERSON LAPPIN: Thank you very  
20 much. The next panel, Gary Stephen [phonetic],  
21 Richard Barrett, Barbara Siegal and Udi Behr  
22 [phonetic]. I apologize if I mispronounced your  
23 name.

24 BARBARA SIEGAL: I think I'm number  
25 three.

1

2 MALE VOICE: Who's number second?

2

3

GARY STEPHEN: Just put my glasses

4

on here. We're on here? Good. I'm Gary Stephen

5

from 530 Canal Street. This morning and this

6

afternoon, much has been made of noise, pollution,

7

safety and looking at Hudson Rise as a social

8

amenity that creatively responds to Commissioner

9

Doherty's challenge to the community to have a new

10

thought.

11

I'm coming at this a little

12

differently. As pragmatic as our community plan

13

is, I believe the real beauty of it is that it

14

continues the wonderful architectural thinking

15

that has been accelerating since the visionary

16

charrettes of Herbert Nushamp [phonetic] in the

17

New York Times in the heartbreaking days after

18

9/11. We saw, then, and we can see now, if we

19

seize this moment, the multiplier effects on our

20

City of new architecture that says concretely we

21

welcome the new.

22

From a practical standpoint,

23

perhaps there is nothing wrong with the City's

24

proposal. But, it fails as a contribution. No

25

one is going to say let's go see the consolidated

1  
2 DSNY facility. We are no longer the kind of City  
3 that can do merely serviceable public projects.  
4 Please think of your legacy. You have the votes  
5 to resist this. You have the power to do what you  
6 want. I hope that if you look down the road to  
7 how you want to be remembered, you will vote for  
8 the beginning of an exciting partnership with  
9 Hudson Rise, a beginning encouraging the newest of  
10 New York possibilities. The newest of New York  
11 possibilities.

12 MARK MANSONELLI: Good afternoon.  
13 My name is Mark Mansonelli [phonetic] and I'm a  
14 resident of downtown Manhattan for more than 20  
15 years. I'm also the developer of 304 Spring  
16 Street, a number of whose residents testified  
17 today. Our building provides a home for 40  
18 residents, including 11 children, including my  
19 newborn son. We also have two businesses in the  
20 building, which employ more than 20 people.

21 We are, today, in the unusual  
22 position where we have come here to tell you to  
23 vote yes. We want you to vote yes, but not to  
24 this proposal. And, I want to underscore that,  
25 not to this proposal. We ask you to vote yes for

1  
2 a proposal that creates a reasonable balance  
3 between the needs of the City and the requirements  
4 of our community. We ask you to vote yes to a  
5 proposal which will not impose more traffic, more  
6 noise and more pollution on a robust and growing  
7 community. We ask you to vote yes to a proposal  
8 that will not be devastating to the future  
9 development and use of the area for our children  
10 and our families.

11 And, we're not dreaming of what  
12 that proposal is, because we have the proposal  
13 that we want you to vote for. Our community has  
14 sponsored five leading architects to design  
15 alternatives to the DSNY's proposed facility.  
16 And, indeed, our proposal was awarded a top prize  
17 for innovative urban design and planning by the  
18 American Institute of Architects. Unfortunately,  
19 the DSNY has not adopted any aspect of our  
20 proposal.

21 The current DEIS study is factually  
22 incorrect in so many respects, with all due  
23 respect, that it's an embarrassment. It uses  
24 census data from 2000. It ignores the enormous  
25 growth of the community since 2002, which includes

1  
2 seven new residential towers. It systematically  
3 understates the real usage of the facility by  
4 ignoring the traffic impact of employee parking  
5 and City vehicles, which will refuel at the site,  
6 among other things. There are so many defects in  
7 the DEIS study that I recommend you review the  
8 work of Denise Levine, another citizen of our  
9 community, who has prepared a 90-plus page  
10 document that outlines the errors, omissions and  
11 misstatements in the DSNY's DEIS study. And, I  
12 submit to you that the DSNY should be ashamed to  
13 present such a piece of work to the Council as if  
14 it were a legitimate basis for your decision  
15 making.

16 In conclusion, our request of you  
17 is modest. We're not asking you to eliminate the  
18 facility. We are asking you to approve a facility  
19 of reduced size. And, you have the power and,  
20 indeed, I believe the responsibility to do so. We  
21 request that you vote on this project and any vote  
22 you make include a reduction in the building  
23 envelope consistent with our proposal; 75 feet in  
24 height, with an appropriate setback suitable to  
25 the development of a residential neighborhood.

1  
2 The DSNY can accomplish its objectives in a  
3 facility of this size. Good government, good  
4 urban planning, requires that you, our  
5 representatives, vote for a reduction in the  
6 proposed facility. Thank you.

7 BARBARA SIEGAL: This on? It's on?  
8 My name is Barbara Siegal. I've been a resident  
9 of the neighborhood since 1979. And, I'm Vice  
10 President of the Canal Park Conservancy. I'm here  
11 on behalf of the Park's Board of Directors and  
12 Board of Advisors and hundreds of neighbors and  
13 community supporters of the Park and the  
14 Conservancy to speak in defense of Canal Park.

15 After a tough and protracted  
16 lawsuit, starting in 1999 and the intervening  
17 disaster of September 11<sup>th</sup>, Canal Park finally  
18 reopened six long years later in 2005 to great  
19 fanfare and official gratitude. This victory was,  
20 and still is, a rare and glowing example of the  
21 success of community grassroots organizing to  
22 achieve something that clearly improves both the  
23 local community and environment, but also the  
24 greater community beyond.

25 Before this beautiful and

1  
2 historically restored 19<sup>th</sup> century park was  
3 resurrected, for years there was nothing on this  
4 site but asphalt and hundreds of Sanitation  
5 Department snowplows and private Sanitation  
6 Department vehicles parked there in the middle of  
7 Canal Street, in the midst of what has been  
8 confirmed as being some of the worst air pollution  
9 in the City. Back in the late 19<sup>th</sup> century, long  
10 before those snowplows and private vehicles  
11 claimed the space, Calvert Vaux, a collaborator  
12 with Fredrick Olmstead on Central Park, had  
13 designed for the site a magnificent and highly  
14 acclaimed triangular park, famous for its grand  
15 curving promenade, which now exists again.

16           Ironically, hypocritically DSNY and  
17 the City now plans to build a giant towering  
18 garbage facility right next to our historic park  
19 in a callously irresponsible rejection of the  
20 community's needs and wishes. In addition, the  
21 City plans to store 5,000 tons of rock salt and  
22 4,000 gallons of liquid calcium chloride in an  
23 open shed directly adjacent to the northern gates  
24 of our park; salt that can and will leech into the  
25 root systems of all the carefully and historically

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reproduced plantings of our park, killing off the trees, shrubs and flowers that we all worked so very hard to restore. As if this were not enough, the salt can, and will, also vaporize into the surrounding air, attacking the upper branching systems of the plants and trees. In fact, we've already recently lost four perimetral trees on the south side of the park, no doubt victims to the already outrageously high pollution levels in the neighborhood.

This is to say nothing of the likely impact of the Sanitation truck exhaust--

CHAIRPERSON LAPPIN: [Interposing]  
I have to ask you to wrap up.

BARBARA SIEGAL: -- on human beings. On behalf of the Park Conservancy and the surrounding community, we strongly endorse the sane and sensible community-sponsored plan, Hudson Rise, which provides for reasonable Sanitation Department needs, which responsibly maintaining and enhancing the life of Canal Park and the community that it be accepted. Thank you.

RICHARD BARRETT: My name is Richard Barrett. I'm here on behalf of Canal West

1  
2 Coalition. I'm also a public member of Community  
3 Board 1 and a member of the Board of Tribeca  
4 Community Association.

5 Canal West Coalition was the  
6 sponsors of the Federal Congestion Mitigation Air  
7 Quality Grant that segued into CATS [phonetic].  
8 And, if there's not more demonstrable  
9 representation that the federal government has  
10 poured millions of dollars into the Canal Street  
11 corridor now to mitigate the traffic and air  
12 quality, faced with the egregiously misleading  
13 statements in this EIS, I don't know what else to  
14 say. But, if anyone has any questions about the  
15 prior Columbia University studies or other studies  
16 in this area that document the air quality and the  
17 significant traffic impact, we would be glad to  
18 answer them.

19 But, what I would like-- I had  
20 other testimony prepared. But, what I would like  
21 to address is what-- because there have been some  
22 public policy and procedure issues brought up.  
23 And, we believe that this hearing should not be  
24 held.

25 Instead of citing line and verse of

1  
2 the Hudson River Park Act, I'm going to summarize  
3 a statement made by Assembly Member Richard  
4 Gottfried, who was the co-sponsor of the Act, that  
5 he made in January of 2004. "The Hudson River  
6 Park Act requires an open planning process with  
7 community input previously unheard of in city and  
8 state government. But, the Hudson River Park  
9 Trust has often been acting as if it were an  
10 ordinary city or state agency not responding to  
11 anyone but the Governor or Mayor. Despite the  
12 intent and specific terms of the Hudson River Park  
13 Act, the Trust has largely excluded public from  
14 participating in important decisions."

15 One of the most important of these  
16 decisions was the settlement agreement that was  
17 signed with the Friends of Hudson River Park  
18 Trust. I would like to add that we have been  
19 proponents of Gansevoort Peninsula. We were also-  
20 - may I finish? Okay. We were also the litigants  
21 in the action that created Canal Park. It was  
22 without question required that we take the  
23 settlement agreement back to the Community Boards.

24 As you've heard, the Community  
25 Boards amicably agreed, vis-à-vis the terms of the

1  
2 Hudson River Park Act, where to site this facility  
3 and how. This was all turned on its head. There  
4 was never a public hearing about the settlement  
5 agreement. And, we believe it specifically  
6 violates the Act and that I can also give you  
7 corporate counsel, corp counsel memoranda and also  
8 distribution-wide memoranda from Randy Levine,  
9 former Deputy Mayor that, in accordance with the  
10 Hudson River Park Act, the only thing the Act  
11 specified as far as time was that by 2003 the  
12 incinerator and the salt pile had to be removed  
13 and that the garage relocations were to be part of  
14 this balanced negotiation among the Community  
15 Boards and, the impact to communities. Please  
16 read the specific language in the legislation.

17 And, I think you can tell, we now  
18 have spearheaded a sort of parallel procedure that  
19 should have happened. We've come up with a  
20 community-based award that won the 2008 AIA Honor  
21 Award. And, whenever we have had discussions with  
22 Sanitation, including Commissioner Doherty, we've  
23 been told gee, these have some merit. But, we're  
24 not at liberty because of the timeline in the  
25 settlement to even consider them. So, we're part

1  
2 of a process that is patently against the Act.  
3 The procedure, it's turned any and all procedure  
4 on its head.

5 And, what we're asking you is,  
6 first of all, starting with Committee Council is  
7 to look into these legal obligations. We think we  
8 can work this out. But, we--

9 CHAIRPERSON LAPPIN: Okay. Well--

10 RICHARD BARRETT: -- need some  
11 time. Thank you--

12 CHAIRPERSON LAPPIN: Thank you.

13 RICHARD BARRETT: -- very much.

14 CHAIRPERSON LAPPIN: And, if there  
15 are any documents, supporting documents, that you  
16 would like to submit to the Council--

17 RICHARD BARRETT: Sure.

18 CHAIRPERSON LAPPIN: -- I encourage  
19 you to do so so that they can take a look.

20 RICHARD BARRETT: Thank you.

21 CHAIRPERSON LAPPIN: Thank you.

22 There is one more person who is signed up to speak  
23 in support. So, I'll have her come up on her own,  
24 Annie Washburn. And then, we'll go back to a  
25 panel in opposition. Is Victoria Foust [phonetic]

1  
2 here? Yes, okay. You'll be in the next panel.  
3 Is Susan Courtney [phonetic] here? No. Okay. Is  
4 Mark Ameruso here? Okay. You'll be in the next  
5 panel, as well. Is Jana Haimsohn here? Okay.  
6 You'll be in the next panel. And, is Kalid Mussa  
7 [phonetic] here? Yes. Okay. So, you four will  
8 be the next panel. Please, Miss Washburn, begin.

9 ANNIE WASHBURN: Thank you. My  
10 name's Annie Washburn. I run the neighborhood  
11 association that's directly adjacent to the  
12 Gansevoort Peninsula, now the Meat Packing  
13 District Initiative. And, I'm here just on behalf  
14 of our 165 members, which include the Standard  
15 Hotel, the High Line and the proposed Whitney  
16 Museum, which are all the most western facing  
17 members of our organization.

18 We absolutely sympathize with the  
19 Hudson Square community and urge the City to build  
20 a facility that exceeds environmental and  
21 contextual standards. The Gansvoort Peninsula  
22 already has, and will continue to shoulder, its  
23 share of Sanitation uses, as a marine transfer  
24 station for recyclables is slated to be built just  
25 off the Peninsula over the water for a barge

1  
2 access, with a road leading to the barge. Our  
3 organization supports the Department of  
4 Sanitation's efforts to move the three-district  
5 garage and salt shed off Gansevoort Peninsula.

6 In addition, the Hudson River Park  
7 Act mandates the relocation of this facility. In  
8 the past decade, the City and private interests  
9 have spent, and continue to spend, hundreds of  
10 millions of dollars to improve the infrastructure  
11 of the adjacent district, including the High Line  
12 Park, which is slated to open early next year, the  
13 Standard Hotel and the proposed Whitney Museum.

14 The conversion of Gansevoort  
15 Peninsula into public park is the last chapter of  
16 this transformation. And, we strongly support a  
17 park conversion of Gansevoort Peninsula. Thanks.

18 CHAIRPERSON LAPPIN: Thank you.  
19 Okay. The next panel, please come up, Victoria  
20 Foust, Mark Ameruso, Jana Haimsohn and Kalid  
21 Mussa.

22 MARK AMERUSO: This one's for the  
23 Chair. This one's for Speaker Quinn's people and  
24 the rest are for the Committee.

25 MALE VOICE: That's it, right?

1

MARK AMERUSO: Yeah, but no, no.

2

3 These two different--

3

CHAIRPERSON LAPPIN: Is Timothy

4

5 Robert here?

5

TIMOTHY ROBERT: Yes.

6

CHAIRPERSON LAPPIN: Okay. You'll

7

8 be in the next panel. Is Gary Spindler [phonetic]

8

9 here? Yes. Is that you, Gary Spindler? No.

9

10 Gary Spindler's not here. Lynn Collins [phonetic]

10

11 is here. Is-- I don't know who this person is--

11

12 Talia Balsam [phonetic] here? Talia Balsam?

12

13 Zachras [phonetic], somebody from Z&H Architects?

13

14 Zachras Resba [phonetic]. Okay. Is Chris Lynch

14

15 here?

15

CHRIS LYNCH: Yes, yes.

16

CHAIRPERSON LAPPIN: Okay. Is Mark

17

18 Mansonelli here? Is Rod Maison [phonetic] here?

18

19 Is Roger Blum [phonetic] here? Is Michael Cush

19

20 [phonetic] here? Frieda Bradlow [phonetic]?

20

FRIEDA BRADLOW: Yes.

21

CHAIRPERSON LAPPIN: Okay. Devali

22

23 Comcallowan [phonetic]

23

DEVALI COMCALLOWAN: Yes.

24

CHAIRPERSON LAPPIN: Okay. Mr. and

25

1  
2 Mrs. Mark Hotelich [phonetic]? Jebari Magnus  
3 [phonetic]?

4 JEBARI MAGNUS: Yes.

5 CHAIRPERSON LAPPIN: Andrew Azulay  
6 [phonetic]? David Levin [phonetic]?

7 DAVID LEVIN: Yes.

8 CHAIRPERSON LAPPIN: And, Adam  
9 Moyles [phonetic]? Okay. Thanks, that's helpful.  
10 Go ahead, please, Mr. Ameruso, go ahead.

11 MARK AMERUSO: [Off-mic]

12 CHAIRPERSON LAPPIN: No.

13 MARK AMERUSO: You hear me? Okay.

14 CHAIRPERSON LAPPIN: There we go.

15 MARK AMERUSO: Good afternoon. My  
16 name's Mark Ameruso. I've been a Tribeca resident  
17 since 1990. I'm going to wear two hats today.  
18 I'm representing Community Board 1. Then, I have  
19 some personal comments. The documents in front of  
20 you is a Community Board Resolution opposing the  
21 project, as well as a letter to City Planning,  
22 asking not to certify and, as well as Borough  
23 President's recommendations, which also include  
24 that the repair facility at Block 670 be used for  
25 District 5.

1  
2 Community Board 1 is involved  
3 because this is a joint-use area. It's just on  
4 the border of 1 and 2. We had had a public  
5 hearing, joint public hearings, where not one  
6 person spoke in favor of this, which is unusual  
7 for the neighborhood and the Community Boards and  
8 the residents and businesses all to be on the same  
9 page. Sort of an unholy alliance, but everyone in  
10 the neighborhoods are opposed to it. So, the  
11 official CB 1 position is that we oppose a three-  
12 district garage with a salt shed, fuel depot and  
13 employee parking.

14 Now, I'm going to make some  
15 personal comments. This is not a case of not in  
16 our backyard. There's already a facility there.  
17 As others have said, a two-district garage will be  
18 considered reasonable by most of the community.  
19 We're willing to accept our fair share.

20 You've heard this, according to the  
21 EPA, North Tribeca and Hudson Square have the  
22 second worst air quality in Manhattan, worst than  
23 the air quality in the Bronx. Don't work with  
24 kids, right? Also, you've heard about Block 675.  
25 I want to know why that was taken off the table

1  
2 once a friend of the Mayor's decided he wanted to  
3 build a hotel there and he's also on the Board of  
4 Directors of the Hudson River Park Trust. You can  
5 draw your own conclusions from those sequential  
6 facts or investigate it; just something is not  
7 kosher there.

8                   Madam Chair, I think you did a  
9 great job of questioning Sanitation. I think it  
10 exposed why this plan stinks. With regards to  
11 design, I think your comments, if it looks like a  
12 spaceship, flies like a spaceship, it's a  
13 spaceship, for this out-of-this-world proposal.

14                   I'll conclude. So, what we really  
15 need is, you know, in a time of this fiscal  
16 crisis, even without a fiscal crisis, this is  
17 fiscally irresponsible. And, it's basically your  
18 fiduciary responsibility not to spend this money.  
19 So, if Speaker Quinn was here, I would ask her,  
20 and I'd ask you to, you know, tell her this, is  
21 that we need her leadership on this. You know,  
22 listen to your constituents this time. Don't  
23 follow the Mayor again. Do the right thing. This  
24 will set a precedent, 'cause three-district  
25 garages will be coming to all the other City

1  
2 Council Member's districts and it will set a bad  
3 precedent. Send Sanitation back to the drawing  
4 board on this one. Thank you.

5 VICTORIA FOUST: Hi. I'm Victoria  
6 Foust. And, I've lived on 533 Canal Street for--

7 MALE VOICE: [Off-mic]

8 VICTORIA FOUST: Oh, sorry. Oh.  
9 Now, does it work? Okay. My name is Victoria  
10 Foust. I've lived at 533 Canal Street since 1979.  
11 And, I've seen the neighborhood become gentrified  
12 with encouragement from all of you guys,  
13 everybody, encouraged everybody to come down and  
14 create homes and everything. And now, this is  
15 happening. And, you're bringing this unfair  
16 facility down to our area.

17 I have a friend who has spoke with  
18 Bloomberg and I know that the developer of Block  
19 675 is giving money for the park. And, that seems  
20 a little bit weird to me. And, it's our tax  
21 money. And, I wonder where Quinn is. Where is  
22 she? Why isn't she here listening to us because  
23 this is our time to speak? And, no one's  
24 listening. You guys are. But, she's the big guy.  
25 So, where is she right now?

1  
2 So, I just hope you listen to us,  
3 please and consider what we're talking about.

4 Thank you.

5 JANA HAIMSOHN: I'm Jana Haimsohn,  
6 Co-President of 530 Canal Street, where I've been  
7 a resident for 34 years. I was on the Steering  
8 Committee of Canal West Coalition, which  
9 facilitated the restoration of historic Canal  
10 Park. I'm Secretary of Canal Park Conservancy and  
11 a very concerned citizen. We've worked for years  
12 to transform our neighborhood from a wasteland of  
13 abandoned warehouses into one of the most sought  
14 after communities in New York City.

15 We strongly oppose this poorly  
16 conceived, shameful and flawed in terms of EIS, in  
17 terms of procedure, unnecessarily costly proposed  
18 three-district consolidated garage and salt shed,  
19 with refueling station to be placed in one already  
20 over-burdened district, which is a fast growing  
21 increasingly residential community. It's an  
22 outrage and insult to our neighborhood, showing  
23 utter disrespect and a lack of concern for our  
24 safety, health and quality of life and clearly way  
25 beyond standards and fair share.

1  
2 Our neighborhood is in proximity to  
3 Route 9A, the Holland Tunnel; has the second worst  
4 air quality in the northeast. It's been  
5 identified as one of the worst traffic congestion  
6 areas in New York City. It's unconscionable to  
7 add to this air quality red zone approximately 800  
8 additional truck and car trips daily, adding truck  
9 miles and this partially open salt shed, which  
10 will result in toxic airborne chemicals, according  
11 to air resources, infiltrating the already fully  
12 compromised atmosphere and exacerbating the health  
13 issues including high asthma rates, infiltrating  
14 the Holland Tunnel through adjacent ventilation  
15 and causing decimation of all of the plantings of  
16 historic Canal Park, which we fought tirelessly to  
17 return to our community. Thirty-four thousand  
18 gallons of fuel storage dangerously close to the  
19 Holland Tunnel is an irresponsible choice, clearly  
20 violating logic, if not Homeland Security  
21 parameters.

22 As Borough President, Scott--

23 CHAIRPERSON LAPPIN: [Interposing]

24 I have to ask you to wrap up.

25 JANA HAIMSOHN: We present a

1  
2 comprehensive, innovative, truly green alternative  
3 plan. We ask you to consider this in place of  
4 this outrageous, horrendous Department of  
5 Sanitation plan and respect the health and the  
6 safety of our community for once. [Pause]

7 KALID MUSSO: My name is Kalid  
8 Musso. I'm a Program Director at Visions. I'm  
9 representing the agency which owns the third floor  
10 in 500 Greenwich Street, right around the corner  
11 from the proposed Sanitation garage. And, I have  
12 30 colleagues, many of whom are visually impaired,  
13 just like me. And, we've been in the neighborhood  
14 for a long time. We have to use the subways on  
15 Spring Street in order to get here, which presents  
16 a challenge as it is right now for the employees  
17 and our consumers and many visitors who are also  
18 visually impaired and blind, who use canes and  
19 guide dogs to come to our agency.

20 It presents a challenge because of  
21 the traffic. And, we try our best to commute in  
22 the City using public transportation. But, to  
23 come to the agency is a very difficult challenge.  
24 And, other alternative would be to go to Canal  
25 Street, which is even worse because of the traffic

1

2 leading into the Holland Tunnel.

3

4 In addition, the proposed plan I  
5 think, as everybody has mentioned, it presents a  
6 pollution risk and the particles in the air from  
7 the salt, from the sulfur and everything presents  
8 a health hazard to our consumers because many of  
9 them have either glaucoma, macular degeneration or  
10 diabetes, who come through the area to get our  
11 services. And, I really thank you for giving me  
12 the opportunity to speak on behalf of the agency.

13

14 CHAIRPERSON LAPPIN: Thank you very  
15 much. Thank you all. The next panel will be  
16 Timothy Robert, Lynn Collins, Chris Lynch and  
17 Frieda Bradlow.

18

19 CHRIS LYNCH: Good afternoon. My  
20 name is Chris Lynch. I'm a resident of Hudson  
21 Square. I first moved to New York City in 1987  
22 and recently bought a home in Hudson Square, with  
23 the idea that it would be a great place to live.  
24 And, I think that the proposal that you have in  
25 front of you completely changes that, not only for  
me and for many of the neighbors that you've  
heard, but for many of the other ones that can't  
be here today.

1  
2           There are many, many reasons that  
3 this shouldn't happen. But, chief among them,  
4 it's too much for the neighborhood, plain and  
5 simple. It costs too much. To hear the DSNY say  
6 that they need 74 parking spaces to encourage  
7 their employees to drive to work when people like  
8 me and everyone else in my neighbors take the  
9 subway and our Mayor says this is a green city,  
10 doesn't make sense.

11           If the DSNY needs workers to get in  
12 on emergency basis, they should come in and they  
13 should park in a public facility and have the  
14 agency pay for it; simple as that. That's a much  
15 more cost-effective way of handling the half a  
16 dozen or dozen days of the year where there's an  
17 emergency.

18           I think the environmental  
19 neighborhood impact here would be tremendous,  
20 would be absolutely adverse. So, there are many  
21 reasons why I don't think this should go forward.  
22 But, what I do encourage, just like many of my  
23 neighbors here, I encourage you to look at an  
24 alternative proposal. I don't propose the whole  
25 thing be thrown out. But, I think a scaled

1  
2 version, without the salt shed, without the fuel  
3 depot and with only two garages makes sense.

4           The other thing which I think is  
5 very disturbing here is the lack of transparency,  
6 which went through this whole process, or I should  
7 say didn't go through this whole process. I  
8 sincerely hope, maybe I'm an idealistic, I'm being  
9 too idealistic, but I sincerely hope that this  
10 decision is not a fait accompli by this panel. I  
11 hope that there's an active decision; you actually  
12 listen to the people that have come before you  
13 today and make the right decision for the  
14 neighborhood and the City. Thank you.

15           LYNN COLLINS: Good afternoon.  
16 Thank you, Council Members. I'm Lynn Collins, the  
17 Director of Communications at Sachi & Sachi  
18 [phonetic]. And, I'm very happy to be here today  
19 with my colleagues because we work and live in the  
20 community at 375 Hudson. We've been in the  
21 Tishman [phonetic] Building for 20 years. And,  
22 Sachi, along with our sister companies, house over  
23 a thousand employees in this location.

24           We're the flagship office a global  
25 network, with 153 offices in 80 countries around

1  
2 the world. Our clients include the largest  
3 marketer, Proctor & Gamble, Toyota, J. C. Penney,  
4 General Mills and the I love New York Tourism  
5 Board, amongst others. Sachi also partners with,  
6 and houses, the City's Art Production Fund, which  
7 is responsible for public art projects, like the  
8 Electric Fountain, which debuted in Rockefeller  
9 Plaza this past spring.

10 Our worldwide CEO, Kevin Roberts,  
11 strongly believes that the role of business is to  
12 make the world a better place. It's important to  
13 note that we also have a sustainability  
14 consultancy practice, led by Adam Warbach  
15 [phonetic], who was the former President of the  
16 Sierra Club.

17 We're here today to simply say dump  
18 the dump. Sachi is absolutely in full support of  
19 the Hudson Rise alternative and absolutely against  
20 the Sanitation plan. Why in the world would we go  
21 with a plan that will have a greater negative  
22 impact on our neighborhood, when we have a  
23 wonderful solution on the table? It's  
24 unfathomable. Sachi has offices and clients all  
25 over the world. Why do they live in cities and in

1  
2 countries like Brazil, China, Japan that get it  
3 and we, who are supposedly blessed to live in the  
4 greatest city in the world, fall far short with  
5 plans that disregard common sense and are a sharp  
6 contrast to the community's voice to do the right  
7 thing. Thank you.

8 TIMOTHY ROBERT: Good morning,  
9 Honorable Chairwoman and Honorable Council  
10 Members. Thanks for your time. My name's Tim  
11 Robert. I live at 505 Greenwich Street, which is  
12 right around the corner of the proposed garage.  
13 And, I'm departing from my written testimony.

14 Just to focus on one aspect of the  
15 garage, because I feel most comfortable speaking  
16 to this aspect, as a musician and a composer, I'm  
17 very attuned to aesthetic concerns. And, I think  
18 it's very clear that this proposed garage is  
19 dramatically out of scale with the neighborhood.  
20 And, I think, you know, I'm all in favor of having  
21 my fair share. A two-district garage, no problem.  
22 The Hudson Rise, to me, that's aesthetically  
23 appealing. But, I think this is one of those kind  
24 of buildings that you're going to look at many  
25 years down the road and you're going to go, oh, my

1  
2 God. When you see this building for the first  
3 time, you're going to be like what a monstrosity.

4 So, I think I would really like to  
5 urge the Council to, you know, consider carefully  
6 what, you know, this is kind of like part of your  
7 legacy. This is going to be a building that's  
8 very visible from, well, the neighborhood, not  
9 only the neighborhood, but the West Side Highway.  
10 So, you know, this building is much, much too  
11 large for the neighborhood. And, I think  
12 everyone's in agreement. And, the fact that there  
13 hasn't been a solution for that third garage yet,  
14 doesn't really justify completing a project that I  
15 think most everyone would agree is not really a  
16 good solution. So, thanks very much for your time  
17 and your consideration.

18 FRIEDA BRADLOW: Good morning. My  
19 name is Frieda Bradlow. I am a 50-year resident  
20 of King Charlton Van Dam Historic District and a  
21 homeowner there. I represent the environment, the  
22 Environment Committee of Community Board 2 and the  
23 environment, in general. I turned in testimony,  
24 written, concerning noise, 'cause that's an area  
25 of my expertise. But, I got another area of

1  
2 expertise and that's solid waste. I served for 20  
3 years on the Manhattan Citizens Solid Waste Board  
4 and on the Citywide Recycling Advisory Board.

5 I have but two words to say, waste  
6 prevention. We would not be having this kind of  
7 hearing, talking about the scope of the mega-  
8 garage if waste prevention, as the Waste  
9 Prevention Coalition envisioned it in its  
10 document, Reaching for Zero, of which I was a  
11 part. And, I think you, Councilwoman Lappin,  
12 heard our testimony on the Solid Waste Management  
13 Plan criticizing it for its one and a half pages  
14 on waste prevention, rather than the 20 pages we  
15 envisioned as measures that would have cut the  
16 need for this scope in terms of facilities, not  
17 just in our community, but throughout the City.

18 And, I still say these are the two  
19 words we should be paying attention to today,  
20 rather than saying we want a 75-foot facility, as  
21 opposed to 138 feet. And, those two words, again  
22 are waste prevention.

23 CHAIRPERSON LAPPIN: I agree. And,  
24 I hope you'll use the new public space recycling  
25 bins. That's a program I was able to announce

1

2 with the Mayor. And, you'll see them in certain  
3 streets. And, I hope that everybody will use  
4 them.

5 FRIEDA BRADLOW: The big belly?

6 CHAIRPERSON LAPPIN: The bins, the  
7 green and blue bins that you'll now see in places  
8 like Bryant Park--

9 FRIEDA BRADLOW: Those big belly--

10 CHAIRPERSON LAPPIN: Correct.

11 FRIEDA BRADLOW: -- bins that  
12 compact.

13 CHAIRPERSON LAPPIN: No. But,  
14 you'll see now, in public parks and high traffic  
15 locations, these recyclable bins for paper and  
16 metal, glass and plastic.

17 FRIEDA BRADLOW: Good.

18 CHAIRPERSON LAPPIN: The last panel  
19 is Devali Comcallowan, Jebari Magnus, Andrew  
20 Azulan [phonetic] and David Levin. Is there  
21 anybody here whose name I have not called, who  
22 wishes to testify? Great. I can't believe the  
23 baby's on the last panel. You could have  
24 suggested to us that you speak a little bit  
25 earlier. But, is it a boy or girl? He's been

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very well behaved.

DEVALI ROMCALLOWAN: Okay. All right. Hello. My name is Devali Romcallowan [phonetic], a resident of the Urban Glass House. I would like to address what I understand this plan to be, putting parks over people. I'm baffled by any decision that finds reasoning in taking DSNY's plan from a Pier into a residential neighborhood, our home.

Friends of Hudson River Park, wanted the Sanitation Department to relocate their facility from Gansevoort to extend a small portion of Hudson River Park. Now, we are talking about placing this garage into our residential neighborhood. I am here to stress the point that the impact of this garage in our neighborhood, as proposed, is far worse than its current location. The President of Friends of Hudson River Park is quoted as saying that "The settlement of their lawsuit was a win/win outcome" and their attorney said "The outcome showed the advantage of government and community groups negotiating for their mutual benefit without bitterness or rancor." Well, we must not be dealing with the

1  
2 same City because the efforts of our neighborhood  
3 have led to no negotiation that is a win/win.

4 I'm not concerned with height or  
5 design. I care about my family's health and  
6 safety. I do not see any of our constituents  
7 living in the park. But, I live, along with my  
8 family, across the street from the proposed garage  
9 site. How can parks get to be treated more fairly  
10 than the home your constituents live in? Please,  
11 explain to me what this sort of politics is  
12 grounded in because, as far as I'm concerned,  
13 they're not grounded in common sense.

14 We are happy to work with the City.  
15 But, we do not accept this City dumping a proposal  
16 into our community that is completely damaging to  
17 our quality of life. For example, as everyone has  
18 discussed, air quality, fair share, noise and  
19 hazardous materials. Thank you.

20 JEBARI MAGNUS: Hi. My name is  
21 Jebari Magnus. And, this is our son, Lukah.  
22 Plenty of stats and statistics and direct  
23 comparisons have been presented today and over the  
24 past few minutes that speak to the unreasonable--  
25 he wants to talk actually-- to the unreasonable

1  
2 DSNY proposal. I'm here today to ask you to give  
3 full consideration to the Hudson Rise  
4 counterproposal, which provides a good balance to  
5 the City's needs, as well as the needs of  
6 residents and, more importantly, the needs of our  
7 children in the community and in the City, like  
8 Lukah.

9 I am pleading with you to please  
10 vote in favor of the Hudson Rise proposal and vote  
11 in favor of our children. Thank you.

12 MRS. MAGNUS: Thank you.

13 ANDREW AZULAY: Hi. My name is  
14 Andrew Azulay. I am a new resident to Hudson  
15 Square, 104 Charlton Street. I'm also the Vice  
16 President of Board at 104 Charlton Street. And, I  
17 came here today feeling cheated and deceived that  
18 I was lured into this neighborhood with amazing  
19 residential projects, great outdoor restaurants  
20 and stores that were going to come here. And, I  
21 brought my family here. And now, I'm going to  
22 pick them up, sell my apartment and leave.

23 I leave here today more annoyed and  
24 disgusted that I've heard testimony that  
25 Sanitation drivers deserve to park their cars for

1  
2 free in my neighborhood and 150 of them deserve to  
3 get a view of the River that I paid millions of  
4 dollars and pay tens of thousands of dollars in  
5 taxes every year and I don't get that. So, that  
6 really amazes me.

7           The other thing is that, for  
8 anybody that doesn't feel that, you know, we have  
9 our fair share of traffic and problems, I think  
10 you guys should all come out and hold the next  
11 meeting at five o'clock on the corner of Spring  
12 and Greenwich. With the UPS trucks and everybody  
13 coming up through the Holland Tunnel, it is  
14 horrendous.

15           And, lastly, in my entire life, I  
16 never thought that the residents of Jersey City  
17 would look across the river and say what is that  
18 ugly building and that odor. And, it's just a  
19 shame.

20           DAVID LEVIN: Hi. My name is David  
21 Levin. I'm a new resident to the Hudson Square  
22 area. And, I moved there two years ago. You've  
23 heard a good bit from people who lived there for  
24 20 years, for 50 years in the area. And, I think  
25 the one thing that's getting lost in everything

1  
2 that everyone has said today is a really good  
3 understanding of what's happened in the  
4 neighborhood, just in the two short years that  
5 I've lived there.

6           What I have seen is, and I think  
7 Andrew just alluded to is, a number of new  
8 residential projects. You've heard from folks  
9 from the Glass House. You've heard from folks  
10 from 304 Spring Street. My building was converted  
11 I think about seven years ago into residential  
12 neighborhood. There are new stores coming into  
13 the neighborhood, new galleries coming into the  
14 neighborhood. There are businesses that have been  
15 in the neighborhood for a very long time. But, it  
16 continues to evolve.

17           All of that is going to be stunted  
18 if this project goes forward as planned. I just  
19 urge you to do what's right. I live in the Hudson  
20 Square area, but I work on 14<sup>th</sup> Street, between  
21 Ninth and Tenth. So, I walk this entire  
22 neighborhood. I know the Gansevoort area and the  
23 Standard and everything they're talking about  
24 where the trash dump is located now. And, the  
25 thing to think about here is, you know, is to do

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what's right. You know, I run my business, which is on 14<sup>th</sup> Street, will stay there. I live in the Hudson Square area. I'll probably move if this goes forward as planned.

The thing to think about is, you know, I run my business with what I refer to as ethics, karma and integrity. And, I would hope that, as you go back and place your vote, hopefully in opposition of this, you do the same.

CHAIRPERSON LAPPIN: Thank you.  
Thank you all. And, thank you to everybody who came today and testify. With that, this hearing is adjourned and this meeting is adjourned.

C E R T I F I C A T E

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

Signature DeeDee E. Tataseo

Date December 7, 2008