

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

Recess: XX:XXam

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
Department of Sanitation

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
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Mary Swartz
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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
Chelsea Waterside Park Association

Matthew Washington
Friends of Hudson River Park

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

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Resident

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John Slattery
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Gary Stephen
Resident

Mark Mansonelli
Resident

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Canal Park Conservancy

Richard Barrett
Canal West Coalition

Annie Washburn
Meat Packing District Initiative

Mark Ameruso
Board Member
Community Board 1

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Resident

Jana Haimsohn
Co-President
530 Canal Street

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

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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

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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.

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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

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

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

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

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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

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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?

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JOHN DOHERTY: Oh, the West 30th

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Street site?

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DAN KLINE: Yes.

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JOHN DOHERTY: Oh, okay. Dan, go

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ahead.

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DAN KLINE: Okay. Good morning,

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Speaker Quinn. Thank you very, very much for the

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kind words that you mentioned before. I

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appreciate it.

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CHAIRPERSON LAPPIN: And, could you

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just state your name for the transcript?

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DAN KLINE: Daniel Kline--

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CHAIRPERSON LAPPIN: Thank you.

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DAN KLINE: -- Director of Real

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Estate for the Department of Sanitation. In 2004-

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2005, the Hudson Yard rezonings went through City

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Planning and the City Council. As part of that

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action, one of the ULURP actions was for the

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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

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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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the street?

JOHN DOHERTY: Gandsevoort Street,
correct.

CHAIRPERSON LAPPIN: Okay. I
wanted to talk a little bit about the parking
spots you've allocated within the facility. How
many spots are you setting aside for DSNY
employees?

JOHN DOHERTY: Sixty-five.

CHAIRPERSON LAPPIN: Sixty-five or
74?

JOHN DOHERTY: Sixty--

CHAIRPERSON LAPPIN: I thought it
was--

JOHN DOHERTY: Sixty-five. Oh,
sorry, 74.

CHAIRPERSON LAPPIN: All right.

JOHN DOHERTY: The numbers changed.
Somebody got some extra parking spots.

CHAIRPERSON LAPPIN: How did you
arrive at that number?

JOHN DOHERTY: I think that was
based on the availability, what we could put into
that level, that mezzanine level, that we had

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there.

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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?

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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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took it for arbitration or to Court.

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--

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.

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.

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

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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--

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JOHN DOHERTY: Right.

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SPEAKER QUINN: -- under the

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current proposal.

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JOHN DOHERTY: Right. Their ground

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floor, but you're saying put those trailers on top

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of the roof of the--

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SPEAKER QUINN: Well, use the roof

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for the package distribution facility. Seems like

11

you could reconfigure the UPS--

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JOHN DOHERTY: [Interposing] Oh,

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the temporary--

14

SPEAKER QUINN: -- operation.

15

JOHN DOHERTY: Yeah. Bob can tell

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you, he's been working with UPS on that.

17

SPEAKER QUINN: Great, great,

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great, 'cause I know the EIS says the "the impacts

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of the operation of the UPS package distribution

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facility would not constitute a significant

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adverse socio-economic," try to say that three

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times fast, "impact" if this was done.

23

BOB ORLAND: The philosophy of the

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City in dealing with UPS is that UPS wants to stay

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in Lower Manhattan. They want to continue to park

1
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

1
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

1
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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2 That's what I just wanted to understand.

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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

1
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 30th 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

1
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

1
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 57th 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.

5

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.

24

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

1

2 consider enclosing or partially enclosing it?

3

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]--

14

CHAIRPERSON LAPPIN: [Interposing]

15

Oh, I understand that.

16

JOHN DOHERTY: Right.

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

20

JOHN DOHERTY: Right.

21

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.

25

JOHN DOHERTY: We, as I said, we

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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.

1

2 JOHN DOHERTY: Good.

2

3

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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1
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?

3

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

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in the fuel. I think the maintenance of the vehicles and the repairs to them, it's minimal for the mileage. The big thing is on the fuel.

5

You'll save on fuel. But, did we run numbers on that? Not that I'm aware of.

7

COUNCIL MEMBER ARROYO: Okay.

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Maybe we ought to take a look.

9

JOHN DOHERTY: Oh, yeah, we could.

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COUNCIL MEMBER ARROYO: It might be

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one of the things that convinces us. The fueling

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of vehicles, I didn't quite understand. You're

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fueling vehicles that are only designated for this

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facility? Or, are other vehicles coming into the

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facility for fueling?

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JOHN DOHERTY: The 128 vehicles

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that are in, whatever's working on a particular

18

day will be fueled there.

19

COUNCIL MEMBER ARROYO: Only those

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vehicles?

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JOHN DOHERTY: That's one group of

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vehicles. Then, there are vehicles belonging to

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other City agencies that may be coming there,

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Department of Buildings, the other agencies, I

25

don't know the list off the top of my head, come

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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

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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,

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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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2 attorney and he's gone through all the EIS work.

3 Steve, you want to talk about that?

4

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

12

COUNCIL MEMBER BARRON: Really?

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

20

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

24

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

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

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STEVE BRAUTIGAM: So, significant

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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

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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

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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.

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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

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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

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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.

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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

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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,

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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 3rd, 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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2 districts' garages, again, not being nimby, rather
3 than three districts.

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

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

17 We've been talking about this Block
18 675 on 30th Street and the salt pile was part of
19 that original design. We understand that it's
20 very costly to build underground. And yet, why
21 not consider another solution like they're doing
22 at Spring Street, where they're building above-
23 ground. And, maybe that would have dealt with
24 some of their concerns.

25 But, most importantly, there is an

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2 existing District garage at Block 675 on West 30th
3 Street, the Manhattan District 6 Garage, which
4 will be vacated when they go back to your district
5 in East 73rd 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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Center.

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

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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

1
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

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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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encourage the three parties to meet together.
That was my concern.

CHAIRPERSON LAPPIN: Your point has
been noted.

SPEAKER QUINN: And, just so you
know, Chairperson, that has happened.

RICHARD SLOAN: Okay.

SPEAKER QUINN: There have been
discussions with all the entities. But,
certainly, you can rest assured, as the Chair can
well tell you, in the final weeks of a Land Use
negotiation, the three parties, the six parties,
the 12 parties, the 18 parties, which is usually
what it ends up being at the end, will all meet to
the point of which they're sick of the sight of
each other.

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

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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 14th 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 14th 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.

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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.

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SPEAKER QUINN: You're welcome.

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CHAIRPERSON LAPPIN: Thank you.

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SPEAKER QUINN: Thank you.

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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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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.

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CHAIRPERSON LAPPIN: Great.

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MALE VOICE: [Off-mic]

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CHAIRPERSON LAPPIN: Okay.

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Mr. Butzel, please introduce yourself and begin.

AL BUTZEL: That work? Yeah.

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

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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

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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 28th and 29th 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 25th 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 30th 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.

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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

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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

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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.

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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

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

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

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

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

MALE VOICE: [Off-mic]

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

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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,

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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.

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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 30th
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

2 FEMALE VOICE: We're done?

2

3 MALE VOICE: Yes.

3

4 CHAIRPERSON LAPPIN: Okay. Council
5 Member Gerson had a question for Miss Nadel.

4

5

6 COUNCIL MEMBER GERSON: All right.
7 No, just in addition to the concerns, and I
8 recognize, Madam Chair, the focus of this hearing,
9 but, Julie--

6

7

8

9

10 JULIE NADEL: Yeah.

10

11 COUNCIL MEMBER GERSON: -- you
12 raised, I think, a very important issue of process
13 in addition to everything else. And, I just want
14 to make sure I'm understanding your testimony
15 correctly, because you've been a member of the
16 Park Trust since the very beginning. So, are you
17 saying that, and the Trust is the body that has
18 primary jurisdiction over our waterfront and we
19 all know how the proximity of this to our
20 waterfront, are you saying the entire issue of the
21 creation of this facility, the removal of
22 Gansevoort, the settlement of the lawsuit, that
23 was never even discussed, let alone voted on at a
24 public meeting by the Trust?

11

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25 JULIE NADEL: I don't remember it

25

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 23rd 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 57th Street structure, the proposed East
23 74th 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 30th Street, as well as CB 4,
3 CB 4A and CB 7 on 57th 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 57th 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 57th
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 20th and 11th, a U. S. Post
15 Office maintenance facility at 24th and 11th, the
16 tow pound at 37th and 12th and the much-
17 unappreciated heliport at 31st and 12th. And,
18 Chelsea already has two Department of Sanitation
19 facilities; the Sanitation garage at 30th and 12th
20 and the Bronx and Manhattan Major Repair facility
21 at 26th and 11th.

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

1

2

as the public health and safety of all residents.

3

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

7

the site.

8

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,

12

the Hudson River Park and Pier 40, will be

13

negatively affected by diesel particulates for

14

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

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included the Gansevoort recycling center, and

16

fugitive cell particles from the three-sided salt

17

shed. Using a three-sided salt shed for the

18

storage of salt in use during snow removal will

19

have an adverse affect on the marine life in the

20

Hudson River Park, a marine sanctuary for the

21

striped bass. Changing this salinity of the

22

protected marine habitat would kill all marine

23

life.

24

CHAIRPERSON LAPPIN: You can use a

25

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 19th 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.

1

2

ROSEMARY CURPAT: My name is

3

Rosemary Curpat. I've lived in Hudson Square for

4

25 years. I can't help but say that it's a sorry

5

state in civic affairs when governmental

6

initiatives pit community against community. The

7

DSNY proposal, as drawn, is too large and too

8

expensive and too burdensome to residents who live

9

nearby. It is wrong for Spring Street and it

10

would be wrong for Chelsea. So, shame on our

11

neighbors to the north for not acknowledging that.

12

My local neighbors and I accept and

13

understand the necessity of Sanitation services

14

and the inarguable need to site facilities. What

15

we do not accept is an overly large multi-district

16

facility and a salt shed immediately across the

17

street. It's an unfair share. We do not accept

18

that green space was appropriate for this facility

19

when designed for Block 675, but not for Spring

20

Street.

21

The community's alternative plan

22

proposes to handle two districts' worth of trucks

23

without destroying the emerging neighborhood,

24

which, I might add, lies at the nexus of three

25

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 14th Street, the northern end of CB 2, and the
16 area of CB 4 from 14th Street north to 59th 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 14th
4 Street. On the waterfront, we have Pier 57, the
5 former Mab [phonetic] Store garage at 15th Street,
6 Chelsea Piers 59, 60, 61 and the heliport at 30th
7 Street. On the block east of the highway, we have
8 the women's prison at 20th Street, a USPS
9 maintenance facility at 24th Street, the Bronx and
10 Manhattan DOS repair and maintenance facility at
11 26th Street and the CB 6 Sanitation garage at 30th
12 Street. There's also a Con-Ed facility at 29th to
13 30th Street.

14 I could enumerate the structures
15 between 34th Street and the north end of CB 4 at
16 59th Street, but I don't have that much time.
17 Briefly, from 34th to 59th 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 73rd 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 14th 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

1

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

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

22 As a matter of public policy,
23 though, we need our elected officials to be
24 honest. And, I apologize if I usurp the decision
25 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 7th 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 11th, 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 19th 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 19th 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?

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MARK AMERUSO: Yeah, but no, no.

2

These two different--

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CHAIRPERSON LAPPIN: Is Timothy

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Robert here?

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TIMOTHY ROBERT: Yes.

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CHAIRPERSON LAPPIN: Okay. You'll

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

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

9

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

10

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

11

Talia Balsam [phonetic] here? Talia Balsam?

12

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

13

Zachras Resba [phonetic]. Okay. Is Chris Lynch

14

here?

15

CHRIS LYNCH: Yes, yes.

16

CHAIRPERSON LAPPIN: Okay. Is Mark

17

Mansonelli here? Is Rod Maison [phonetic] here?

18

Is Roger Blum [phonetic] here? Is Michael Cush

19

[phonetic] here? Frieda Bradlow [phonetic]?

20

FRIEDA BRADLOW: Yes.

21

CHAIRPERSON LAPPIN: Okay. Devali

22

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.

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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

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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

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leading into the Holland Tunnel.

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

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

CHRIS LYNCH: Good afternoon. My name is Chris Lynch. I'm a resident of Hudson Square. I first moved to New York City in 1987 and recently bought a home in Hudson Square, with the idea that it would be a great place to live. And, I think that the proposal that you have in 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.

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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

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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 14th 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 14th 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