

**PAMELA WOLFF**  
**223 WEST 21ST STREET NY NY 10011**

Wolff SG Speech 11.14.08

My name is Pamela Wolff and I am speaking for Chelsea Waterside Park Association. For the last 19 years, I have been in charge of the Chelsea Waterside Park Association sail on the Clearwater, Pete Seeger's Hudson River Sloop, as well as shipping out as a crew member on the Clearwater for a week every summer.. Because I am interested in the development of Hudson River Park, I have paid special attention to the state of the park, of the piers, and of the block east of the highway.

The contrast between the area from Canal Street north to 14<sup>th</sup> Street, the northern end of CB2, and the area of CB4 from 14<sup>th</sup> Street north to 59<sup>th</sup> St. is dramatic. I will quickly note piers with major structures as well as governmental buildings located one block east of the highway. In CB2, on the waterfront, there is the Holland Tunnel Ventilation Tower at Canal St., Pier 40 at Houston St., and Gansevoort Peninsula, where the Sanitation building will be torn down and a transfer station will be built. One block east of the highway, there is no major governmental structure.

In the Chelsea part of CB4, north of 14<sup>th</sup> St., on the waterfront we have Pier 57, the former MABSTOA garage at 15<sup>th</sup> St., Chelsea Piers 59, 60, 61, and the heliport at 30<sup>th</sup> St. On the block east of the highway we have the Womens Prison at 20<sup>th</sup> St., a US Post Office Maintenance Facility at 24<sup>th</sup> St., the Bronx & Manhattan DOS Repair and Maintenance facility at 26<sup>th</sup> St., and the CB6 Sanitation Garage at 30<sup>th</sup> St. There is also a Con Edison facility at 29<sup>th</sup> to 30<sup>th</sup> St.

I could enumerate the structures between 34<sup>th</sup> St. and the north end of CB4 at 59<sup>th</sup> St., but I don't have that much time. Briefly, from 34<sup>th</sup>-59<sup>th</sup> St there are 11 piers, including one transfer station. On the block east of the highway, there are eight major governmental and industrial users. Clearly, Chelsea and CB4 have more than their fair share.



## **Testimony on Friday November 14<sup>th</sup> District 1,2 and 5 Sanitation Garage**

Madame Chair, Commissioners, Andrew Neale, the Tribeca Community Association

We believe that DSNY has not sufficiently studied the effects of the proposed action on Land Use, Zoning, and Public Policy.

3 years ago several blocks to the SE of the proposed site were rezoned C6-2a mixed use and have attracted substantial residential and retail use since then

Just south of Canal St a 4 block rezoning has taken place at the "Jack Packer" site to C6-3A and C6-2A. Just one development at block 224 is bringing 280 apartment units. City Planning and Community Board 1 are working hard to expedite the rezoning of 45 blocks of North Tribeca just south of Canal St to a mixed use commercial district.

The M1-5 district to the east of the proposed site is also being considered for a rezoning from manufacturing use to commercial mixed use.

None of these planned rezoning and use changes have been factored into the DEIS.

It now seems certain the a Solid Waste Transfer Station will be built on the Gansevoort Peninsula and given the proximity of this facility to the proposed District 1,2 and 5 Sanitation Garage, not having an analysis of the truck traffic expected to be generated by this sanitation facility is a fatal flaw in the DEIS.

In addition, the St John's building, which adjoins the site of the proposed garage, has considered building either a hotel or condominiums over its existing building. Furthermore, at the "Envisioning Hudson Square" Design Charette, conducted in October and November 2007, five architectural and design firms showed their "visions" for the future of Hudson Square, all of which included mixed residential and commercial uses in the area of the UPS lot and St John's Building, including pedestrian walkways to the waterfront.

The re-development of Pier 40 is another factor that cannot be ignored when considering a project such as the combined Sanitation garage yet the DEIS make absolutely no mention of this whatsoever. The latest incarnation of Pier 40 has up to 3 schools located on the pier along with considerable and substantial public recreation use.

We believe that the Future No Build scenario modeled by DSNY is inaccurate. Although the proposed DSNY garage is located within an M2-4 zone, the site abuts a residential-commercial mixed-use zone. It is, therefore, possible that, without the proposed action, a residential development would be built at the UPS site to take advantage of the prime waterfront views and to capitalize on the emerging residential nature of the primary and secondary study areas. It is also probable that UPS would be willing to permanently vacate the site if given sufficient

economic incentive, since it has agreed to temporarily relocate off its lot during the 18-month construction phase. (DEIS, p. ES-12)

Due to DSNY's faulty Future No Build assumption, DSNY has determined that the 140-to-150 foot-high proposed garage -- 427,250 net SF of space, in a building 220 feet wide by 413 feet long, and occupying nearly the entire 1.96 acre site -- would not result in significant direct or indirect land use impacts. The DEIS states:

Compared to the commercial office building projected for the site in the Future No Build, the Proposed Action would feature a shorter, multi-floor garage building....Based on the design assumptions made herein, the new garage (140 to 150 ft in height) would be about 15 to 25 ft shorter than the soft site commercial building. Using CEQR Technical Manual criteria, no significant direct or indirect land use impacts would result from the Proposed Action. (3.5.1, p. 3-28)

Even assuming that the Future No Build alternative would be a soft site commercial building, which we don't accept, DSNY erroneously concludes there would be no significant land use impacts:

First, although DSNY indicates that no significant land impacts would result from the garage's height, the garage would be located contiguous to the St John's Building, which is 75 feet high, and across the street from the UPS Package Distribution Facility, which is 52 feet high. (9.33, p. 9-16)

Second, it is not merely the garage's height that would be excessive; its mass would be excessive: the garage would take up the entire footprint of the two-acre site; have more mass than any structure in its M2-4 zone or in the adjacent C6-2A zone; provide no rear yard or setbacks that a soft site commercial building would be required to provide; and eliminate visual and physical access to the waterfront that is required by Waterfront Revitalization Program policies.

Third, the building proposed by DSNY would be 427,250 SF net and 438,250 SF gross. This is about 25 percent larger than the 347,250 SF soft site commercial building assumed under the Future No Build scenario.

Fourth, DSNY has not supported its statement that, "It is unlikely that adding either a commercial as-of-right building or the proposed vehicle storage and maintenance use to the UPS

vehicle and equipment staging use on Block 596, Lot 50 would significantly diminish such development pressures in the study area.” (3.5.1, p. 3-29.)

While residential development has co-existed with the current uses on the UPS site, development would come to a halt if a three-district garage were to be placed at the site. The garage would add to already-high, documented area noise, traffic, and air pollution levels. It would also reindustrialize the area, because the garage would engage in significant activity 24/7.

The Tribeca Community Association and the residents of N Tribeca consider the plan for the combined District 1,2 and 5 garage and the DEIS to be inadequate, flawed and ill considered , not part of a comprehensive plan for the area and against public policy and we urge the City Council to vote no or at least consider the plan with the removal of district 5 and the salt shed.

November 14, 2008

Public Hearing: City Council Subcommittee on Landmarks, Public Siting & Maritime Uses on the Siting of a Salt Shed on Block 595, Lot 87 and the siting of a large -scale development of a 3-District Garage, 1,2 and 5 on Block 596, Lot 50 in Community Board 2

Testimony of Ellen Peterson- Lewis

Public Member of CB 2 Environment, Public Health & Safety Committee

Good morning Chair Lapin and Committee,

I am sure that the committee is well versed in the contents of the City Charter. I am referring to Chapter 69, Community Districts and CoTerminality of Services. , Section 2704, a, 1. "The Head of each agency responsible for one or more services listed below shall organize the local service delivery districts of such agencies as follows." Street Cleaning and Refuse collection is one of the services listed.

DSNY is totally ignoring this section of the City Charter, by siting a 3-District Garage on Block 596, Lot 50 in Community Board 2

DSNY is totally ignoring this section of the City Charter by, siting a Salt Shed on Block 595, Lot 87 in Community Board 2 which will service 4 Community Boards. CB's 1, 2,5 and parts of 4.

The siting of these facilities will have an adverse effect on the Environment, as well as the Public Health & Safety of all residents (children, seniors and asthma sufferers) adjacent to the sites as well as to residents who are within 400 to 1000 feet from the sites. In addition, patrons of nearby commercial establishments and pedestrians who work in the area as well as, adults, children and seniors, who use the adjacent parks, Canal West, the Hudson River Park, and Pier 40 will be negatively effected by diesel particulates from the more than 500 trip ends of sanitation trucks (included is the Gansevoort Recycling Center) and fugitive salt particles from the three-sided Salt Shed.

*The Three-Sided Salt Shed and Marine Life*

Using a three-sided salt shed for the storage of salt and use during snow removal will have an adverse effect on the marine life in the Hudson River Park, a marine sanctuary for the Stripe Bass. Changing the salinity of the Protected Marine Habitat would kill all marine life. There are constant winds coming off the river from different directions. The Holland Tunnel Vent Shaft will cause wind shear and fugitive salt particles from the three-sided salt shed will become air born. Also in snow or rain ice events in the loading of salt trucks at the site, fugitive salt leaking from the trucks and at the loading site would enter the combined sewer system as well as becoming air born.

The combined sewer systems in the area are old and inadequate. Most date from the late 19<sup>th</sup> century to the late 30's. When significant rain events occur, and the Newtown Sewage treatment plant cannot handle the rain event, raw sewage back up occurs. Overflow valves are open to relieve the overcapacity. Raw sewage and salt contaminants would then directly be introduced into the Protected Marine Habitat at the Canal Street outflow valve.

To Subcommittees re Land Site for District 3  
garage & Shop shed to be placed @ Spring  
& Washington St

MO. 14, 2008

JACK DOWLING

55 BETHMAS ST H1023

NYC NY 10013

<JDOWLING@NYC.PR.COM>

I support the placement of garage &  
Shop shed on Spring street or other  
area in District 3

We should not distribute to other  
districts or areas of the City what  
is our own responsibility.

The further development which I  
have seen in proposed designs  
look acceptable to the West  
side of this District



11/14/08 Comments In Opposition to an MN 1/2/5 Garage and Salt Shed at Spring Street

My name is Denise Levine. Although I am Vice Chair of the Community Sanitation Steering Committee, I am speaking now on my own behalf.

I feel that the City has understated the impacts of the proposed garage to deceive the public and prevent an honest dialogue. I have prepared an attachment that documents some of these items:

For example, DSNY says the three-district garage would enable its trucks to shorten their routes, but District 5's miles would actually increase by more than 4,200 miles per year.

Also, DSNY says there would be 480 peak day trips to and from the garage, but that total excludes a large number of vehicles, such as City vehicles fueling at the garage. If all trips were added in, the actual number would be about 800 daily trips, not the 480 DSNY claims.

I feel outraged that the City plans to provide free parking at the garage for DSNY employees, while encouraging the rest of us to take public transportation. Employees' cars would contribute about 240 vehicle trips per day. Given that the area is so congested with traffic, I also feel outraged that DSNY would allow vehicles from other City agencies to fuel at the garage.

The daily trips to and from the garage would increase air pollution, noise, and traffic congestion. It would also harm our health and safety in other ways.

For example, DSNY would store 34,000 gallons of fuel and oil in the garage, near our homes and the Holland Tunnel, a known terrorist target. The 200 or so daily collection truck trips would add odor and vermin, and trucks filled with garbage would be stored in the garage for up to eight hours.

Also, DSNY's salt shed would be entirely open on one side and partially open on two sides. The rock salt, which contains an array of hazardous substances, could become airborne for ingestion by humans and pets.

I think it's evident that a three-district garage and salt shed at Spring Street would reindustrialize the neighborhood, and jeopardize our health and safety. Already, four of my neighbors have put up their apartments for sale.

I hope that you will consider alternatives to mitigate some of the impacts. The plan proposed by the community, called Hudson Rise, would eliminate one district from the garage, locate the salt pile elsewhere, and place a park on the garage's rooftop. I urge you to adopt that alternative.

Denise Levine  
505 Greenwich Street, 10-C  
New York, NY 10013

## **Attachment**

This Attachment substantiates the following:

1. DSNY significantly increased its daily vehicle trips since the DEIS was issued.
2. There would be about 800 peak day trips if all trips were included.
3. DSNY grossly under-estimated its construction schedule.
4. DSNY grossly oversized the garage.
5. DSNY based its conclusions on faulty data.
6. DSNY assumed incorrect Future Build and Future No Build Scenarios.
7. DSNY District 5 miles would significantly increase.



**1. DSNY significantly increased its daily vehicle trips since the DEIS was issued.**

The Tables in the November 2007 DEIS compared to the July 2008 FEIS:

Vehicle:	Winter Daily Trips			Summer Daily Trips		
	DEIS Table 17-6	FEIS Table	Change	DEIS Table 17-7	FEIS Table	Change
Collection	38	60	58%	38	52	37%
Recycling	12	24	100%	44	26	-41%
Basket	42	62	48%	42	62	48%
Relays	24	38	58%	36	50	28%
City cars	34	34	0%	36	36	0%
Emp. Cars	232	236	2%	268	238	-11%
Other	0	0	-	16	16	0%
<b>TOTAL</b>	<b>382</b>	<b>454</b>	<b>19%</b>	<b>480</b>	<b>480</b>	<b>0%</b>

- After the November 2007 DEIS was prepared, DSNY significantly increased its peak day trips numbers for winter and summer collections; winter and summer collections; and total winter trips.
- In its September 2008 FEIS Table, DSNY arbitrarily reduced employee trips. (Dan Klein said fewer employees drive due to high fuel costs, but the NYMTC reports a change in average weekday bus and rail ridership by 3.7%, nowhere near 11%.)
- DSNY's peak day numbers do not include the following actual daily trips, which would make the number of trips much higher:
  - a) other public agency vehicles that fuel at Spring St. (DSNY reports that 38 vehicles fueled on July 14, 2008 (i.e., 76 trips that day);
  - b) Supervisory personnel visiting their districts throughout the day. (Since DSNY's Table lists City cars only once per shift, there would be 72 extra trips per day if supervisors visit their district three times a day, which seems reasonable); and
  - c) employees and vehicles assigned to Districts 1, 2 and 5 for garbage collection after parades (e.g., New Year's Parade, St Patrick's Day Parade, Easter Parade, and Puerto Rican Day Parade in MN 5, the GLBT Pride Parade and Village Halloween Parade in MN 2, and the Canyon of Heroes parades in MN 1).

**2. There would be about 800 peak day trips if all trips were included.**

The Table below shows daily peak trips if adjustments are made to DSNY's FEIS Table 17-7 of daily trips for the above items:

<u>Daily Trips</u>	<u>Adjustments</u>
480	FEIS Table of peak day trips
76	Fueling public agency vehicles
72	City cars of supervisory personnel
34	Employee cars – adjustment (264-238)
662	<i>Subtotal</i>
100	Assumed 15% increase for parades
762	<i>Total peak day trips</i>

- DSNY's peak day trips appear to be understated by almost 300 trips.
- For its Future Build and No Build scenarios, DSNY incorrectly assumes no change in MN 1, 2 or 5 operations:
  - a) DSNY doesn't account for an increase in the number of collection trucks and relays and the number of employees that would be required to serve the growing residential populations of Districts 1, 2 and 5. District 1's population, for example, is expected to nearly double from the year 2000 to 2013
  - b) DSNY doesn't account for the multiple new schools that will be built in the districts (e.g., at the current Foundling Hospital on W 16 St, and, possibly, a school at 75 Morton Street and three or four schools at Pier 40). DSNY picks up refuse at public schools one or more times a day.
- DSNY incorrectly assumes no future MN 5 relays:
  - a) MN 5 refuse trucks at an MN 1/2/5 garage using the East 91 Street marine transfer station would have to travel 10.13 miles/trip. MN 1 "paper" trucks travel 8.44 miles/trip -- 1.5 fewer miles -- and they pick up lighter loads. Yet, 45% of MN 1 paper dumps were relayed in FY 2007.
  - b) MN 5 has a large number of parades. It is probable that trucks are relayed, due to the shifting of crews to "parade" collections.

The underreported numbers in the DEIS mean that DSNY has grossly understated impacts related to air, noise, and traffic.

### **3. DSNY grossly under-estimated its construction schedule.**

- DSNY's Final Scoping document for this project, dated June 29, 2007, states that the UPS space to be constructed in 12 months, and construction is to take 4 years.

The FEIS, in contrast, states that the UPS space will be constructed in 18 months, and construction of both sites, including ground disturbance, is to take 3 years.

- For the site of the salt shed (the current MN 1 garage), the schedule does not factor in mitigation of potential hazardous materials at this structure built in the 1920's (e.g., lead-based paint, asbestos, and contamination of the soil and groundwater from leaky tanks installed prior to the late 1980s and early 1990s, when the federal government required safety measures including leak detection).
- The time schedule does not factor in the longer-than-usual period of time that would be required to demolish the current MN 1 garage, because it sits above the fragile Holland Tunnel.
- For the site of the MN 1/2/5 garage (the current UPS lot), the schedule does not factor in mitigation of the potential subsurface petroleum contamination from the storage and use of motor vehicle fuels and related products and significant archaeological resources, which the DEIS notes may exist at the site.
- DSNY claims it would complete construction in three years, but the DSNY garage being built at West 57 Street, which would be of comparable size to the Spring Street garage, is still not completed. Completion is not expected until winter 2008-2009, more than 13 years after the project began, and more than 7 years after completion of the design. (Info source: DSNY Annual Reports)

*Mayor Bloomberg announced on July 28, 2008 that many City projects come in later than planned and over budget because they were not properly scoped and estimated prior to budget approval. I believe that the MN 1/2/5 garage and salt shed is one of those projects.*

**4. DSNY grossly oversized the garage.**

Square footage based on info in the FEIS (pp. 16-3 and 16-4):

square footage	existing	proposed	increase
Office/personnel space	14,860	43,564	193%
Non-office	29,340	323,686	1003%
Total DSNY	44,200	367,250	731%

- The garage would be 731% larger than its current MN 1, MN 2, and MN 5 garages combined.
- Possible reasons for office/personnel space increases: excessive space for employee lounges, locker space, one or more eating areas, and offices with waterfront views.
- Examples of over-sizing: 74 free employee parking spaces and DSNY's plan to build a three-lane, rather than two-lane, ramp.

If employee parking is 8.5% of the garage space, and one ramp-lane is 4% of the space, DSNY would save \$50 million of the \$400 million expected cost if these items were eliminated.

*By oversizing the garage, DSNY will increase construction time and related disruptions, consume more resources, and increase project costs. It will also increase ongoing maintenance costs.*

**5. DSNY based its conclusions on faulty data.**

<i>Category</i>	<i>DSNY Study Date, as indicated in the FEIS</i>
Noise	Sat., 3/10/07, between 5am and 7am
Traffic	Weekday turning movement counts, Wed., 6/15/05; Supplemental manual turning movement counts, Tues., 1/16/07 (the day after Martin Luther King, Jr. Day); and Traffic counts, Sun.-Wed., 6/12-6/15/05.
Air	No air monitoring was done.
Odor	No study was conducted. Prior studies conducted from the 2005 SWMP FEIS were used as a basis for conclusions.

- Noise: DSNY did not use a representative time period. For example, the FEIS Table 17-6 shows on a winter Monday, 44 truck trips in and out of the garage between 11 am and 1 pm and 40 truck trips between 7 am and 8 am. Also, noise studies taken for the Hudson Square Rezoning recorded significantly higher levels.
- Traffic: DSNY's studies did not follow CEQR guidance. CEQR: (a) expressly states that the day before or after Martin Luther King, Jr. Day holiday should not be used for traffic studies, because it would not be a typical traffic day; (b) states that traffic patterns should not be taken during the last half of June, when people take vacation; and (c) states that data older than three years will likely not be acceptable, due to changing conditions that influence traffic.
- Air: DSNY did no air monitoring. It created simulations of composite air emissions. It also used readings of particulate matter from the nearest EPA monitoring station. The EPA PM<sub>2.5</sub> reading for 2007, which is not included in the FEIS, shows that air quality is eroding. PM<sub>2.5</sub> levels were 14.5, 15.7, 12.8 and 15.8 in 2004, 2005, 2006, and 2007, respectively.
- Odor: DSNY did not conduct an odor assessment, because it claimed that the one conducted under the 2005 Solid Waste Management Plan FEIS for 12 collection trucks is representative. However, the DEIS Table shows 18 relay trucks, not 12 relays. DSNY's revised Table, dated July 31, 2008, now shows 27 relay trucks.

*DSNY's conclusions are based on flawed data. DSNY should be required to conduct new noise and traffic studies (for winter and summer) and to conduct air and odor studies.*

## **6. DSNY assumed incorrect Future Build and Future No Build Scenarios.**

- The Future No Build Scenario incorrectly assumes a commercial building with 1,389 employees. Recent development pressures indicate there would more likely be residential uses.
- Under the Future Build and Future No Build scenarios, DSNY did not account for effects from the following:
  - a) the Gansevoort marine transfer station on air quality and local traffic;
  - b) growth in operations by FedEx, UPS, or the Hudson River Park Trust;
  - c) the large number of hotels being built in the area, and their atypical traffic volumes and patterns, e.g., multiple trips per day, arrivals/departures by taxi; and peak-day activity (check-ins and check-outs) concurrent with DSNY PM peak;
  - d) the large numbers of businesses recently moving to Hudson Square, including many media, communications and entertainment companies;
  - e) the large number of residential units being built (including 290 units at 34 Desbrosses Street and 90 units at 250 West Street);
  - f) the increase in DSNY collection and relay trucks and employees that would be required to serve the growing residential populations of Districts 1, 2, and 5;
  - g) the increase in collections to serve multiple new schools planned for the Districts, since DSNY picks up refuse from public schools one or more times a day;
  - h) Pier 40 development; and
  - i) Pier 57 development, which could affect traffic at Gansevoort Peninsula and back up into the study area
- Under the Future Build scenario, DSNY did not account for effects from the following:
  - a) the salt shed, which would be used 24/7 during storm operations by salt spreaders restocking salt south of West 57 Street; and
  - b) refueling at Spring Street, i.e., by other public agencies; by DSNY trucks using the Gansevoort marine transfer station; by DSNY trucks using the Holland Tunnel; and by salt spreaders and front loaders using the salt shed.

*DSNY should be required to incorporate the above factors into its assessment of impacts, including land use, air, noise, odor, traffic, and pedestrians.*

**7. DSNY District 5 miles would significantly increase.**

Using DSNY’s assumptions (Gansevoort MTS, E 91 St MTS, no MN 5 relays, and actual FY 2007 loads), my annual mileage calculations are summarized below (and detailed on Page 9 of this Appendix):

	<u>from current garage</u>	<u>from Spring St</u>	<u>Change</u>
MN 1	7,000	6,949	-51
MN 2	16,534	8,672	-7,862
MN 5	<u>25,914</u>	<u>30,148</u>	<u>4,234</u> ←
	49,448	45,769	-3,679 ←

- Total savings are less than 3,700 miles.
- MN 5 miles would increase by more than 4,200 miles.

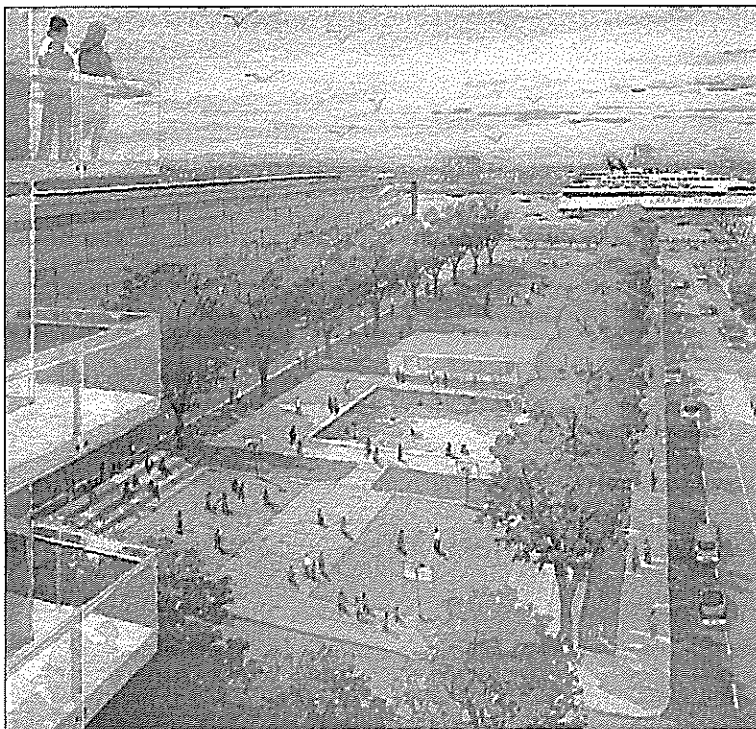
This would:

- a) increase greenhouse gas emissions;
- b) increase fuel costs (DSNY projects 36% increase in FY09 fuel costs);
- c) increase vehicle wear-and-tear;
- d) potentially increase relays; and
- e) decrease productivity. (Assuming an annual salary of \$50K/year, the 20% mileage increase for the 65 MN 5 workers is \$650,000/year in lost time.)

*DSNY would increase mileage for MN 5, in disregard of New York City Climate Protection Act, signed by Mayor Bloomberg on November 28, 2007. The Act requires the City to meet two climate reduction goals: to reduce greenhouse gas emissions (carbon dioxide, methane and nitrous oxide) from City operations by at least 30 percent by the year 2017, and to reduce greenhouse gas emissions citywide by at least 30 percent by the year 2030.*

My name is Kim Tabet and I am a resident of Hudson Square. Just last week, I attended a community board 2 input session on potential rezoning. 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: traffic, pollution, noise, and poor pedestrian throughways. It's painfully obvious that this project will only exacerbate these problems to intolerable levels. Even Borough President Stringer and Senator Duane spoke out against this plan, claiming that it is just too massive for the neighborhood to handle!

In 2005, before powerful real estate interests decided to develop the Hudson Yards, this project was supposed to be located in block 675. And by the way, it hasn't escaped many of us here, that Joe Rose, one of the Board of Directors for the Hudson River Park Trust, just filed permit to build a luxury hotel on that same exact plot. Anyway, the design for block 675 that went through the ULURP process and that was approved by the community, looked like this.



And this is what we're getting instead. A towering rectangle the size of a football field with no egress.





Maybe the design for block 675 wasn't feasible for Hudson Square, but there is a world of middle ground between these two proposals.

The current design gives nothing back to the community! Are we supposed to be appeased just because of the new rooftop park? What is the point of a rooftop park that can't be accessed or seen, because it is higher than the surrounding buildings?

I am truly disappointed that in a city which claims to be innovative, forward thinking, and now GREEN, this is the best that we can do. I also find it sad that the city is considering rezoning the area to attract more residents but isn't concerned about making this project more neighborhood friendly. How can we in good conscience lure families into the area, knowing that we have the 2nd worst air quality in the Northeast and that it's only about to get worse?

I urge you, as council members elected to safeguard our interests, to demand a better alternative. I know it's not the most practical vote, but hopefully you can put yourselves in the shoes of the families who are now petrified that Hudson Square will no longer be a suitable living environment for them and their children.

KimTabet (kim@blondienyc.com)

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November 14, 2008

Re: In the Matter of the DSNY Proposed Garage for Manhattan Districts 1,2 and 5 at Spring Street: ULURP Application Nos. C090279 PCM, C080280 PCM, C080281 ZSM and N080282.

Honorable Chair Jessica S. Lappin and Councilmembers of the Committee:

I was born and raised in this community where I have practiced law for 25 years. I am the former Chair of Community Board#2 and I continue to serve as a member of the Board for six years now.

Currently, this area has severe traffic issues due to its proximity to the Holland Tunnel and this proposal does not adequately address the additional truck traffic that will be introduced. This project will increase truck traffic, change traffic patterns and substantially increase traffic congestion on residential streets.

Specifically, the traffic data provided by DSNY is flawed resulting in an underestimation of traffic volume and impact.

I – DSNY’s failed to report an adequate study of traffic intersections and the time periods sampled are unrepresentative.

The Canal Street Corridor is already a highly congested area of extremely localized truck traffic where over 16 lanes (4 lanes from Varick Street; 4 lanes from Broome Street; 4 lanes from Hudson Street; 4 lanes from Canal Street plus tributary lanes from Church, West and Watts Street) all merge into 2 lanes going into the tunnel to New Jersey. Added to this already heavily congested area will be trucks from Districts 1, 2, and 5, as well as traffic routes traveled by all Manhattan recycling trucks to and from the Gansevoort MTS and to the refueling station, together with “all other” agency vehicles (as many of six other agencies plus salt spreaders from various districts below 57 Street).

This will have **SIGNIFICANT IMPACTS OF TRAFFIC ROUTES IN THE AREA.** Perhaps most importantly, DSNY does not consider unsafe and problematic locations and the high number truck accidents and pedestrian accidents in the Canal Street Corridor.

In addition, the DSNY **UNDERREPORTS THE CURRENT PEAK DAYS AND ACTUAL DAY TRIPS.** In reality, there are 800 day trips and not 480 as stated by the department of Sanitation because of the (a) fueling by other agencies, (b) multiple supervisory trips to and from the garage throughout the days dealing with issues, (c) underreported lunch breaks to and from the garage and (d) a 15% parade factor.

II- DSNY has underestimated traffic impacts by not taking into account many other important factors, including:

A – An assessment of the Gansevoort MTS and of the Manhattan vehicles that currently go to New Jersey to dump recyclables, thus increasing the 9A traffic; also, the refueling of Gansevoort MTS vehicles at the MN1/2/5 garage;

B – <sup>Probable</sup> Probable UPS or Federal Express growth;

C – Nine (9) hotels that have been or will be built in the area, increasing hotel rooms from 2,474 to 5,761 and the difference in traffic patterns of hotel guests from workers or residents;

D – The large number of business moving into the neighborhood;

E – The large number of new residential units being built in the near or immediate area- In 2007, 2,807 new residential units came on the market in the Financial District/Battery Park area and 4,215 new units are projected in 2008. The CB1 population is expected to double by 2013, which means increased DSNY sanitation and relay trips and employee vehicles resulting from the increased population of the three districts;

F – Pier 40 development- One proposal would bring in 8,000 people daily to the site; another proposal would locate three schools on Pier 40 with approximately 1,600 students who will ride school buses at DSNY peak weekday hours;

G – No salt shed analysis- Vehicles using the salt shed would also refuel at MN1/2/5;

Factoring in all of the above would result in much higher traffic volume in an area where traffic is already at or above acceptable levels.

### III – Inadequate Mitigation Proposed.

Because of the underestimation of so many factors, DSNY's proposal of shifting traffic signals at three intersections and/or adjusting DSNY service routes is de minimus. For example, the proposed mitigation at Spring/Hudson Street would be to shift two seconds of green time from Hudson Street to Spring Street. At Spring and Hudson Street eastbound, DSNY reports that the V/C in the afternoon PM is already .95. It would increase to 1.00 under the Future No Build Sceniero, to 1.07 under the Future Build Sceniero and to 1.01 with proposed mitigation. When the V/C approaches 1.0 or greater, this translates into a traffic jam no matter how you look at it.

### IV – Employee Parking Should be Eliminated.

We live in a City where the Mayor proposed to eliminate traffic congestion by charging vehicles entering and traveling within Manhattan and encouraging the use of public transportation. At a cost of \$459,000.00 for each of the 74 employee parking spaces (for a total of \$34 million), employee/passenger cars -which would exacerbate the already high levels of area traffic and congestion- are unwarranted.

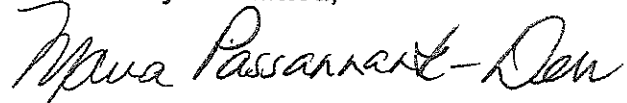
Considering that DSNY did not follow the CEQR protocols and its skewed estimation of traffic impacts, DSNY STILL CONCLUDED UNACCEPTABLE TRAFFIC CONDITIONS IN THIS AREA WHERE TRAFFIC IS ALREADY AT AN UNACCEPTABLE TIPPING POINT.

What are the results and what is the true impact when the three-district garage, salt shed and marine transfer station are studied as an integrated network using the correct CEQR protocols?

Conclusion:

Permanently binding this piece of real estate to construction of this magnitude is not desirable nor the only option we hope. As a community, not only are we willing to take on our fair share, but we have produced an AIA award winning community alternative that will have the least impact out community and provide a much needed 2.5 acre park to the residents.

Respectfully Submitted,

A handwritten signature in black ink that reads "Maria Passannante-Derr". The signature is written in a cursive, flowing style.

Maria Passannante-Derr

# FRIENDS



of Hudson River Park

311 West 43rd Street  
Suite 300  
New York, NY 10036

Tel: (212) 757-0981  
Fax: (212) 757-0985

New York City Council  
Landmarks, Public Siting & Maritime Uses Committee  
Jessica S. Lappin, Chair

## BOARD OF DIRECTORS

November 14, 2008

Douglas Durst  
Ross Graham  
*Co-Chairs*

## Testimony of A. J. Pietrantone, Executive Director Friends of Hudson River Park

William J. Zwart  
*Treasurer*

Good morning and thank you for the opportunity to be here today. My name is A. J. Pietrantone, and I am the Executive Director of Friends of Hudson River Park, a position I have held since May 2008.

John Doswell  
*Secretary*

Richard Dadey  
*Assistant Treasurer*

Robin B. Shanus  
*Assistant Secretary*

Friends of Hudson River Park is a 501(c)3 organization that exists to support the completion and maintenance of Hudson River Park as a world-class amenity. We are the only community organization exclusively dedicated to the creation and preservation of the entire Hudson River Park. We advocate for public funding to build the park, raise private-sector support to develop programs, and support the activities of the Hudson River Park Trust, as well as take steps to ensure the integrity of the Hudson River Park Act of 1998, which established it.

Tobi Bergman  
Meta Brunzema  
Albert Butzel  
James Capalino  
Cynthia Coulson  
Tom Fox  
Arthur E. Imperatore Jr.  
Ben Korman  
John Krevey  
Matthew Mayer  
Francis X. McArdle  
Vince McGowan  
David Redden  
Steven Salsberg  
Arthur Schwartz  
Douglas E. Sarini  
David Tewksbury  
Tim Tompkins  
Robert Trentlyon  
Peter Tully  
Madelyn Wils  
Joshua Zamir

As you know, the Park runs approximately five miles along the west side of Manhattan from Battery Place to West 59th Street.

I am here this morning to provide context for the impetus to relocate sanitation facilities currently occupying the Gansevoort peninsula to the proposed Spring Street Garage, to clarify that our organization played no role in the City's planning of that proposed facility, and to urge the members of the Council to take action in the best interests of the community at large.

## STAFF

A.J. Pietrantone  
*Executive Director*

Matthew Washington  
*Deputy Director*

Under the terms of the Hudson River Park Act, the City of New York and the Department of Sanitation were obligated to relocate all sanitation uses at Pier 97 by December 2003; to relocate the salt pile and remove the incinerator from the Gansevoort Peninsula by December 2003, and to use best efforts to relocate the Sanitation garage from Gansevoort, as those uses were defined as incompatible with park use.

In early 2005, after the City had missed those deadlines, and continued to violate the provisions of the Act by constructing new sanitation facilities on Gansevoort, Friends with fourteen other plaintiffs, including State Senator Tom Duane, City Council member Gale Brewer, and District Leader Kathleen Berger, brought a lawsuit to enforce the Act. That suit was resolved in October 2005 in a settlement agreement

that was shared with members of the Council and other elected officials before it was finalized, and included a commitment of additional funds for the creation of the Park in those locations; and specific timetables for the withdrawal of those activities from the sites. The primary goal throughout our negotiations was to convert the sanitation sites to open space as quickly as possible in compliance with the Hudson River Park Act.

Our agreement only references this Spring Street site because it was identified by the Department of Sanitation as its intended site for a new garage, and approved by Community Boards 2 and 4 even though it was not our preferred location; and we developed a timetable for removing the facilities based on what the Department said was realistic under the regulatory process. That agreement obligates Sanitation to vacate the Peninsula by 2013.

We understand the community concerns about the size and scope of the proposed garage and concentration of Districts, and these concerns should be given their due consideration – just as the freeing up of Gansevoort demands. Furthermore, if the Council, or the Department of Sanitation can identify a change in the current proposal for either the size of the garage or location of the salt pile that would allay those community concerns, and result in a better solution for the City overall but would delay the vacating of Gansevoort, we would not object, provided there was no further infringement of the Hudson River Park Act.

However, we cannot defer action on converting Gansevoort to parkland on the hope that something might develop at some unidentified point in the future that has no identified appreciable additional benefits for the City.

That is the decision before the Council, and we urge you to act in that context to take some specific action. Rejecting this proposal without providing a workable alternative solution is far worse. You must move this process forward so that the commitment made to the community for open space in Hudson River Park at Gansevoort can be realized, and the citizens of the entire City can benefit for generations to come.

Thank you for your consideration.

Testimony of Robert Trentlyon, Member of the Board of Save Chelsea, before the Land Use Subcommittee on Landmarks, Public Siting and Maritime Uses

Chair Lappin:

I think all of us must try to be reasonable in deciding where government facilities should be built. Because of the high cost of land in Manhattan, I understand why DOS has decided to build garages that house three different sanitation districts. This is true of the West 57<sup>th</sup> Street structure, the proposed East 74<sup>th</sup> Street structure and the proposed Spring Street structure. If CB4 must house CB5 vehicles and CB6 vehicles on 30<sup>th</sup> Street as well as CB4, CB4A, and CB7 on 57<sup>th</sup> St. it will be housing three times as many vehicles as CB1 & CB2 combined, and that is unreasonable.

When CB4 and DOS negotiated over the 57<sup>th</sup> Street site, CB4 asked for an attractive building, since it would be located opposite Hudson River Park, and that DOS would assure CB4 that all its vehicles would be parked within the structure, and not on the street. We now will have an excellent building constructed of Indiana limestone with enormous windows on its upper floors. That was it, no interminable arguing.

In taking a tour of the new 57<sup>th</sup> St. facility, I was delighted by the amount of natural light that streamed into the building, and the beautiful views of the Hudson and of HRP that could be seen. In addition, the entire building is environmentally friendly, with frequent air exchanges, waste water controls, and eating areas for employees. The Spring Street building has been planned with even more environmental features. This is why I was so struck by the residential developers's proposal to put the garage under ground in order not to block the Hudson River views of prospective condo purchasers. Why shouldn't the 250 sanitation workers who will be in the Spring Street garage, and who pick up our garbage, be allowed to enjoy the afternoon light and have views of the Hudson River? I think this would be reasonable.

Reasonable means that every community board takes its fair share of those city uses that no community really wants.

Justin Hoy  
433 West 21<sup>st</sup> Street, Penthouse  
New York, NY 10011

November 14, 2008

Let's let the Sanitation Department carry out its plan to build the garage, something that the Department has been working on for years. Let's not change that plan and deny the Department the infrastructure needed to serve our beautiful city.

I've walked around that site. And I've spoken to some of the locals. The site has been an industrial zone for all of my life and the structure proposed is entirely appropriate.

I saw in The Villager newspaper that a group opposing the garage has aired a proposal that would develop a park on the site and not give the Sanitation Department what it needs. There was a rendering of the proposed development along with the article. It's almost comical to note that, within yards of the proposed development lies the best urban waterfront park in the world. Our own Hudson River Park.

So we don't need a new park conceived at the 23<sup>rd</sup> hour. The Sanitation Department wants a garage and we should give them what they want.

(212) 675-0849  
jehoy@mindspring.com

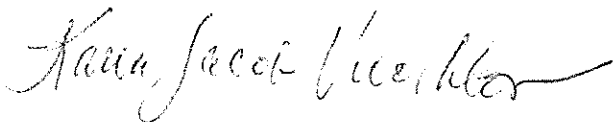


**TESTIMONY TO BE PRESENTED AT THE NOVEMBER 14, 2008 CITY  
COUNCIL HEARING ON THE DEPARTMENT OF SANITATION'S  
PROPOSED NEW DISTRICT GARAGE FOR DISTRICTS 1, 2 AND 5 AT  
SPRING AND WASHINGTON STREETS.**

Good morning. My name is Karen Jacob Vershbow. I am testifying today as a member of the Executive Committee of the West 400 Block Association, representing approximately 175 people who live or work in the West 400 blocks of 21<sup>st</sup>, 22<sup>nd</sup> and the south side of 23rd Streets. The West 400 Block Association strongly urges you to APPROVE the Dept. of Sanitation's proposal for a new garage for Districts 1, 2 and 5 at the corner of Spring and Washington Streets.

This garage is urgently needed as a new home for the Sanitation vehicles which must be removed from the Gansevoort Peninsula by 2012, lest the City incur serious and continuing fines. Suggestions have been made that the garage be totally re-designed so that a portion of it – the space for the over 50 District 5 vehicles – can be removed to the District 4/Chelsea area. But were this to happen, District 4 would then be home to over 3 times as many Sanitation vehicles as Districts 1 and 2 combined. And this would simply be a grossly unfair over-allocation of governmental necessities in District 4.

The 175 members of the West 400-Block Association strongly urge you to APPROVE the Department of Sanitation's proposed new garage without any revision that might re-direct District 5's vehicles to District 4/Chelsea. Thank you.



Karen Jacob Vershbow  
439 West 22<sup>nd</sup> St.

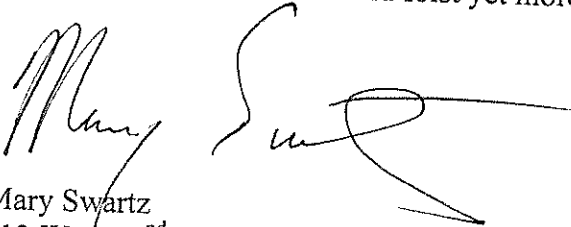
Treasurer and Member of the West 400 Block Association Executive Committee.

**Testimony by Mary Swartz, President of Save Chelsea, Before the City Council Land Use Subcommittee, November 14, 2008, Concerning the Proposed New Dept. of Sanitation Garage at the Corner of Spring and Washington Streets**

Hello. I am Mary Swartz, President of **Save Chelsea**, an organization representing about 700 people who live or work in Chelsea, or are otherwise concerned about what happens to Chelsea. On behalf of **Save Chelsea**, I am here to testify in favor of the Land Use Subcommittee's approving the Department of Sanitation's proposal to erect a new garage for Districts 1, 2 and 5 at the corner of Spring and Washington Streets.

**Save Chelsea** is aware of some opposition to including Sanitation District 5 in that new garage. In particular, some have suggested that District 5's vehicles – both the well-known garbage trucks and other required vehicles – be overnighted not in the new facility but in some other facility in Sanitation District 4, most of which is comprised of Chelsea. This is not a good idea or a fair idea.

The siting of buildings that house the essential services of government is obviously necessary. Everything has to go somewhere; and the City does make an attempt to spread out its service buildings in a fairly even-handed fashion. BUT, Chelsea already has an enormous number of government buildings. A women's prison at 20<sup>th</sup> and 11<sup>th</sup>; a US Post Office Maintenance Facility at 24<sup>th</sup> St and 11<sup>th</sup>; the tow pound at 37<sup>th</sup> and 12<sup>th</sup>; the much-unappreciated heliport at 31<sup>st</sup> and 12<sup>th</sup>. AND Chelsea already has TWO Dept. of Sanitation facilities: the Sanitation garage at 30<sup>th</sup> and 12<sup>th</sup>, and the Bronx & Manhattan Major Repair Facility at 26<sup>th</sup> and 11<sup>th</sup>. For the simple sake of fairness, Chelsea should not be required to take yet more Sanitation facilities. **Save Chelsea** urgently asks that the Land Use Subcommittee approve the Department of Sanitation's proposed new garage as is, with no revisions that would foist yet more such vehicles on Chelsea. Thank you.



Mary Swartz  
413 West 22<sup>nd</sup> St.  
President, **Save Chelsea**

## FOR THE RECORD

### **Nov. 14, 2008, City Council Hearing on Sanitation Dept. Plans for a a Regional Garage and Open-Sided Salt Shed on Spring Street**

I am President of the Village Independent Democrats, a 51-year-old progressive Democratic Club, which has fought throughout its history to improve living conditions for the residents of Greenwich Village and for the City of New York.

The proposal by the Sanitation Department to build a 12-story garage to house garbage trucks from 2 adjacent sanitation districts and from another district on the East Side adds hundreds of daily truck trips to an area near the Holland Tunnel which is already one of the most congested in Manhattan. These trips will increase the pollution of an area which already has the most polluted air in Manhattan. (See Daily News article attached.) Greenwich Village will soon be subject to many additional truck trips to a marine transfer station planned for Gansevoort Peninsula.

In addition to the garbage trucks from Districts 1, 2, and 5, the proposed garage will have parking for 100 city employees, a facility for truck repair and washing, and a gas station fueling the trucks and other city vehicles. This gas station would house thousands of gallons of fuel close to a major access point to and from Manhattan, the Holland Tunnel. The danger of such a location should be self-evident.

The 7-story open-sided salt shed is a potential source of blowing salt to local streets and pollution in the nearby Hudson River. The daily traffic jams near the Holland Tunnel will block ready access to this salt in snowy weather.

This proposed facility not only burdens the surrounding neighborhood which in recent years has changed from industrial to increasingly residential with more than its fair share of added pollution. It will create major gridlock and inefficiencies for Sanitation Department operations because of the very congested conditions already existing on the streets near the Holland Tunnel.

The Hudson Rise alternative plan which would serve two districts eliminates the salt shed, provides a public park on the garage's rooftop and accepts the community's fair share of sanitation service costs for Districts 1 and 2 with far less environmental impact. We urge you to oppose the Sanitation Department plan.

**Katharine B. Wolpe**  
**President, Village Independent Democrats**

# Hard to breathe easy

## City's worst asthma zones sniffed out

BY JORDAN LITE  
DAILY NEWS STAFF WRITER

IT'S A TYPICAL EVENING rush hour on Canal St.: Cars and trucks plod their way to the Holland Tunnel as pedestrians on packed sidewalks dodge between them.

As the pedestrians pass a truck idling on the corner of Varick St., they catch a blast of pollution from its tailpipe, a dose so large it maxes out a machine used to measure the vehicle's toxic emissions.

"It's dangerous for children to be breathing this," said Loriga Ko, 40, whose 7-year-old son, Keith, attends school in nearby Chinatown.

About one in five of the 300 children in his after-school program at Public School 124 have asthma, and Keith keeps an inhaler there in case he has an asthma attack.

As legislators debate Mayor Bloomberg's congestion-pricing plan, air-pollution samples collected by the Daily News across the city highlight another side of the debate: how the city's clogged streets impact New Yorkers' health.

Residential blocks on Staten Island had the cleanest air, while the Bronx and Brooklyn had the dirtiest, according to data collected by The News.

In all five boroughs, vehicle emissions were elevated in ar-

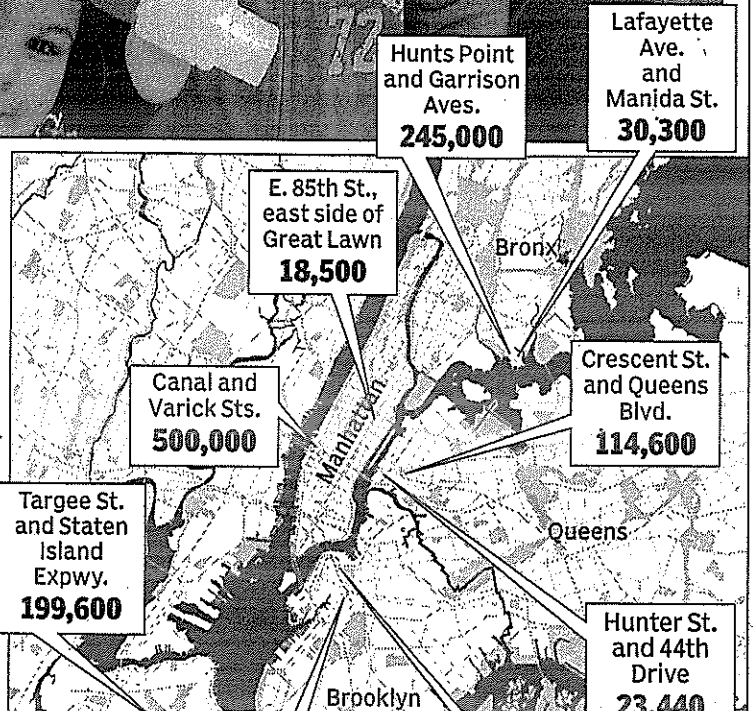


**Yvette Bonilla (r.) and her family all suffer from asthma. With her are Roberto Reyes, Priscilla Reyes, Cruzita Serano, and Thalia Mena.**

Photo by Tara Engberg  
be so suffocating that, "I hold my breath until I get out of it."

The News collected air samples on Manida St., a tree-lined, residential block off the Bruckner. The air had 30,000 particles per cubic centimeter of air. There is no agreed-upon standard for safe levels of ultrafine particles.

The particle numbers jumped to 70,000 and got even higher along the entrance to the highway. They stayed elevated, in the 40,000-to-50,000 range, along commercial E. 163rd St.



**STATEMENT TO THE CITY COUNCIL SUBCOMMITTEE  
ON LANDMARKS, PUBLIC SITING AND MARITIME USES  
RE: PROPOSED DEPARTMENT OF SANITATION GARAGE AND SALT SHED  
FOR MANHATTAN DISTRICTS 1, 2 and 5 AT SPRING STREET**

**FRIDAY, NOVEMBER 14, 2008 – COUNCIL CHAMBERS  
CITY HALL**

Good morning Chairperson Lappin, Speaker Quinn and members of the Subcommittee on Landmarks, Public Siting and Maritime Uses. I am John Doherty, Commissioner for the Department of Sanitation. Joining me this morning are representatives from the Department. We are here to discuss the ULURP applications submitted by the Department of Sanitation and Department of Citywide Administrative Services for our proposed Manhattan multi-district Sanitation Garage to be built on the UPS trailer staging lot at West, Spring and Washington Streets, and for a salt shed nearby in Manhattan Community District 2.

The Manhattan Community District 2 and 5 Garages are currently operating from an existing facility on the Gansevoort Peninsula which in 1998 was included in lands designated for Hudson River Park under the State's Hudson River Park Act. The Peninsula also contains a salt shed. Our District 1 Garage is currently at Canal and West Streets, across the street from the proposed site. That garage is severely undersized, forcing us to store our trucks on local streets. Both the Gansevoort facilities and the District 1 Garage are in Community District 2. The proposed Garage would house equipment and provide support facilities for the crews serving Districts 1, 2 and 5. Our ULURP applications also include the construction of a salt storage facility on the site of the existing District 1 Sanitation Garage. Related approvals include a waiver of the street wall height and setback and rear yard requirements for the Garage, and curb cut approvals on wide streets.

After considering the Final Environmental Impact Statement in connection with the ULURP applications for this project, the City Planning Commission determined that the action will have no significant impact on the environment. On October 7, 2008, the City Planning Commission overwhelmingly approved our ULURP applications, supporting the Department's view that the proposal represents the best solution in the decade-long effort to relocate the Sanitation Garage and salt facilities from the Gansevoort Peninsula, so that it can be developed as part of the Hudson River Park, while addressing the space shortages at the Sanitation District 1 Garage.

Two critical goals will be achieved through the Department's construction of this multi-district garage project. First, it will replace three (3) existing Department facilities that are inadequate and obsolete, and permit the proper indoor storage of the Department's fleet and equipment. Second, by relocating the garages and salt shed from the Gansevoort Peninsula, the project will allow the reclamation and

creation of the largest upland portion of the Hudson River Park waterfront available for recreational use.

The Department is facing strong time pressure to complete this site selection. The 1998 Hudson River Park Act designated parkland on the Hudson River from lower Manhattan to West 59<sup>th</sup> Street. The Act required the Department of Sanitation to relocate our salt shed and incinerator from the Gansevoort Peninsula by 2003, and for the City to use its best efforts to relocate the Sanitation Garage operations from Gansevoort as well.

Despite our efforts in this regard, in 2005, the Friends of the Hudson River Park and several elected officials and residents filed a lawsuit against the Department for failing to timely relocate its garage operations and salt shed. In October 2005, this lawsuit was resolved through a Settlement Agreement and Court Order. The Order requires the Department to vacate its garage operations at Gansevoort Street by December 31, 2013. It also requires the Department to pay fees to the Hudson River Park Trust for utilizing the Gansevoort Street Peninsula for its garage operations through 2013.

The Order specifically contemplates that the Department's garage operations at Gansevoort Street will be relocated to the Spring Street site, subject to all pertinent reviews and approvals. The Order also contains several milestone dates specifically tied to the design, environmental review, and construction of the proposed garage at Spring Street.

The ULURP applications before you represent the City's best efforts to relocate those operations from Gansevoort. Consolidating our Manhattan Community District 1 garage in the proposed new building will allow the demolition of the existing garage at Canal and West Streets, located just south of the proposed garage complex, and the construction of a salt shed there to replace the existing one at Gansevoort.

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 and undertake any necessary clean-up.

The proposed site has been deemed the most appropriate when compared with alternate sites at West 30<sup>th</sup> Street and in 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 29<sup>th</sup> and 30<sup>th</sup> Street and 11<sup>th</sup> and 12<sup>th</sup> Avenues, which had been proposed for a two district garage below grade, was found to be more expensive to both acquire and construct.

The proposed garage is a permitted use within the M2-4 manufacturing zone in which it is to be located. No rezoning is proposed. The site is located on Route 9A, a major through truck route, enabling the Department ready access to the three service districts without traversing residential streets. The closest residential area of Hudson Square would experience no increase in Department truck traffic on residential streets east of Washington Street. All Community District 1 and 5 vehicles operating from the facility would be restricted to Canal, West, Spring, Washington and Clarkson Streets in Community District 2 when entering or exiting the proposed new garage.

All of the Department's diesel trucks would be equipped with state-of-the-art particulate filters and utilize Ultra Low Sulfur Diesel fuel, ensuring that fleet emissions will be insignificant, as determined by the City's air quality experts. Traffic impacts have been thoroughly studied and found not to be significant with minor signal adjustments at two locations.

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

The timely acquisition of the Spring Street site and the completion of the proposed garage construction will enable us to consolidate operations, vacate inadequate facilities, and meet the terms of the Court Order. Failure to advance the proposed project under consideration today will jeopardize the Department's ability to remain at Gansevoort Street, provide timely, essential sanitation services including refuse collections, street cleaning and winter plowing and salting of streets to residents in three community districts in Manhattan, delay the creation of usable parkland for Manhattan's West Side community, and subject the City to Court-imposed sanctions for failing to vacate Gansevoort Street by 2013.

My staff and I would be happy to answer any questions you may have.

## FOR THE RECORD

Dear Council Members,

I am here today to present my utter opposition to the proposed 3 district Sanitation Garage on Spring and Washington Streets. I won't get into the utterly devastating environmental and economic effects the garage will have on the Hudson Square community, because it seems that no one cares unless they actually live in the neighborhood. So, instead, I hope to get your attention through something I know best, the law and money.

We are here today because in 2005, The Friends of Hudson Park sued the Department of Sanitation and The Hudson River Park Trust. The result of the suit was a 2005 settlement in which the DSNY agreed to remove the salt shed, incinerator, and the sanitation trucks from the Gansevoort Pier or be fined 1,800,000 dollars per year (which is amazing rent for a property that size).

This settlement is so egregious and contrary to beneficial public policy on so many levels, but since my time is limited, here are the most two infuriating. First, The Hudson River Park Act specifically dictates that the City must use its "best efforts" to remove the trucks from the Gansevoort Pier. In fact, the man largely responsible for the creation of the Act, former Deputy Mayor, Randy Levine wrote a follow-up memorandum to the Act:

Although this is State-owned property, the Department of Sanitation retains the right under a separate Memorandum of Understanding to remain at Gansevoort until such time as it is no longer needed. **The new legislation states that the city will use "best efforts" to relocate the Sanitation garage but there is no date by which that must be accomplished.** However, the legislation does require that the salt pile be relocated and that the incinerator be demolished by 12/31/03.

What you members of the Council should also know, is that you are currently voting on the results of a settlement that violates the Hudson River Park Act. When the Hudson River Park Trust agreed behind closed doors to move the garbage trucks off the Gansevoort Pier, the Trust notified no one. According to the Act that ironically created the Hudson River Park Trust:

"In the case of any proposed significant action affecting the park or community...the trust shall: a) hold a public hearing on not less than 30 days' advance public notice; solicit and consider the views of Manhattan community boards one, two, and four, the planning commission of the city



of New York, the advisory council, elected officials representing communities neighboring the park, and interested groups and individuals, allowing not less than 60 days following the notice of the proposed action for the submission of such views.”

For some strange reason the Hudson River Park Trust ignored the very law that created its own existence. What is even more shocking is that members on both the Plaintiff and Defendant sides, who were also heavily involved in drafting the law that was violated, chose to ignore the very law they created.

So if you want to do what's economically responsible for the people of this City during a time of layoffs, then leave the trucks on Gansevoort. It will only cost the City 1.8MM to remain on Gansevoort per year and save the City an unnecessary expense of 500MM. In fact when the settlement that created this mess is enjoined, and Judge Stallman recognizes the Plaintiffs' misrepresentation of the facts, this \$1.8MM will most likely be reduced if not entirely eliminated as originally intended by The Hudson River Park Act.

I understand the politics of this City and the difficult choices you have to make, so if you feel compelled to appease individuals higher up, then please, at the very least, do not allow more than 2 districts' garages on Spring Street. And if you are going to approve an unnecessary ½ billion dollars, at least be progressive and give something you would be proud of back to the community.

Sincerely,

Cristo Brown  
(646) 267-3455

City Council meeting on November 14, 2008  
CONCERNING SANITATION GARAGE

I am Doris Corrigan, president of Chelsea Waterside Park Association, which has successfully fought for a park on the Chelsea waterfront. We also are supporters of Hudson River Park, and have spoken out for the inclusion of the Gansevoort peninsula in the park, and against its use as a parking lot for DOS vehicles.

I am here today to tell you a cautionary tale about the forty years it took to get the Chelsea Recreation Center built. I was the community leader of this effort, and when I now see the attempt to derail the DOS garage plan for Spring St., I cannot help but see a repeat of the Rec Center disaster.

To explain, In the 1960s, The US Post Office, by eminent domain, uprooted 400 working class families in Chelsea, razed the existing Rec Center, and built the Morgan Annex on the block bordered by 28<sup>th</sup> & 29<sup>th</sup> streets, 9<sup>th</sup> & 10<sup>th</sup> avenues. The PO gave NYC \$10 million toward a new Rec Center. The shell of the ~~50,000SF~~ Rec Center was erected on 25<sup>th</sup> Street, but soon after was bricked up because of the 1975 financial crisis. Almost thirty years later, with the help of Chris Quinn, the new council person, and Tom Duane her predecessor, a new design for the existing space was created and mayoral support was secured. It is now is now an important addition to the NYC Parks Recreation Department.

We don't want the same fate for the present plan being discussed. I am asking you to please vote for the present plan for a three district sanitation garage which already has funding appropriated.

Do not look for a new site in Chelsea; the site would have to be acquired, new funding would have to be secured, and after a number of years a garage might be built, but only if the money had not been spent for some other purpose. In the meantime, DOS would be using scarce funds to pay rent and penalties to the HRPT for violating the court order for it to be off the Gansevoort peninsula by 2012, and no one would be able to enjoy a park on that site.

**TESTIMONY OF ALBERT K. BUTZEL, INDIVIDUALLY**

**City Council Land Use Subcommittees on Landmarks,  
Public Siting and Maritime Uses**

**Hearing on the Proposed Spring Street Sanitation Garage**

**November 14, 2008**

**I am Albert K. Butzel, and I appear here today in my individual capacity. I was for five years President of Friends of Hudson River Park and my testimony is based on my involvement with the Spring Street Garage at that time. But the views I express today are mine and not those of Friends of Hudson River Park.**

**My involvement with the Spring Street Garage resulted from a lawsuit that Friends brought against the City and its Department of Sanitation in 2005. I drew up the papers and acted as the principal negotiator for Friends in the litigation. Its purpose was to enforce those provisions of the Hudson River Park Act, passed by the State Legislature in 1998, that required DOS to vacate Pier 97 by the end of 2003 and to remove many of its facilities from Gansevoort Peninsula by the same date so that those spaces could be turned into park open space. When the City failed to comply with the Pier 97 deadline and made no effort whatever to clear the Gansevoort Peninsula, Friends initiated legal action to force it to comply.**

**The main aim of the lawsuit was to secure as open parkland two critical areas along the waterfront. Of these, the most important was the Gansevoort Peninsula, a plot of approximately six acres that was one of only two significant areas of contiguous open space the entire length of Hudson River Park and the only sizable piece of land in a park-starved Greenwich Village. Yet while this**

was the most important space to clear – the one that would have the greatest benefits to New Yorkers – it was also the most difficult to secure. This was the case because there were no other garages or lots where the 100 plus garbage trucks parked on the Gansevoort Peninsula could be relocated. The only option at the time of the lawsuit was to displace them into the streets, something we regarded as both unrealistic and unduly damaging.

The task thus became finding a site for a new garage that could take the trucks parked at Gansevoort – and to force the City to take action to develop that site. Our original thought had been to use Block 675 in Clinton, which had been identified for such a garage in the EIS for Hudson Yards. However, DOS advised us that that plan had been abandoned and the decision had been made to locate the new garage at Spring Street and the West Side Highway. Friends was agreeable to this because it knew that the Spring Street site was one of two locations (the other being Block 675) that Community Boards 2 and for had found acceptable in 1999 in a process then Council Member Duane had initiated. Consequently, our focus became to ensure that this site was pursued with diligence in order to realize the primary goal of clearing Gansevoort of DOS operations and converting it to park open space. The processes to achieve this were incorporated into a settlement agreement, which identified the Spring Street site but was explicit in stating that this selection was subject to ULURP and SEQRA review. In the same agreement, the City agreed to contribute \$14 million for the construction of the park at Gansevoort and to cover the full costs of cleaning up the site so it could be used as parkland.

**As noted, the settlement agreement did not compel the selection of the Spring Street site, but made that selection subject to ULURP and SEQRA. However, at the time, we felt that Spring Street was a logical and responsible site because of its earlier identification by the community boards and its location adjacent to the West Side Highway next to an existing DOS garage.**

**I appear here today to support using the Spring Street site for the new consolidated DOS Garage. I do so because I believe that clearing the Gansevoort Peninsula of sanitation operations so that it can be used for park open space will provide major benefits for New Yorkers that far outweigh the adverse impacts of locating the new garage at Spring Street. I do so, as well, because the law that I helped pass – the Hudson River Park Act – requires that DOS get off of Gansevoort, and that is only possible if it has an alternative location to park its trucks. Finally, I do so because I believe that the Spring Street site is an appropriate and feasible location for the garage and one that will have the least adverse impacts of other potential sites.**

**That being said, I urge the Council to do all that it can to make the Garage as compatible as possible with the surrounding neighborhood. This should include looking closely at the feasibility of parking the District 5 trucks at a different location, keeping in mind that DOS regularly and obstinately denies the feasibility of alternatives as a means of justifying its own plans. If, however, the Council concludes that developing an alternative site for the District 5 trucks is not likely within a reasonable period of time or at a reasonable cost, I urge it to**

**approve the Spring Street Garage configured to accept the trucks from all three districts, in order to clear Gansevoort at the earliest possible date. In doing so, the Council should, of course, take such other steps as are possible to provide public amenities of the sort proposed by Community Board 2.**

**I have attached to my written testimony the letter I sent to Speaker Quinn a month ago, which spells out my position in greater detail. Thank you for your consideration.**

**November 14, 2008**

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October 15, 2008

Hon. Christine Quinn  
Speaker of the New York City Council  
City Hall  
New York, NY 10007

Personal Comments on Spring Street Sanitation Garage

Dear Chris:

I am writing in my personal capacity – not on behalf of Friends of Hudson River Park – to share my views on the proposed Spring Street Garage. While I have no reason to believe that Friends holds different views, I want to emphasize that I am writing as an individual. My goal in doing so is provide you with my perspective – gained largely through the settlement process that led to Spring Street – on what is obviously a contentious issue within the community affected by the facility. *I am sending this letter ONLY to you and your aides.* However, you should feel free to use it in any way you deem appropriate.

As you know, Friends was the lead plaintiff in a lawsuit against the City and its Department of Sanitation (DSNY) seeking to enforce compliance with the Hudson River Park Act. At the time, I was President of the organization and played a major role in the decision to bring the suit and the strategy that led to the settlement. The lawsuit sought to remove sanitation operations from Pier 97 and the Gansevoort Peninsula, as mandated by the Park Act. It was eventually resolved in 2005, in a settlement agreement that Friends shared with you and all other local elected officials before it was finalized and approved by Judge Stallman.

Among other things, the Settlement Agreement required the City and DSNY to proceed expeditiously with the design and construction of a new Sanitation Garage at Spring Street that could accommodate the trucks and other operations located at the Gansevoort Peninsula. While DSNY is behind the schedule set out in the Settlement Agreement, it has moved forward with the design of the new Garage, and the application for its approval is now before the City Planning Commission. It is expected that City Planning will act on the application in October and that the matter may then come before the Council for a final decision.

Because I was so integrally involved in the process that led to the proposal for a new garage at Spring Street, because I have first hand knowledge of the steps that led to that outcome, and because there is such significant community concern about the Garage, I wanted to provide you with some of the background and share my views on the issues involved. That is the purpose of this letter.

## Background

When the Hudson River Park Act was introduced in the Legislature in 1998, it included a provision that DSNY would remove its operations from Pier 97 and Gansevoort within three years and both areas would be turned to park open space uses. During the negotiations, this provision was modified to give DSNY five years to clear Pier 97 and remove the incinerator and salt pile from Gansevoort. In addition, it required the City to use its best efforts to relocate the truck parking at Gansevoort as soon as possible. Both these mandates were ignored by the City and, after a year and a half of fruitless negotiations with the City, Friends and 14 other plaintiffs, including Senator Tom Duane and District Leader Kathleen Berger, brought a lawsuit to enforce the Act.

Soon after the lawsuit was filed, the City and DSNY reached out to the plaintiffs to see whether it would be possible to settle the lawsuit. A series of negotiations ensued which led ultimately to an overall settlement that included, among other things, the City's commitment of \$21.5 million in additional funding for park construction, specific timetables for the cessation of operations and Pier 97 and Gansevoort, commitments by the City to clean up both sites, and the City's agreement to proceed promptly with the development of the new garage at Spring Street. The history of this last commitment can be briefly described.

When Friends began the settlement discussions, its principal goal was to get the operations of DSNY off Pier 97 and Gansevoort as soon as possible so that both sites could be converted to park open space. From the outset, this meant that there had to be somewhere to move the trucks at these sites. For Pier 97, this was easy enough, as the new 57<sup>th</sup> Street Sanitation Garage was already under construction. For Gansevoort, however, a completely new location had to be found unless the trucks could be moved to New Jersey, which DSNY was unwilling to do, or the vehicles were to end up parked on the streets of the Village, which was clearly unacceptable.

Friends' initial position was that the trucks should be moved to Block 675, which had been identified for a Sanitation Garage in the Hudson Yards Master Plan and EIS and which we believed to be further advanced than any other option. However, DSNY demurred and, after several weeks, advised us that they were no longer considering Block 675 because of engineering problems and the high cost of rock removal. Instead, they advised us – finally – that they intended to construct a new garage at what is now known as the Spring Street site – a lot bounded by the West Side Highway, Greenwich Street, Spring Street and the St. John's Terminal. I was aware of this site, because it was one of two potential sites that CB 2 and CB4 had found acceptable in 1999, when Senator Duane brokered what had up to then been an intractable situation. As a result of that community agreement, I was willing to accept the Spring Street site, though reluctantly, since I knew that the process to secure approvals would be long, whereas such approvals had already been secured for Block 675. Equally important, it appeared at the time that the City would have to acquire the lot, which was owned by UPS, by condemnation, and I was doubtful of its will to do this. Nonetheless, there was really no choice if Gansevoort was to be



cleared; DSNY had already made the decision to relocate the Garage to Spring Street, which they emphasized had been acceptable to the community. As a result, our principal effort turned to developing an acceptable, binding timetable.

Insofar as relevant, the provision of the Settlement Agreement that applied to the Spring Street Garage read as follows:

"The City has identified a site at the corner of the West Side Highway and Spring Street as the preferred location for a new sanitation garage (hereinafter, the "Spring Street Garage") to which its sanitation uses at Gansevoort could be relocated on or before December 31, 2012. The construction of a new garage at that site is necessarily subject to regulatory reviews and/or approvals, including but not limited to those under the State Environmental Quality Review Act, the Rules of Procedure for City Environmental Quality Review, and the City Uniform Land Use Review Procedure. Subject to the foregoing, the City is committed to pursuing the Spring Street Garage on a time schedule that will allow it to be completed by December 31, 2012. Schedules of the anticipated progress for regulatory approval, acquisition, design and construction are annexed hereto as Exhibit B."

The terms of the Settlement Agreement, including this provision, were reviewed with the plaintiffs before Friends and its attorneys agreed to them. In a memo dated September 1, 2005 to the plaintiffs (who included Senator Duane and seven residents of Greenwich Village), we wrote with regard to Spring Street:

**5. Spring Street Garage.** To try to ensure that Sanitation can get off Gansevoort by December 31, 2012, the agreement includes provisions that require the City to proceed expeditiously with the planning and construction of a new garage at Spring Street and the West Side Highway. This garage will take the trucks and other activities that currently reside at Gansevoort. Non-binding schedules for the new garage are included in the agreement, but if the City falls behind these by a year, we can apply to the Court for an enforceable schedule and other relief. The garage commitment is subject to the State Environmental Quality Review Act and other regulatory requirements, and delays beyond the City's control are grounds for extending the schedules."

The same memorandum was also shared with all the local elected officials. Two months later, on October 27, 2005, Judge Stallman approved the Settlement Agreement and its provisions become binding on the parties.

Over the next 18 months, DSNY made the payments called for under the Settlement Agreement, fell well behind schedule in vacating Pier 97 and moved forward with the design for the Spring Street Garage, largely out of public view. In addition, the City apparently negotiated an agreement with UPS that allows it to

proceed without using condemnation. It was only in early 2007 that the full scale of the plans for the Garage became public and strong opposition to the proposal emerged. In the end, it will almost certainly be up to the Council to decide whether the project goes forward and, if so, on what terms.

### My Thinking

I believe that the use of the Gansevoort Peninsula for truck parking and other sanitation operations is an extremely poor use of this waterfront area. I believe equally as strongly that the use of Gansevoort that will provide the greatest benefit to the City and its citizens is as park open space. This is a unique six acre tract in a neighborhood with very limited park open space; equally important, it is one of only two sizeable parcels of open space along the entire length of Hudson River Park. It will be one of the jewels of the West Side waterfront once the sanitation uses are relocated. And, of course, State policy requires as much. The Hudson River Park Act is explicit in mandating that the existing sanitation uses at Gansevoort be removed and, with the exception of a new MTS for recyclables, that the area be used solely as park open space.

In light of the benefits just described and the requirements of the Park Act, the existing truck parking, salt pile and related sanitation operations MUST be removed from Gansevoort. This requires that another site be found for their relocation. Recognizing this reality, Senator Duane worked with Community Boards 2 and 4 to identify potential relocation sites. Two were found acceptable – Block 675 in District 4 and the proposed site of the Spring Street Garage in District 2. The City has refused to use Block 675 due to engineering difficulties and high costs. (In addition, since many sanitation trucks already park in District 4 – currently at Pier 97 and on 29<sup>th</sup> Street, but shortly in the new 57<sup>th</sup> Street Garage – equitable considerations may militate against a second garage in the District.) That leaves the Spring Street site.

*I support the use of the Spring Street site for the new Sanitation Garage required to allow the relocation of the trucks currently parked at Gansevoort and the salt pile. I do so in part because Friends is party to the Settlement Agreement that calls for that action. But I do so as well because I believe that the site is as good as, or better than, any other, located as it is in the approximate center of the areas it will serve and having direct access to and from the West Side Highway, which forms its western border.<sup>1</sup> In addition, it is bordered by a large commercial/industrial building on the north and a UPS garage on the east. I recognize that a new residential building has risen cater-corner from the site, and it will be impacted negatively to some extent. But virtually any location in Manhattan would have some adverse impact on the community in which it was located, and here I believe the benefits far outweigh such impacts.*

This is not to say, however, that the Spring Street Garage must be approved in exactly the form that DSNY and the City have proposed.

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<sup>1</sup> Subject to the equity issue of having two large sanitation garages in one community district, Friends would also support, and support strongly, the use of Block 675 for the new garage.

The most important issue in this regard is whether the trucks from Community District 5 must be stationed at Spring Street. The Settlement Agreement did not address this issue – DSNY did not explicitly advise Friends that its Spring Street plan contemplated housing the District 5 vehicles, as well as those from District 1 and 2, at the new facility (or if it did, I did not understand that to be the case). Nor did DSNY indicate that what it had in mind was a 115-foot high structure. If I had known these plans, it would have given me pause.

At this point, it appears that stationing the trucks from all three districts at the new Spring Street Garage would be the most cost effective way of dealing with DSNY's needs and the route that would free up Gansevoort for park use at the earliest date. If the District 5 trucks are forced to go elsewhere, it will undoubtedly take a considerable amount of time to figure out where and to comply with the procedures necessary to approve another location. This, in turn, could mean that the District 5 trucks would remain at Gansevoort for that additional period of time. On that basis, moving those vehicles to Spring Street is the preferred solution.

However, the freeing up of Gansevoort as soon as possible is not, in my view, the only consideration. If it required an additional two or three years to find a new location and build a facility to house the District 5 trucks, in return for which the size of the Spring Street Garage was reduced and the major concerns of the community allayed, that might well be an appropriate resolution. On the other hand, if requiring DSNY to find a separate site for the District 5 trucks would have little or no impact on community concerns, then I would urge the Council to approve the Spring Street Garage as the site for the trucks of all three districts.

I note with regard to the preceding point that the Manhattan Borough President has suggested that the District 5 trucks might be relocated to a new facility on the site of DSNY's Borough of Manhattan Repair Shop. I am familiar with this site only in passing and do not know how the surrounding community would react to the proposal. But the concept of using an existing sanitation site in (or at least closer to) District 5 for the District's trucks makes considerable sense on its face. Again, however, I believe the issues of cost and delay need to be factored into the equation.<sup>2</sup>

With regard to the *salt pile storage area*, it would be of great advantage if the currently-proposed site could be converted to publicly-accessible open space – a concept that the Borough President has put forward in his report. The problem will be to find an alternative site. The strengths of DSNY's proposed location are that it is immediately adjacent to the new Garage, has direct access to the West Side Highway and makes use of the site of the existing District 1 sanitation garage so

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<sup>2</sup> Another alternative that could make sense would be the relocation of the District 5 trucks to Pier 76. In its Responses to Comments on the DEIS, DSNY has acknowledged that the trucks from two garages could be stationed at Pier 76 if the tow pound operations were removed. The latter is unlikely to happen in the near term, but I believe that the tow pound operations could be consolidated into a smaller area on the Pier, leaving adequate room for the District 5 trucks. However, this will only happen if the Council can persuade the Administration to follow this course.

there is no significant change of use. DSNY has identified a number of alternative sites for the salt pile, but many of these are across from residential areas or would require trucks to pass through them. Thus, I would expect that the selection of an alternative from among these options would itself generate significant community concern. It would also slow the process and thus could delay getting the salt pile off Gansevoort. Still, if a consensus were to be reached on a specific alternative site, I would urge the Council to go along with that consensus, even though it might delay somewhat the conversion of Gansevoort to park open space.

Community Board 2 has made a number of other recommendations for changes in the Spring Street proposal, many of which I agree with. Among others, I strongly support the recommendations to restrict access for the sanitation trucks to West Street and to construct a new pedestrian crossing of West Street to Hudson River Park at Spring Street. I would also support the recommendation to set the building back along Spring Street and incorporate a green space for community access as long as that did not adversely affect the capacity and operational requirements of the Garage.

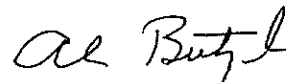
#### Conclusion

For the reasons given above, I hope that you and the Council will approve the proposed Spring Street Garage and a location for the salt pile. This would represent a major step forward in removing DSNY's operations from the Gansevoort Peninsula and converting the area to public park space.

At the same time, I encourage you and the Council to take the initiative in trying to forge a broader consensus that exists today and allay community concerns to the extent that this is possible within the overall framework of moving this project forward. In my view, the Council – and only the Council – has the capacity to move DSNY off its position that no further modifications to the proposal can be made and that there is no possibility of moving the District 5 trucks to an alternative location or finding another site for the salt pile. In the end, DSNY may persuade you that only a few additional changes are feasible, and if they do, I hope you will accept the project on that basis. But I believe that, as sometimes is the case with DSNY, there is an intransigence with regard to this project that needs to be challenged and, if possible, reworked to better respond to legitimate community concerns. In my opinion, no one is better suited to this task than you.

I hope this is of some help. Best regards.

Sincerely,



Albert K. Butzel

cc.: Kate Seely-Kirk  
Danielle DeCerbo  
Grey Elam

## **Testimony re Sanitation Garage**

Madam Chair, Honorable Council Members:

My name is Edward Kirkland and I usually appear before you on landmarks issues, but today I am speaking as a member of the executive committee of the West 300 21<sup>st</sup>, 22<sup>nd</sup>, 23<sup>rd</sup> Streets Block Association in Chelsea.

The West 300 Block Association believes the Sanitation Garage on Spring Street should be built as proposed. Although no site for such a facility is ideal or without impacts on its neighbors, there appears to be no better or more workable site for any of the trucks planned for this location.

The original site on 30<sup>th</sup> Street that Community Board 4 agreed to accept for many of the trucks at issue was at the 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. No room there.

The briefly notorious Block 675 site nearby was then proposed for an improbable stack of relocated Sanitation trucks, displaced tow-pound cars, and a cosmetic park on top that the Jets dreamed of as a pseudo-tailgating location; but that idea died from the realization that the stadium was not coming, the polluted landfill mush on the site would cost millions of dollars to make it useable for a large structure partly below street level, and the proposed new rail tunnels from New Jersey called Access to the Region's Core might very likely have to pass only a few dozen feet below the surface there. Now much of the block is scheduled for a huge luxury hotel.

Shoehorning a whole district-load of Sanitation trucks into the existing Borough Repair Shop that was designed to fix the trucks for all Manhattan and much of the Bronx, as has recently been proposed, is a sure recipe for neither the squeezed-in district garage nor the carefully planned repair shop doing its job right.

**Build the garage as proposed.** There is no other really workable place that the trucks can go. Trying to find, approve, and build on one would be sure to delay, probably for years and at constantly increasing expense, the universally longed-for goal of getting the trucks off Gansevoort and freeing up the peninsula to become one of the finest parts of Hudson River Park.

Testimony of Julie Nadel on the Hudson Square Sanitation Plan – November 14, 2008

Regarding this plan, I have several questions:

Plans for this facility include 74 parking spaces for city employees to drive their private cars into work at an estimated cost to the city of \$459,000 each.

This suggests that the administration's policies on automobile congestion in Manhattan are at best inconsistent and at worst deeply flawed – how can you propose taxing people to bring their cars into Manhattan while simultaneously encouraging and storing, at great public expense, more private vehicles into the very same area? If these 74 DOS employees took public transportation to work, the City would save nearly \$34 million. Aren't we facing multi billion dollar deficits?

My second point involves the extremely odd matter of having the original, Community Board and City approved site bypassed for reasons that have never been publicly disclosed, to my knowledge. This site could have housed part of the proposed mega-garage, and community advocates working on this issue have noted that an influential real estate family, one who incidentally has an appointee on the board of the Hudson River Park Trust, owns this site. Can someone find out why it's not being used?

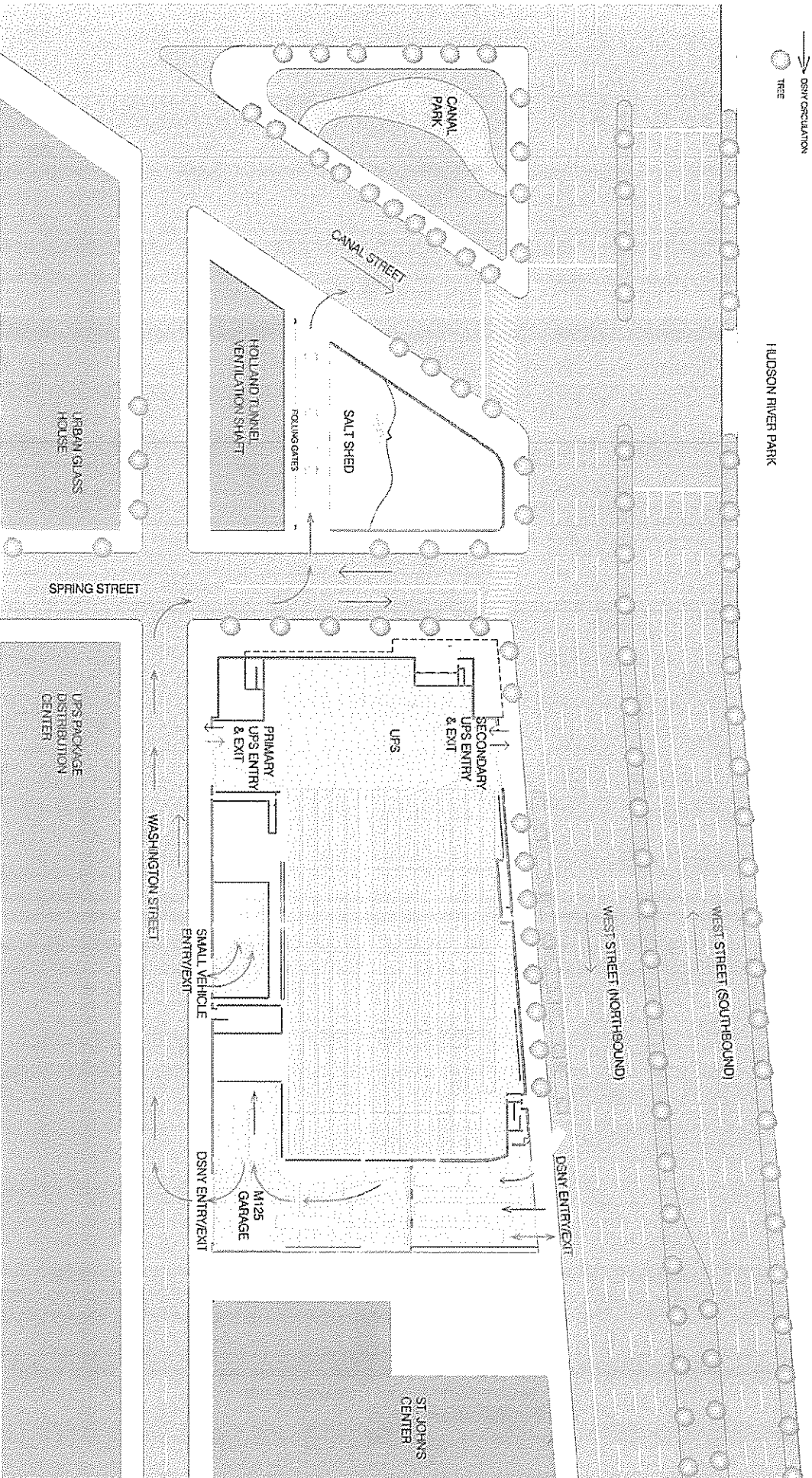
I am a board member of the Hudson River Park Trust. Regrettably, I was unable to vote against this giant sanitation shuffle because the issue was never brought before the board, and I don't remember it ever being discussed. Instead, the Friends of Hudson River Park privately settled their lawsuit behind closed doors with this disastrous result. Do any of you believe this is an example of how public policy should be created?

This Friends group raises money under the guise of helping to build Hudson River Park, and according to their most recent published annual report, they raised \$995,000.

But regrettably, according to public records, only \$25,000 of this near million ever made it into the Park. Let's do the math: less than 3 % of the money that Friends of Hudson River Park raises has gone towards actually building the Park. With friends like these, who needs enemies? What's going on here?

Speaking of the Hudson River Park Trust, it is, at least in part, responsible for this sanitation situation -- the plan is to take DOS off Gansevoort, which is in the Park, supersize it, and then dump it into an area right next to Hudson River Park. This makes the negative impact directly felt on the very communities that this new park is supposed to serve, contrary to the Hudson River Park Act, which says the build-out of the Park should enhance, not adversely impact, the adjoining communities. What's wrong with this picture?

I hope someone will ask these questions, and get answers.



Manhattan Community Districts 1/2/5 Garage

New York City Department of Sanitation

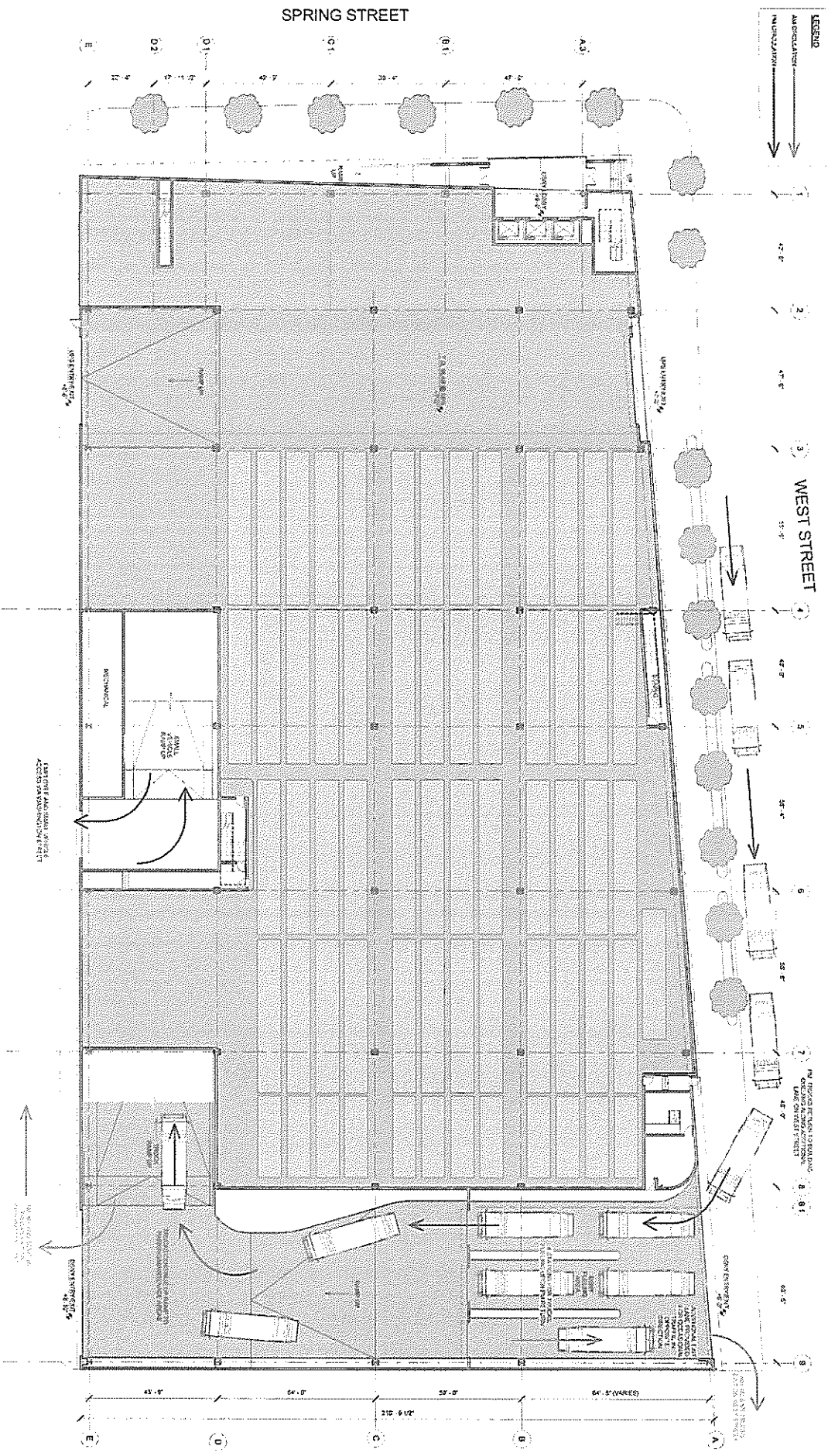
CPC Presentation

August 22, 2008

Schematic Ground Floor Plan

0 32' 64' 128'





Manhattan Community Districts 1/2/5 Garage

New York City Department of Sanitation

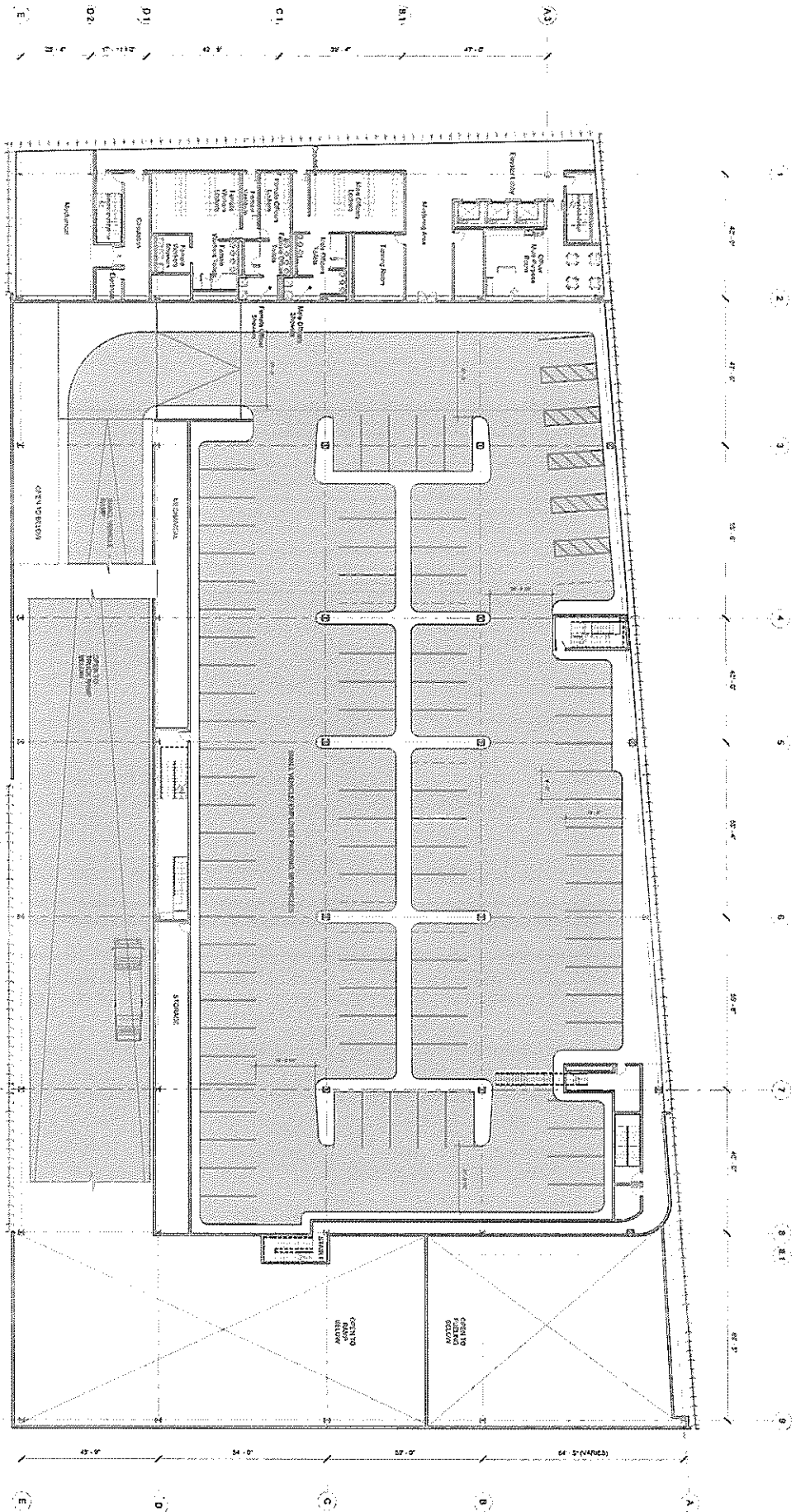
CPC Presentation

August 22, 2008

Schematic Ground Floor Plan



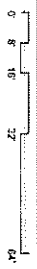




Manhattan Community Districts 1/2/5 Garage  
New York City Department of Sanitation

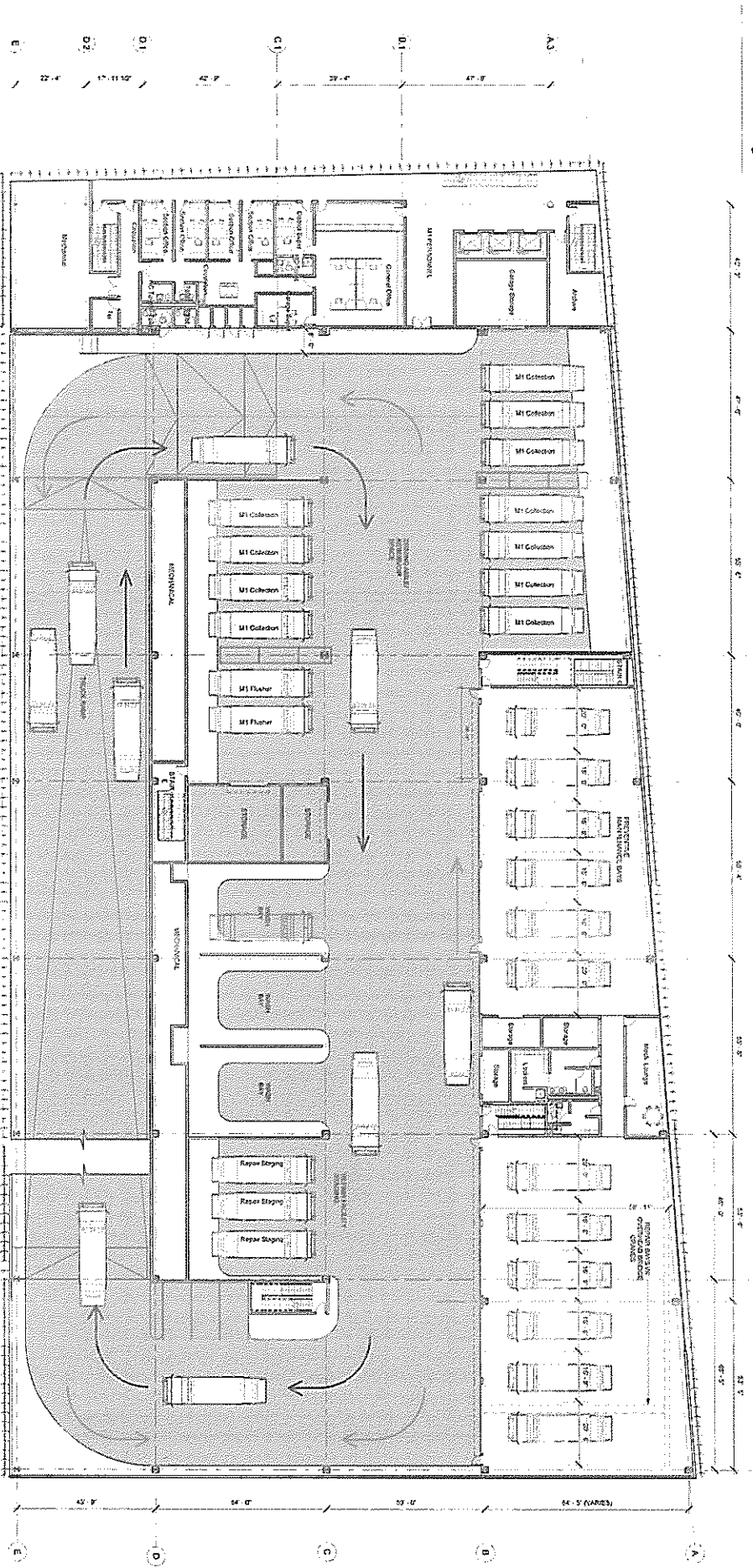
CPC Presentation  
August 22, 2008

Schematic First Floor Upper Level Plan



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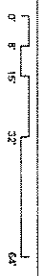
Dattner Architects, Weisz+Voss Architecture

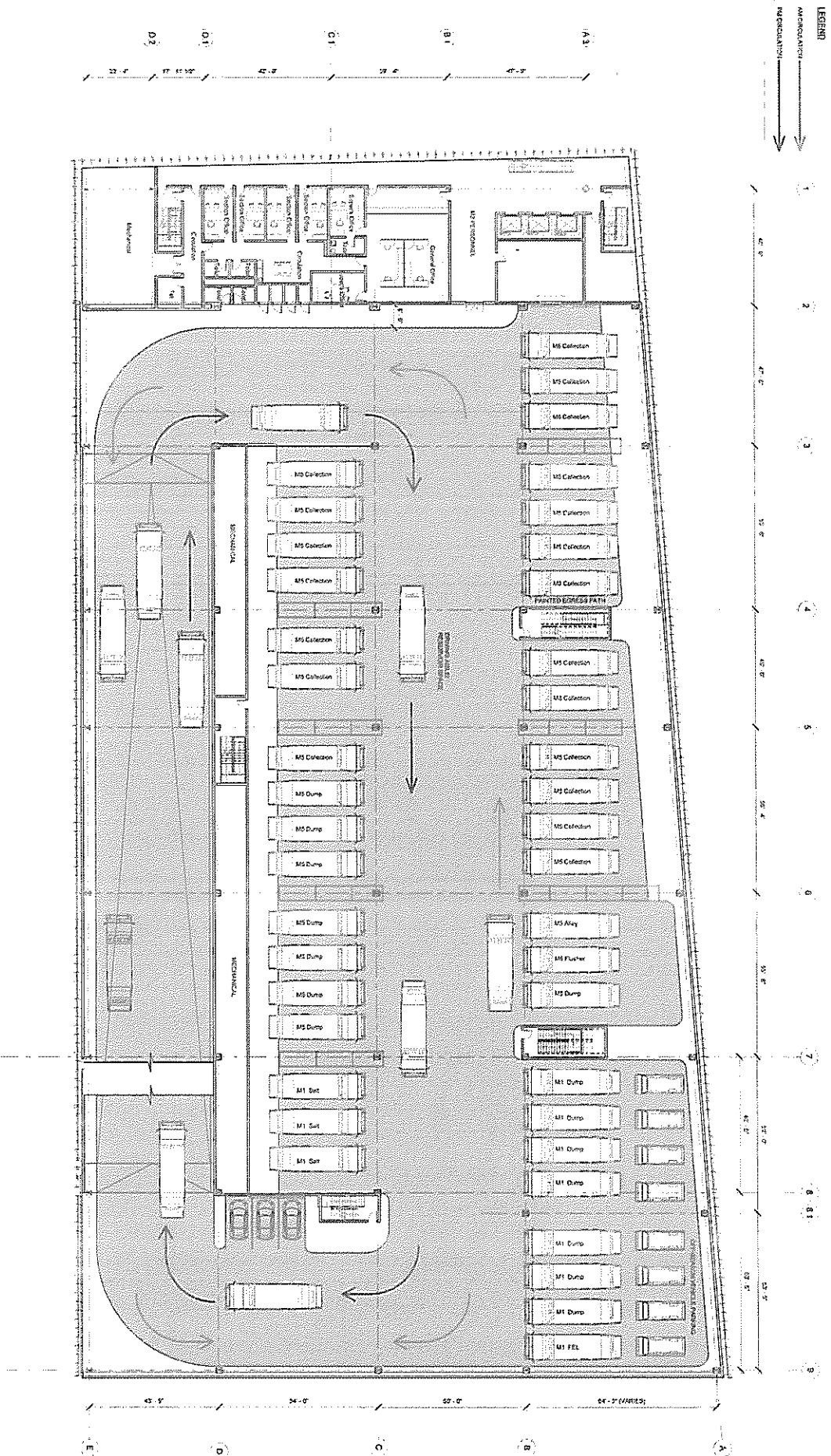


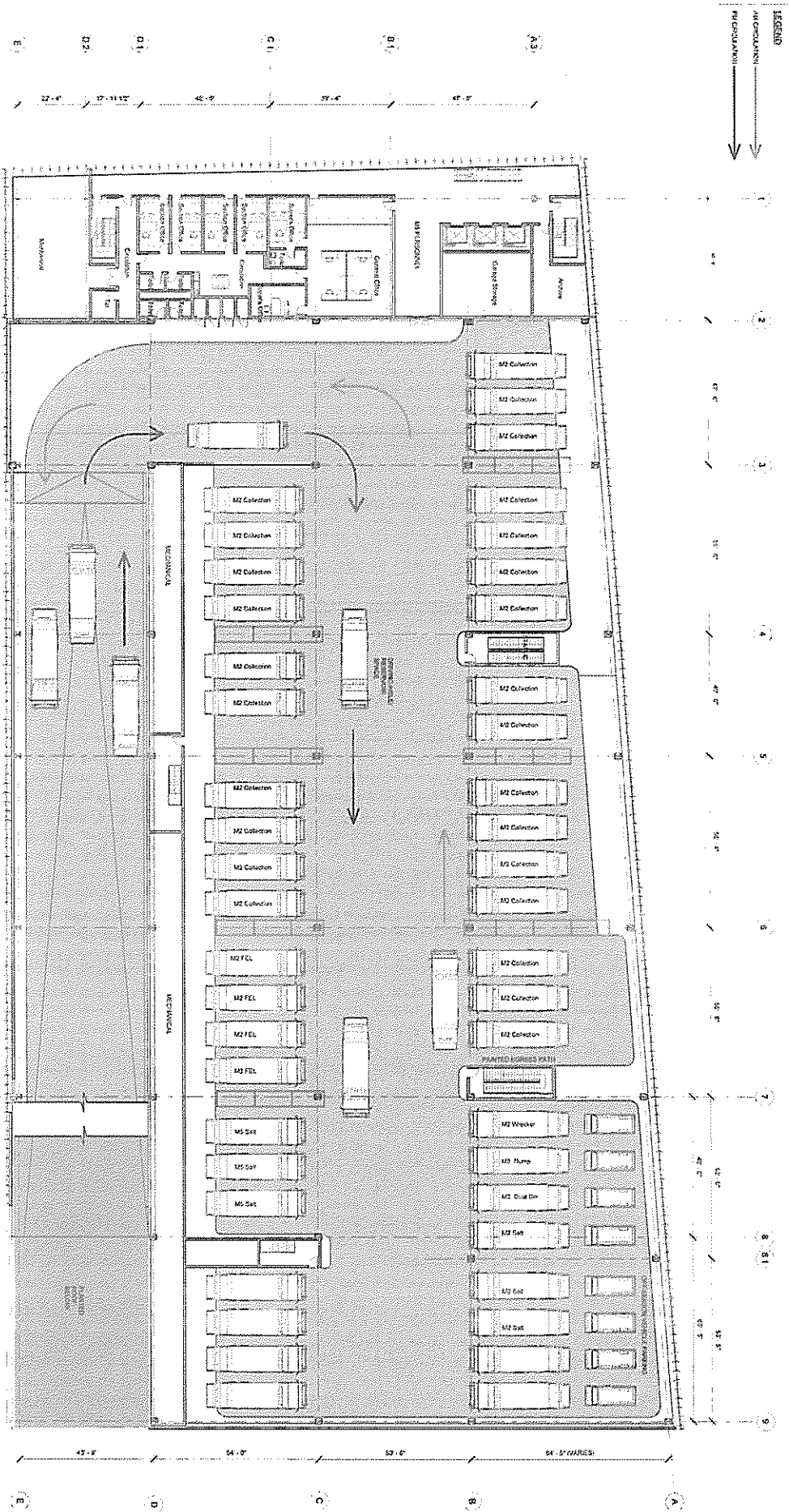
Manhattan Community Districts 1/2/5 Garage  
 New York City Department of Sanitation

CPC Presentation  
 August 22, 2008

Schematic Second Floor Plan





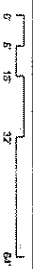
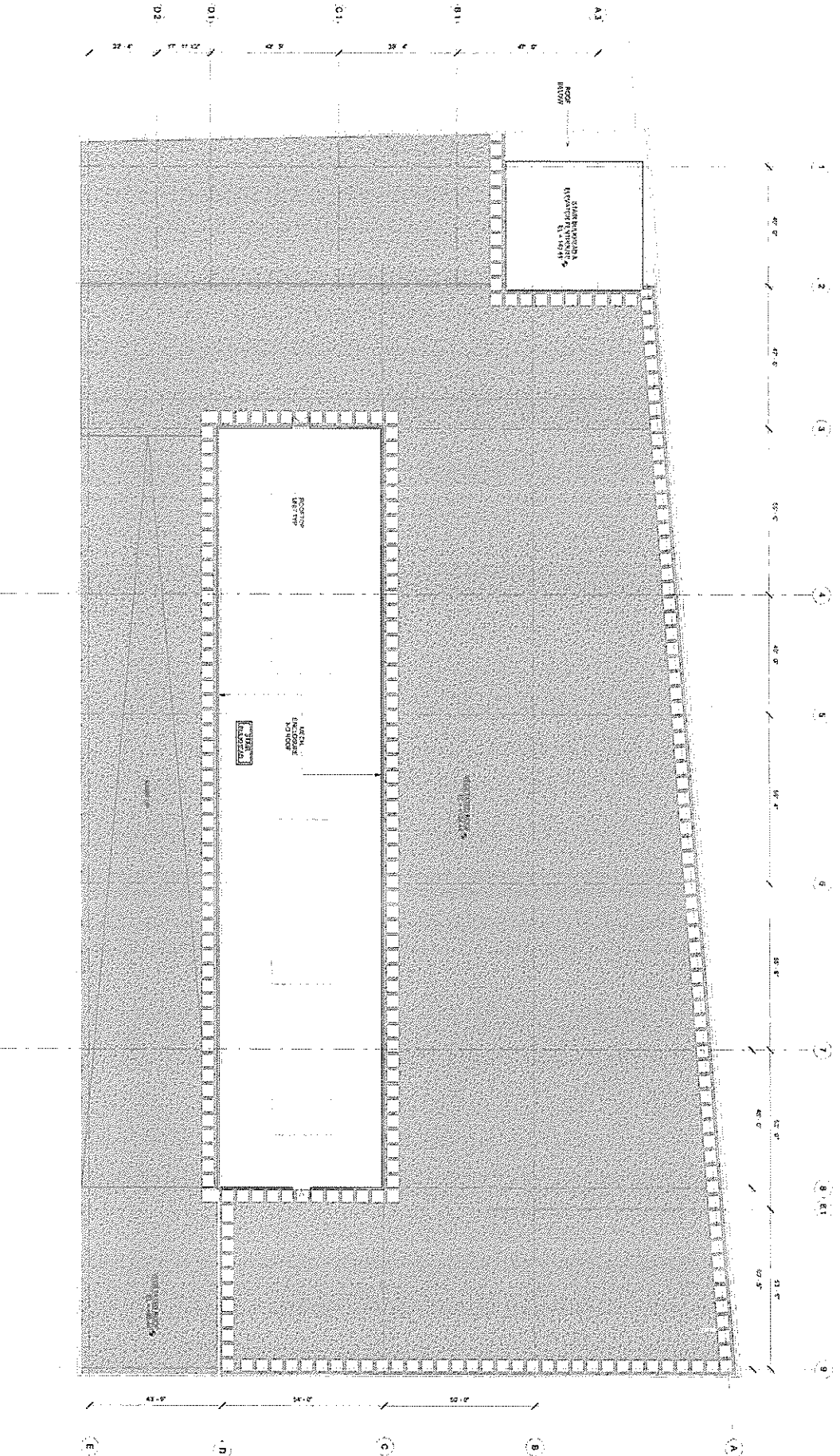


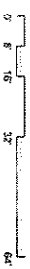
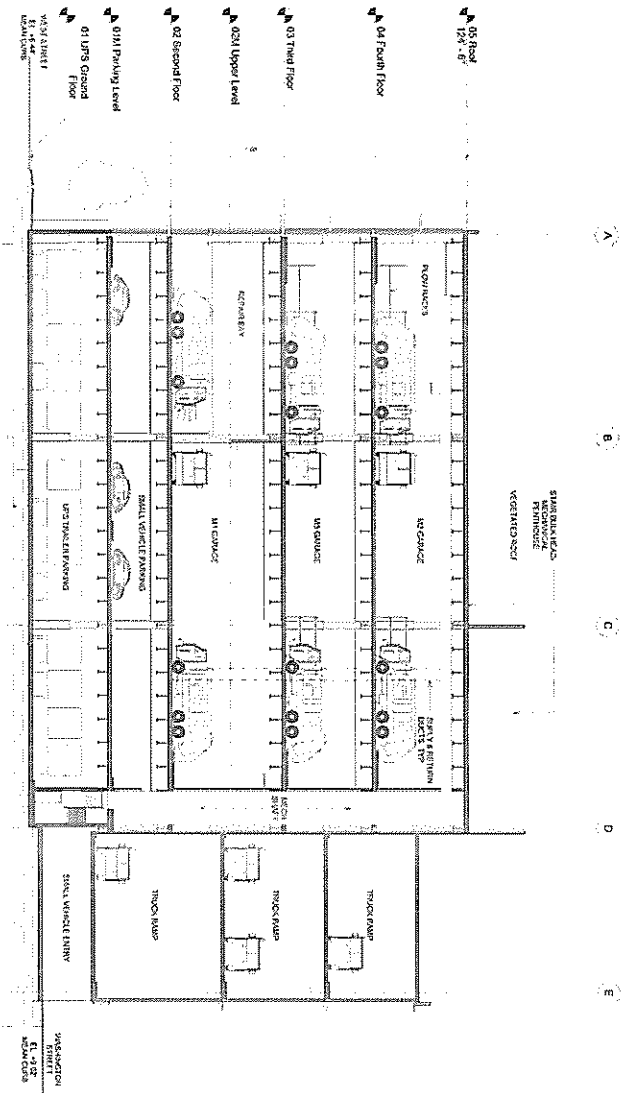
CPC Presentation

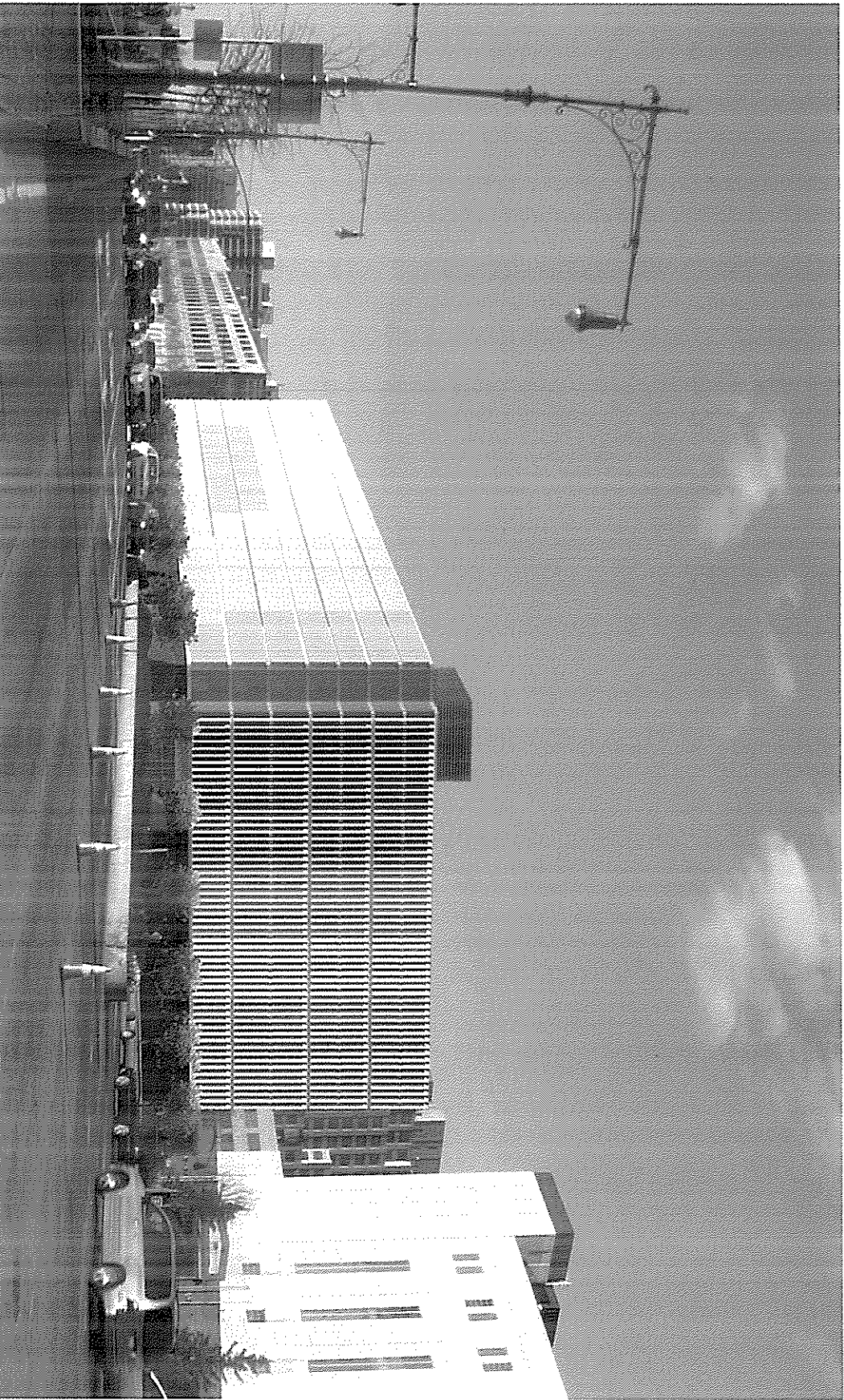
Schematic Fourth Floor Plan

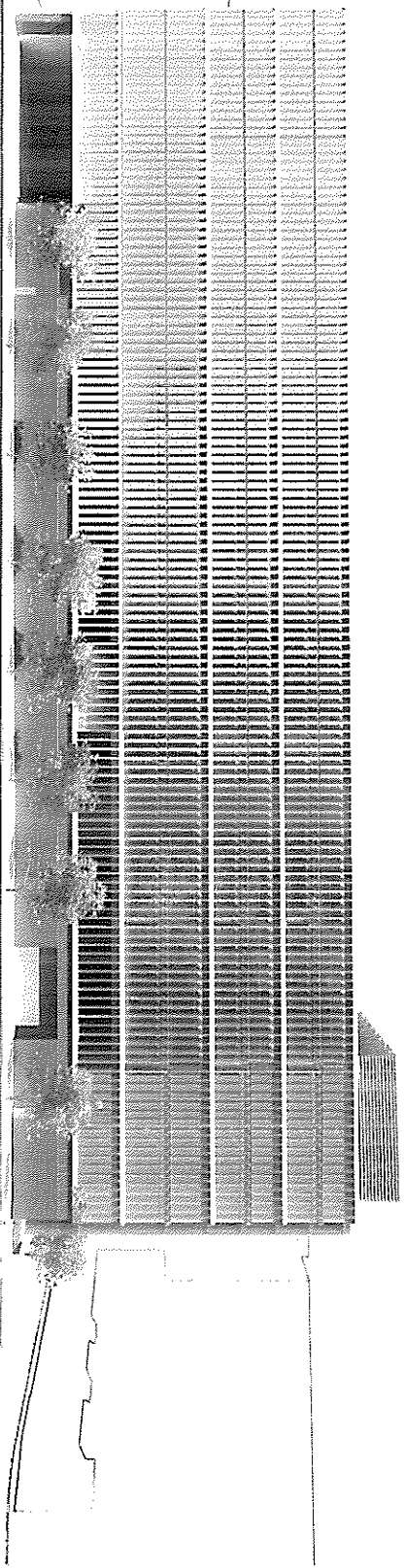
Manhattan Community Districts 1/2/5 Garage  
 New York City Department of Sanitation

August 22, 2008









Manhattan Community Districts 1/2/5 Garage

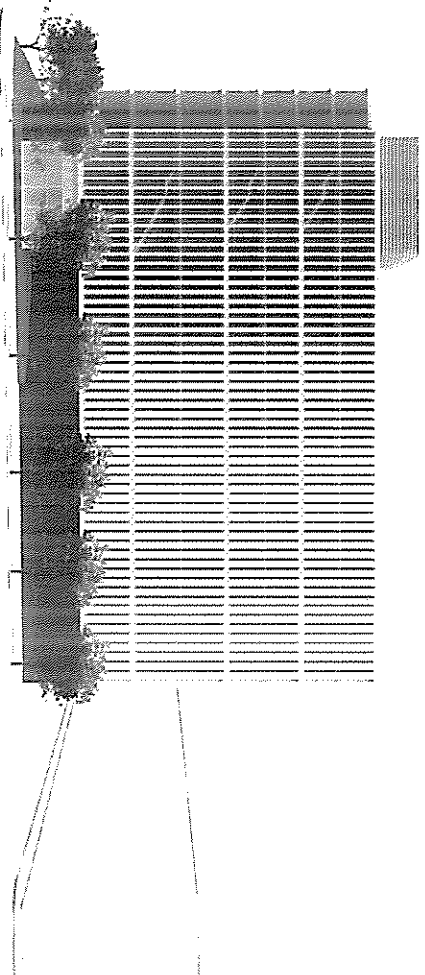
New York City Department of Sanitation

CPC Presentation

August 22, 2008

Schematic West Elevation





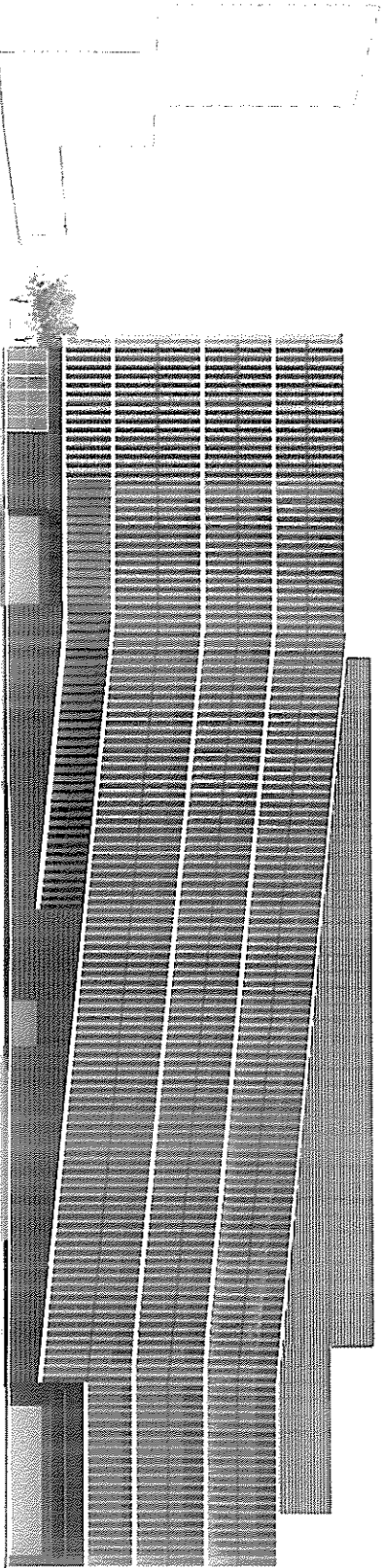
Manhattan Community Districts 1/2/5 Garage

New York City Department of Sanitation

CPC Presentation

August 22, 2008

Schematic South Elevation



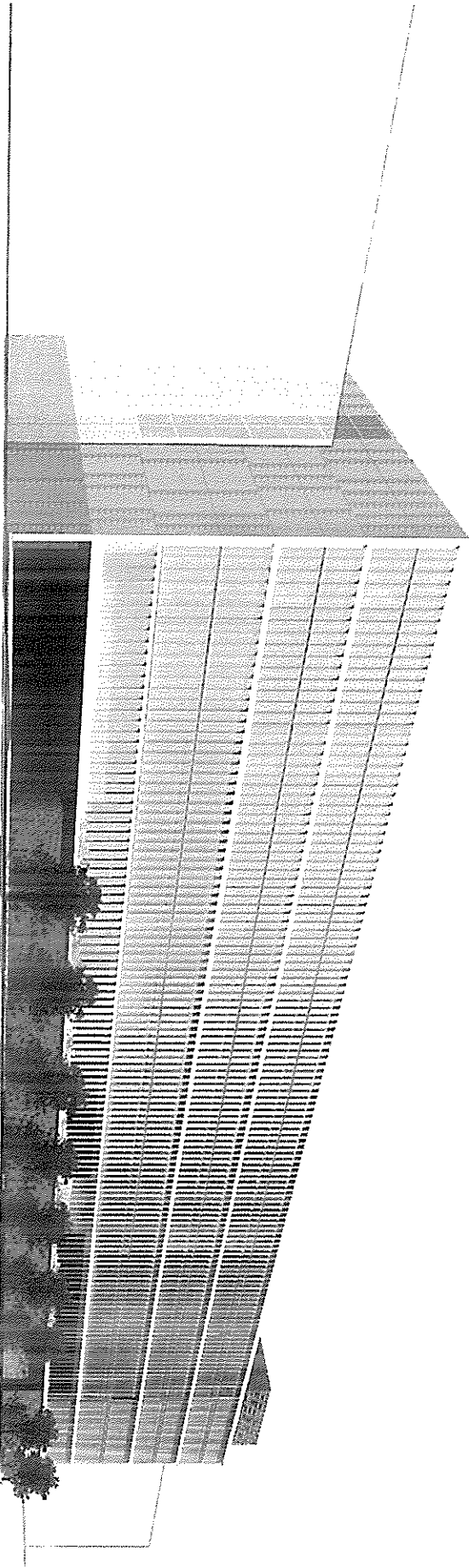
Manhattan Community Districts 1/2/5 Garage

New York City Department of Sanitation

CPC Presentation

August 22, 2008

Schematic East Elevation



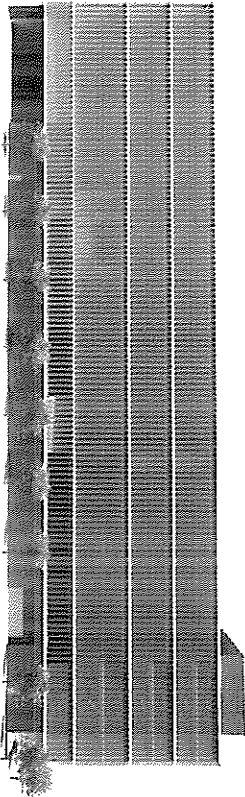
Manhattan Community Districts 1/2/5 Garage

New York City Department of Sanitation

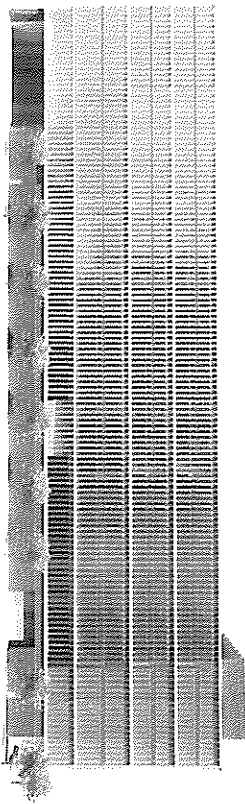
CPC Presentation

August 22, 2008

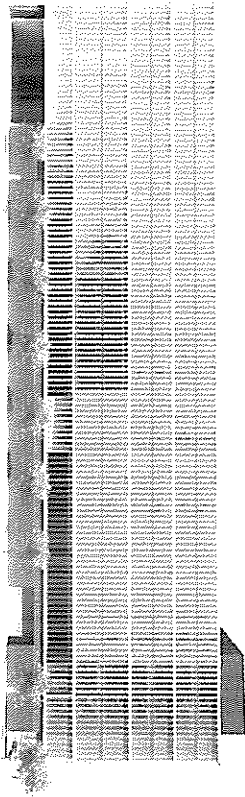
Schematic View from West Street Looking South



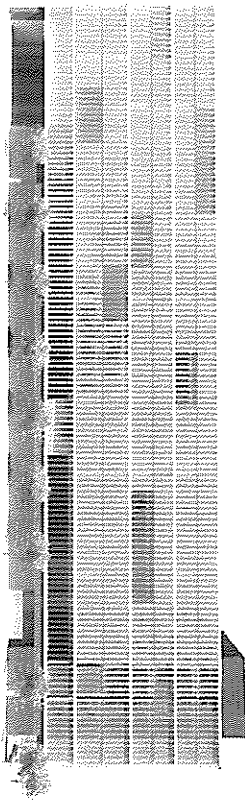
Fins primarily open



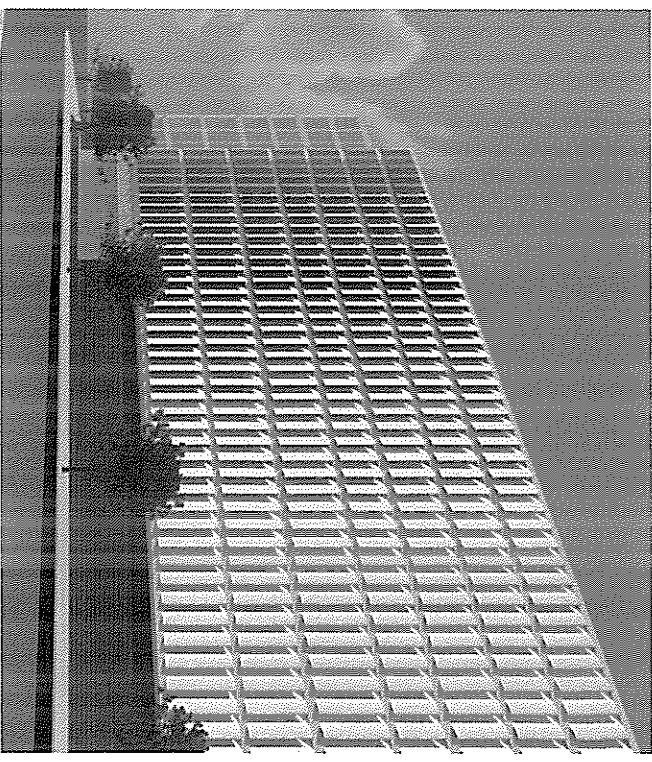
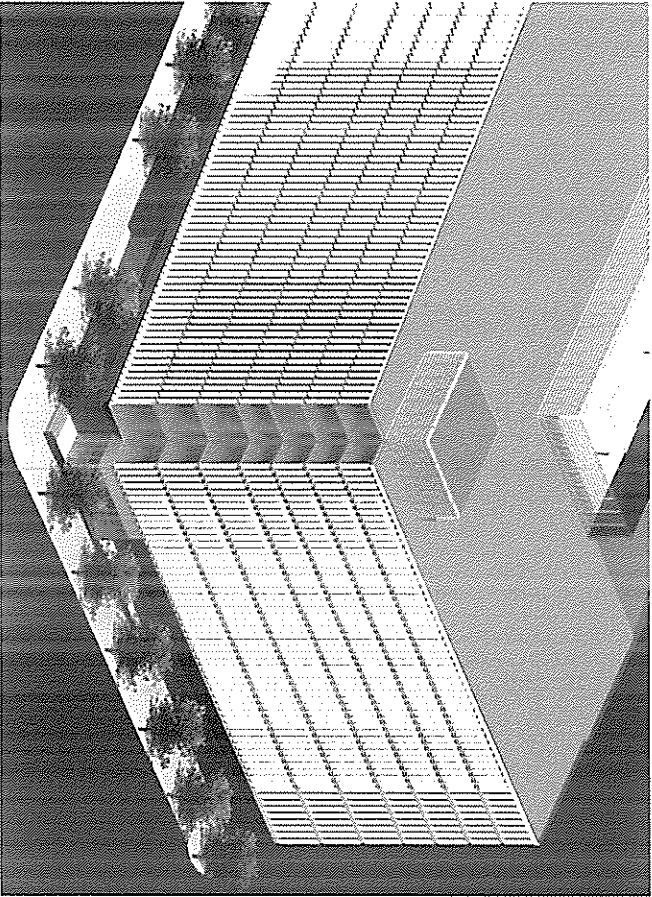
Fins in transition



Fins primarily closed



Fins primarily closed with overrides



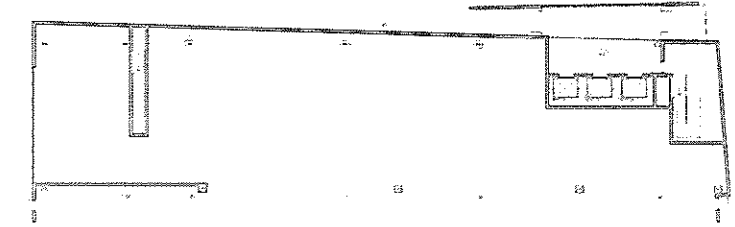
Manhattan Community Districts 1/2/5 Garage

New York City Department of Sanitation

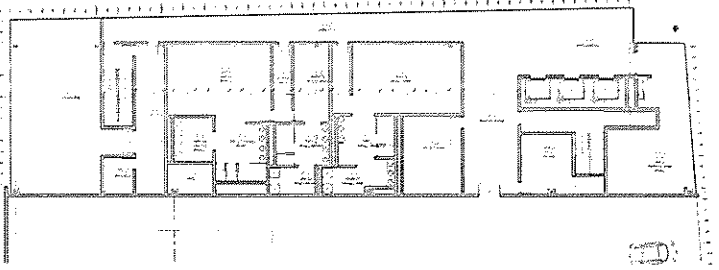
CPC Presentation

August 22, 2008

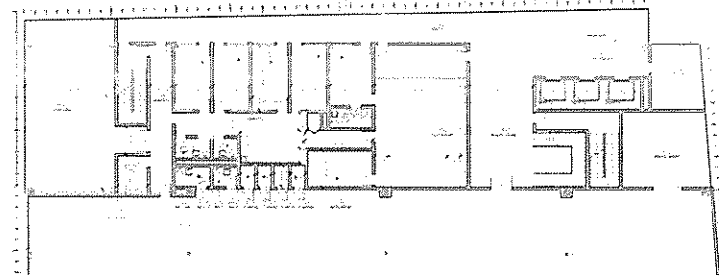
Schematic Views of Notch @ SW Corner



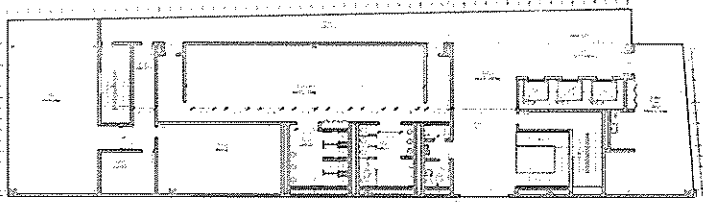
Ground Floor



Ground Floor Upper Level



Typical Garage Floor



Typical Upper Level Floor

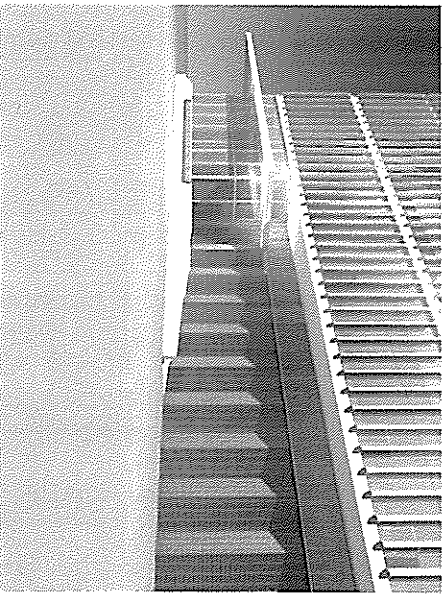
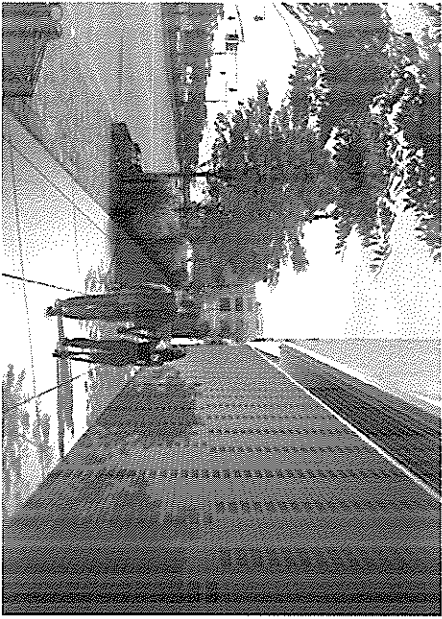
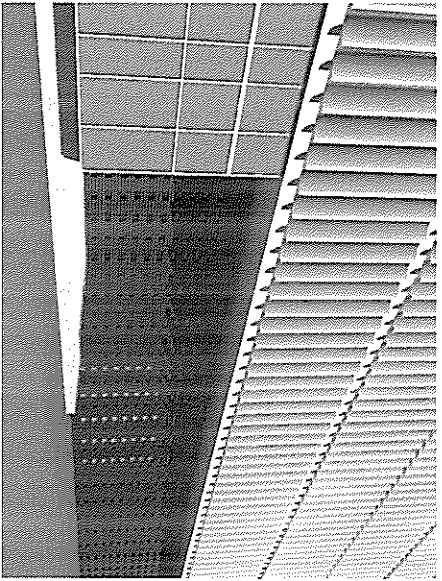
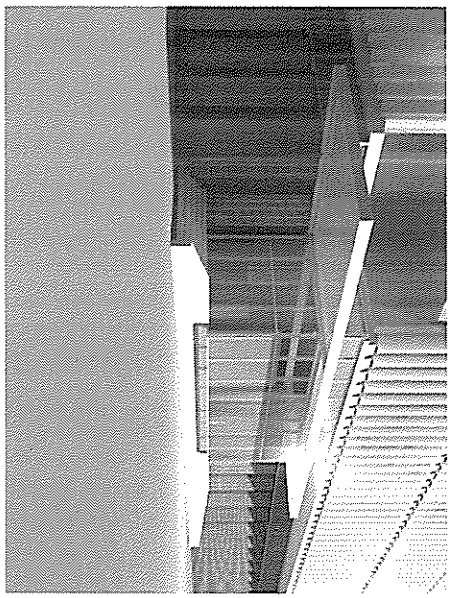
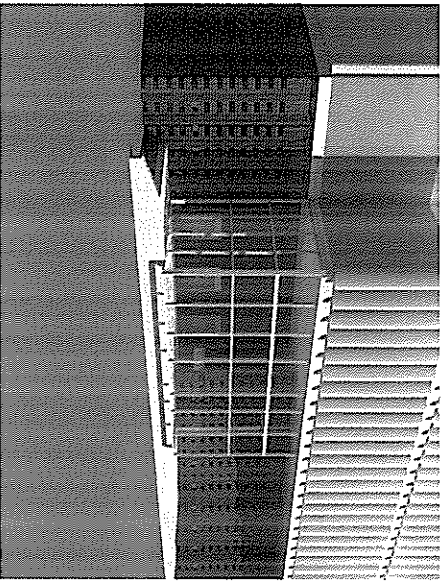
Manhattan Community Districts 1/2/5 Garage

New York City Department of Sanitation

CPC Presentation

August 22, 2008

Part Plans - SW Corner Update



Manhattan Community Districts 1/2/5 Garage

New York City Department of Sanitation

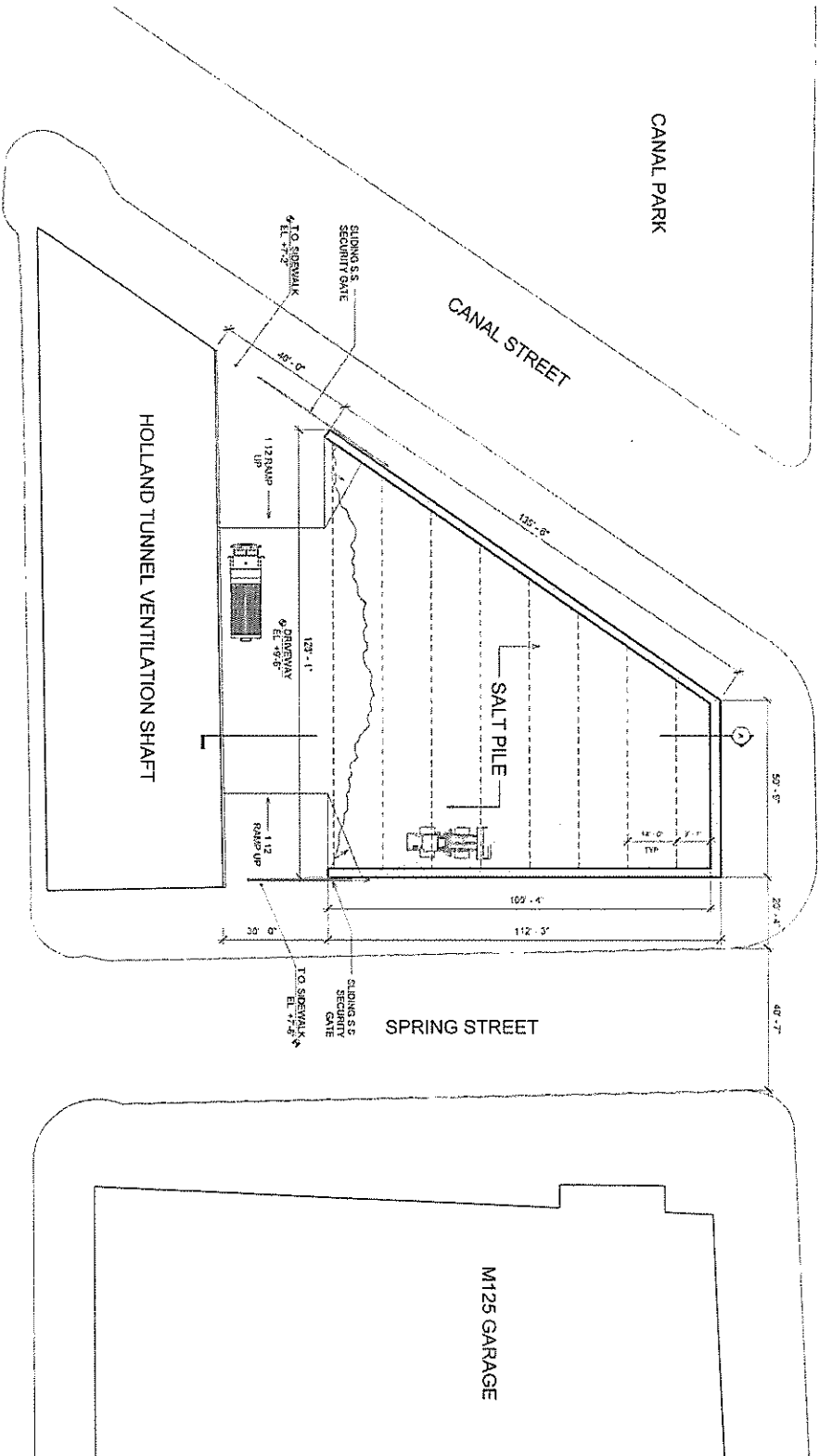
CPC Presentation

August 22, 2008

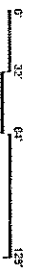
Studies in Progress - Masonry Base & Entry

WEST STREET

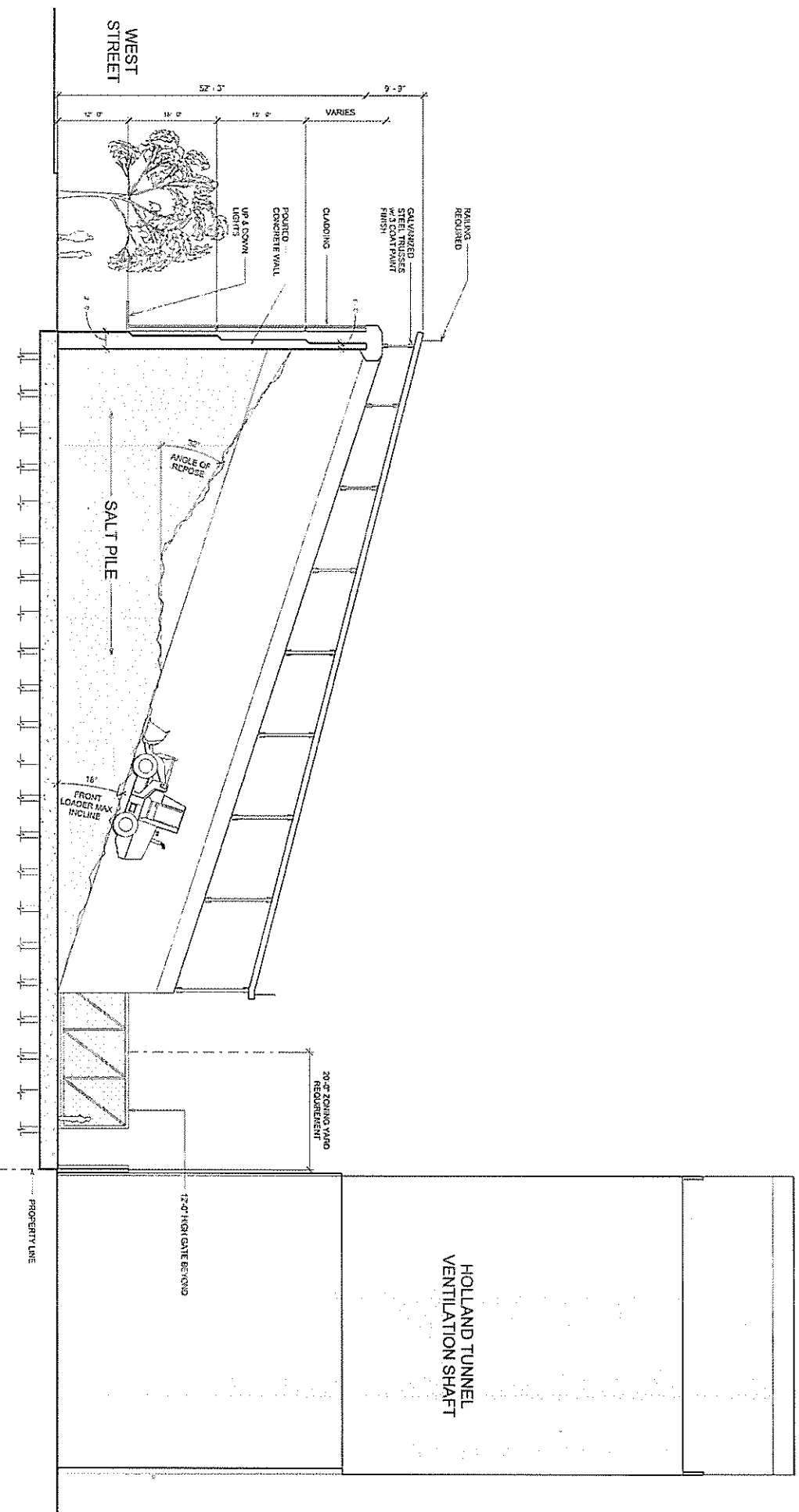
DattnerArchitects/Weszc+YoesArchitecture



NOTE: 100-YR FLOOD PLAIN IS EL. +9'-0"







Manhattan Community Districts 1/2/5 Garage

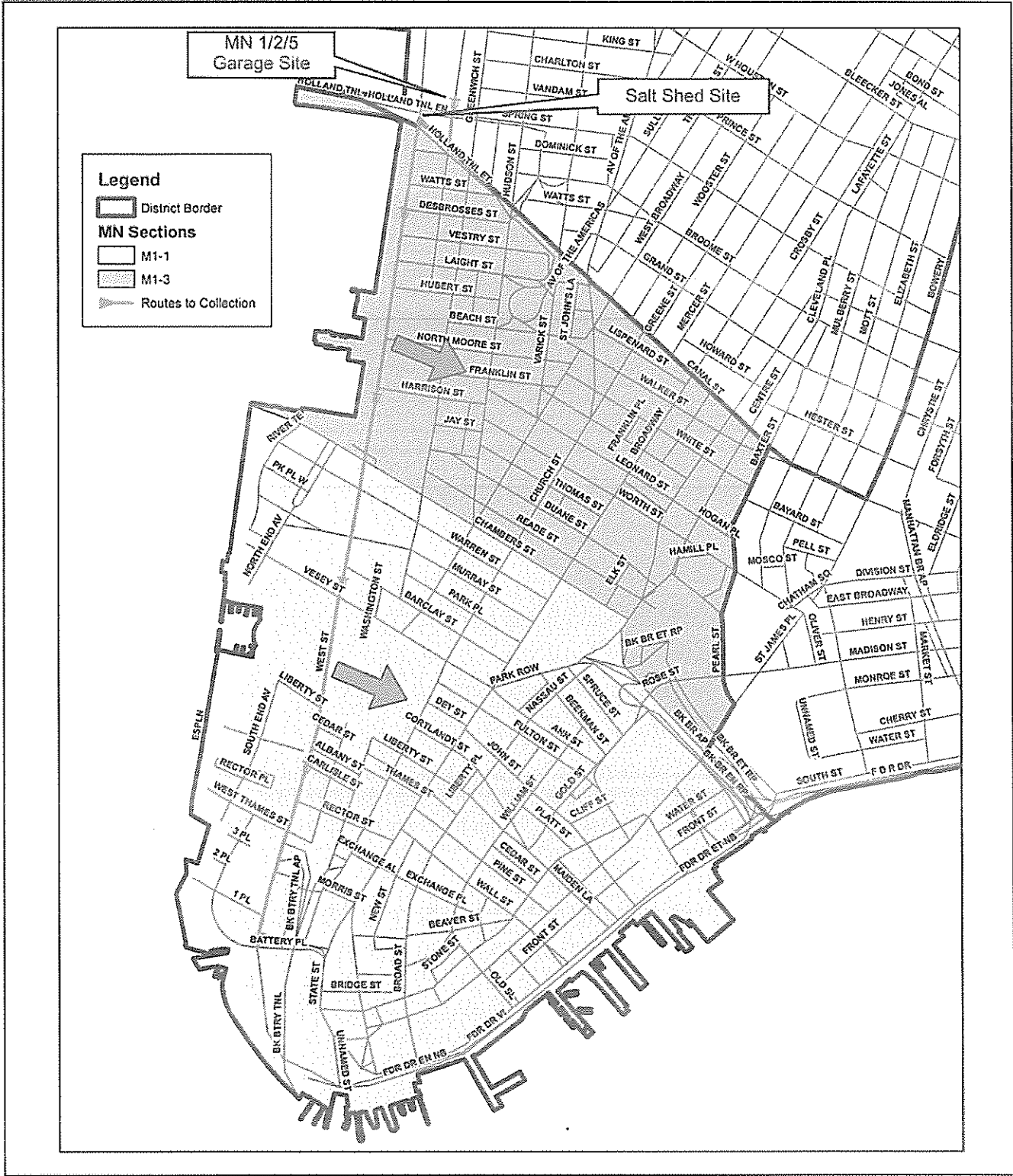
New York City Department of Sanitation

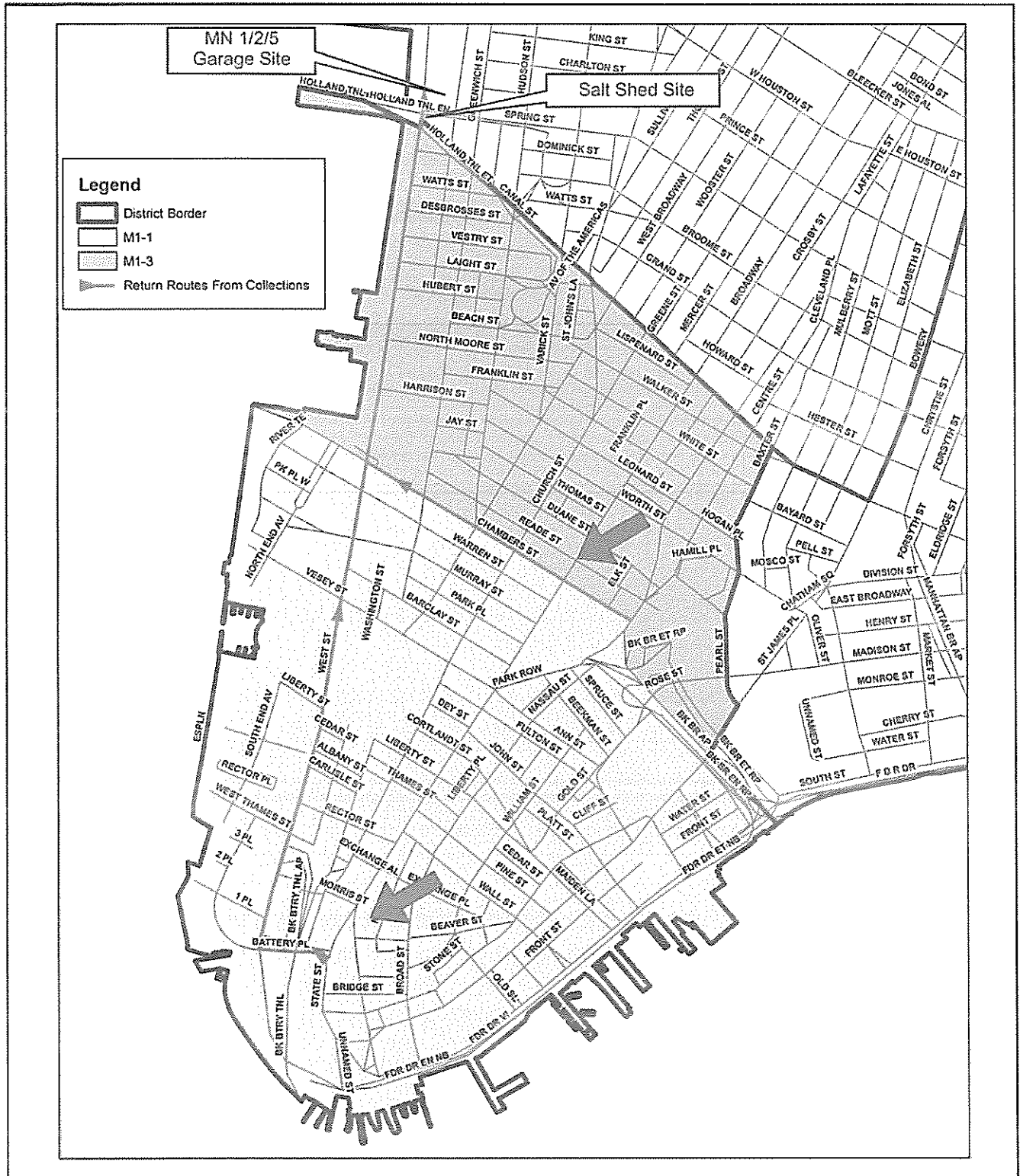
CPC Presentation

September 18, 2008

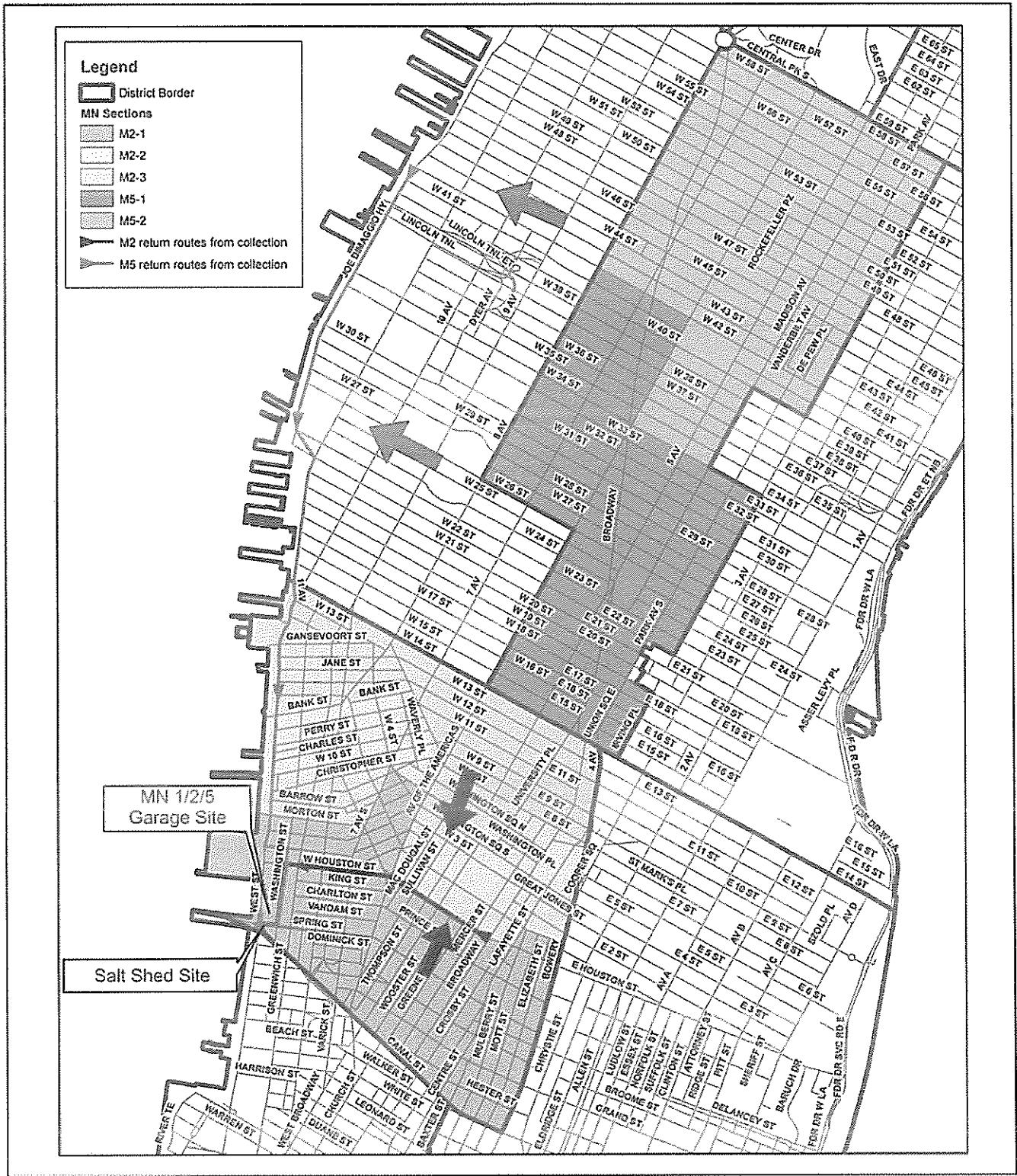
Schematic Salt Shed Section











**STATEMENT TO THE CITY COUNCIL SUBCOMMITTEE  
ON LANDMARKS, PUBLIC SITING AND MARITIME USES  
RE: PROPOSED DEPARTMENT OF SANITATION GARAGE AND SALT SHED  
FOR MANHATTAN DISTRICTS 1, 2 and 5 AT SPRING STREET**

**FRIDAY, NOVEMBER 14, 2008 – COUNCIL CHAMBERS  
CITY HALL**

Good morning Chairperson Lappin, Speaker Quinn and members of the Subcommittee on Landmarks, Public Siting and Maritime Uses. I am John Doherty, Commissioner for the Department of Sanitation. Joining me this morning are representatives from the Department. We are here to discuss the ULURP applications submitted by the Department of Sanitation and Department of Citywide Administrative Services for our proposed Manhattan multi-district Sanitation Garage to be built on the UPS trailer staging lot at West, Spring and Washington Streets, and for a salt shed nearby in Manhattan Community District 2.

The Manhattan Community District 2 and 5 Garages are currently operating from an existing facility on the Gansevoort Peninsula which in 1998 was included in lands designated for Hudson River Park under the State's Hudson River Park Act. The Peninsula also contains a salt shed. Our District 1 Garage is currently at Canal and West Streets, across the street from the proposed site. That garage is severely undersized, forcing us to store our trucks on local streets. Both the Gansevoort facilities and the District 1 Garage are in Community District 2. The proposed Garage would house equipment and provide support facilities for the crews serving Districts 1, 2 and 5. Our ULURP applications also include the construction of a salt storage facility on the site of the existing District 1 Sanitation Garage. Related approvals include a waiver of the street wall height and setback and rear yard requirements for the Garage, and curb cut approvals on wide streets.

After considering the Final Environmental Impact Statement in connection with the ULURP applications for this project, the City Planning Commission determined that the action will have no significant impact on the environment. On October 7, 2008, the City Planning Commission overwhelmingly approved our ULURP applications, supporting the Department's view that the proposal represents the best solution in the decade-long effort to relocate the Sanitation Garage and salt facilities from the Gansevoort Peninsula, so that it can be developed as part of the Hudson River Park, while addressing the space shortages at the Sanitation District 1 Garage.

Two critical goals will be achieved through the Department's construction of this multi-district garage project. First, it will replace three (3) existing Department facilities that are inadequate and obsolete, and permit the proper indoor storage of the Department's fleet and equipment. Second, by relocating the garages and salt shed from the Gansevoort Peninsula, the project will allow the reclamation and

creation of the largest upland portion of the Hudson River Park waterfront available for recreational use.

The Department is facing strong time pressure to complete this site selection. The 1998 Hudson River Park Act designated parkland on the Hudson River from lower Manhattan to West 59<sup>th</sup> Street. The Act required the Department of Sanitation to relocate our salt shed and incinerator from the Gansevoort Peninsula by 2003, and for the City to use its best efforts to relocate the Sanitation Garage operations from Gansevoort as well.

Despite our efforts in this regard, in 2005, the Friends of the Hudson River Park and several elected officials and residents filed a lawsuit against the Department for failing to timely relocate its garage operations and salt shed. In October 2005, this lawsuit was resolved through a Settlement Agreement and Court Order. The Order requires the Department to vacate its garage operations at Gansevoort Street by December 31, 2013. It also requires the Department to pay fees to the Hudson River Park Trust for utilizing the Gansevoort Street Peninsula for its garage operations through 2013.

The Order specifically contemplates that the Department's garage operations at Gansevoort Street will be relocated to the Spring Street site, subject to all pertinent reviews and approvals. The Order also contains several milestone dates specifically tied to the design, environmental review, and construction of the proposed garage at Spring Street.

The ULURP applications before you represent the City's best efforts to relocate those operations from Gansevoort. Consolidating our Manhattan Community District 1 garage in the proposed new building will allow the demolition of the existing garage at Canal and West Streets, located just south of the proposed garage complex, and the construction of a salt shed there to replace the existing one at Gansevoort.

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 and undertake any necessary clean-up.

The proposed site has been deemed the most appropriate when compared with alternate sites at West 30<sup>th</sup> Street and in 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 29<sup>th</sup> and 30<sup>th</sup> Street and 11<sup>th</sup> and 12<sup>th</sup> Avenues, which had been proposed for a two district garage below grade, was found to be more expensive to both acquire and construct.

The proposed garage is a permitted use within the M2-4 manufacturing zone in which it is to be located. No rezoning is proposed. The site is located on Route 9A, a major through truck route, enabling the Department ready access to the three service districts without traversing residential streets. The closest residential area of Hudson Square would experience no increase in Department truck traffic on residential streets east of Washington Street. All Community District 1 and 5 vehicles operating from the facility would be restricted to Canal, West, Spring, Washington and Clarkson Streets in Community District 2 when entering or exiting the proposed new garage.

All of the Department's diesel trucks would be equipped with state-of-the-art particulate filters and utilize Ultra Low Sulfur Diesel fuel, ensuring that fleet emissions will be insignificant, as determined by the City's air quality experts. Traffic impacts have been thoroughly studied and found not to be significant with minor signal adjustments at two locations.

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

The timely acquisition of the Spring Street site and the completion of the proposed garage construction will enable us to consolidate operations, vacate inadequate facilities, and meet the terms of the Court Order. Failure to advance the proposed project under consideration today will jeopardize the Department's ability to remain at Gansevoort Street, provide timely, essential sanitation services including refuse collections, street cleaning and winter plowing and salting of streets to residents in three community districts in Manhattan, delay the creation of usable parkland for Manhattan's West Side community, and subject the City to Court-imposed sanctions for failing to vacate Gansevoort Street by 2013.

My staff and I would be happy to answer any questions you may have.



Dear Council Members,

I am here today to present my utter opposition to the proposed 3 district Sanitation Garage on Spring and Washington Streets. I won't get into the utterly devastating environmental and economic effects the garage will have on the Hudson Square community, because it seems that no one cares unless they actually live in the neighborhood. So, instead, I hope to get your attention through something I know best, the law and money.

We are here today because in 2005, The Friends of Hudson Park sued the Department of Sanitation and The Hudson River Park Trust. The result of the suit was a 2005 settlement in which the DSNY agreed to remove the salt shed, incinerator, and the sanitation trucks from the Gansevoort Pier or be fined 1,800,000 dollars per year (which is amazing rent for a property that size).

This settlement is so egregious and contrary to beneficial public policy on so many levels, but since my time is limited, here are the most two infuriating. First, The Hudson River Park Act specifically dictates that the City must use its "best efforts" to remove the trucks from the Gansevoort Pier. In fact, the man largely responsible for the creation of the Act, former Deputy Mayor, Randy Levine wrote a follow-up memorandum to the Act:

Although this is State-owned property, the Department of Sanitation retains the right under a separate Memorandum of Understanding to remain at Gansevoort until such time as it is no longer needed. **The new legislation states that the city will use "best efforts" to relocate the Sanitation garage but there is no date by which that must be accomplished.** However, the legislation does require that the salt pile be relocated and that the incinerator be demolished by 12/31/03.

What you members of the Council should also know, is that you are currently voting on the results of a settlement that violates the Hudson River Park Act. When the Hudson River Park Trust agreed behind closed doors to move the garbage trucks off the Gansevoort Pier, the Trust notified no one. According to the Act that ironically created the Hudson River Park Trust:

"In the case of any proposed significant action affecting the park or community...the trust shall: a) hold a public hearing on not less than 30 days' advance public notice; solicit and consider the views of Manhattan community boards one, two, and four, the planning commission of the city

of New York, the advisory council, elected officials representing communities neighboring the park, and interested groups and individuals, allowing not less than 60 days following the notice of the proposed action for the submission of such views.”

For some strange reason the Hudson River Park Trust ignored the very law that created its own existence. What is even more shocking is that members on both the Plaintiff and Defendant sides, who were also heavily involved in drafting the law that was violated, chose to ignore the very law they created.

So if you want to do what's economically responsible for the people of this City during a time of layoffs, then leave the trucks on Gansevoort. It will only cost the City 1.8MM to remain on Gansevoort per year and save the City an unnecessary expense of 500MM. In fact when the settlement that created this mess is enjoined, and Judge Stallman recognizes the Plaintiffs' misrepresentation of the facts, this \$1.8MM will most likely be reduced if not entirely eliminated as originally intended by The Hudson River Park Act.

I understand the politics of this City and the difficult choices you have to make, so if you feel compelled to appease individuals higher up, then please, at the very least, do not allow more than 2 districts' garages on Spring Street. And if you are going to approve an unnecessary ½ billion dollars, at least be progressive and give something you would be proud of back to the community.

Sincerely,

Cristo Brown  
(646) 267-3455

## 92-94 VAN DAM BUILDING CORP.

92 VAN DAM STREET NEW YORK, NEW YORK 10013 212 620-0693

November 14, 2008

City Council  
Public Siting Sub-Committee of the Land-Use Committee  
Chairperson: Jessica S. Lappin

Re: NYC Department of Sanitation Proposed Garage for Manhattan Districts 1, 2 and 5 and Salt Shed at Spring Street.

Dear Ms Lappin

My name is Sandro La Ferla, I own the commercial building at 92-94 Van Dam Street, New York, NY 10013, located two blocks to the east of the proposed construction and operation of the Department of Sanitation garage on Washington Street.

I am very committed to the neighborhood of Hudson Square. I purchased 92-94 Van Dam Street in 1988 to expand my commercial painting studio. The building had been an old paper factory, vacant for the previous three years and in a complete state of neglect: cracked sprinklers joints from freezing, a disabled elevator, non-functional toilets due to a water shut off, the only water in the building being the 3 inches covering the basement floor.

The neighborhood itself never had the comfort of basic services. But small businesses like mine that saw a chance for hard work and honest profit, improved it tremendously.

The renovation of the building put an enormous strain on my business of painting backdrops for photographers. I found commercial tenants and restored the building to full operation and tax-payer status. I additionally serve as caretaker of the building while living in it with my family.

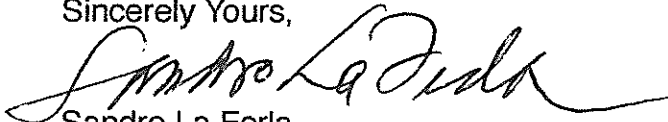
Those of us who invested in the neighborhood have had to pay a considerable price: We live with the high congestion of vehicular traffic on Varick Street toward the Holland Tunnel; the continuous and massive flow on West Street; and the consequent detriment to health from the saturation of noxious fumes in the air. These are fumes of the worst kind, diesel fumes exhausted by the many trucks operating in the area.

The environmental burden generated by the proposed Department of Sanitation garage is simply too heavy and hazardous. There is no room left in these already congested streets for the 480 daily truck trips of this type of operation. The added pollution is too much to demand of this neighborhood.

Clearly this project would be an irreparable setback to the revitalization of the area, pulling the carpet out from under all of us who worked so hard to make this neighborhood better than we found it.

I am opposed to the project of the NYC Department of Sanitation Proposed Garage for Manhattan Districts 1, 2 and 5 and Salt Shed at Spring Street.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Sandro La Ferla". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Sandro La Ferla,  
President, 92-94 Van Dam Building Corp.

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

----- x  
FRIENDS OF HUDSON RIVER PARK,  
FRIENDS OF CLINTON COVE, HELL'S KITCHEN  
NEIGHBORHOOD ASSOCIATION, HON. GALE  
BREWER, HON. TOM DUANE, FRANZ LEICHTER,  
KATHLEEN STASSEN BERGER, TOBI BERGMAN,  
KRISTIN DIONNE, JOHN GARCIA, NICHOLAS  
HABER, CORY OLICKER HENKEL, LAUREN  
MCGRATH, DARCI OBERLY, SHELLY SECCOMBE,  
PETER SIRIS, ARTHUR STOLIAR AND  
DAVID TILLYER,

Index No. 105763/05  
I.A.S. Part 5 (Stallman, J.)

*Duplicate original*

Plaintiff-Petitioners,

-against-

NEW YORK CITY DEPARTMENT OF  
SANITATION, THE CITY OF NEW YORK,  
THE STATE OF NEW YORK, AND  
HUDSON RIVER PARK TRUST,

Defendant-Respondents.  
----- x

**SETTLEMENT AGREEMENT AND ORDER**

**WHEREAS**, under the terms of the Hudson River Park Act [Laws of 1998, Chapter 592, Section 7] (the "Act"), the City of New York and its Department of Sanitation ("DSNY") (hereinafter, collectively, the "City") were obligated (1) to relocate all sanitation uses at Pier 97 at 57<sup>th</sup> Street in Hudson River Park (hereinafter, "Pier 97") by December 31, 2003; (2) to relocate the salt pile and remove the incinerator from the Gansevoort Peninsula at Gansevoort Street (hereinafter "Gansevoort") by December 31, 2003; and (3) to use best efforts to relocate the sanitation garage from Gansevoort; and

**WHEREAS**, under the terms of Section 7.9g and d of the Act, upon the relocation of such sanitation uses and facilities at Pier 97 and Gansevoort, the vacated areas are to be used only for park purposes, plus the marine company one fireboat station on Pier 53; and

**WHEREAS**, under the terms of the Hudson River Park Act, sanitation truck parking and other sanitation uses which are incompatible with park uses are considered incompatible governmental uses; and

**WHEREAS**, the City has continued its sanitation uses at Pier 97 beyond December 31, 2003 and believes that it is necessary to continue to use the Pier for such operations until May 2008, when a new sanitation garage at 57<sup>th</sup> Street is expected to be completed; and

**WHEREAS**, the City has continued to use the salt pile and parts of the incinerator building on Gansevoort beyond December 31, 2003 and believes that it is necessary to continue maintaining those facilities at Gansevoort until December 31, 2012; and

**WHEREAS**, as a result the continuing occupancy of Pier 97 and use of the salt pile and incinerator building on Gansevoort, those areas cannot be converted to park uses until, at the earliest, 2008 in the case of Pier 97 and 2013 in the case of Gansevoort; and

**WHEREAS**, the plaintiffs in this action allege that the City has failed to use its best efforts to relocate the sanitation garage from Gansevoort, but the City disputes this claim; and

**WHEREAS**, the City has begun construction of a new facility which will house DSNY district personnel and provide some space for light truck maintenance at Gansevoort (hereinafter, the "Swing Space"), which it proposes to use until December 31, 2012; and

**WHEREAS**, the plaintiffs in this action allege that the construction of the Swing Space violates the Hudson River Park Act by adding a new facility at Gansevoort in an area previously cleared of sanitation uses and thus to be used only for park uses, but the City disputes this claim; and

**WHEREAS**, the City asserts that the Swing Space will allow the City to rebuild a number of its sanitation facilities in Manhattan more quickly and efficiently than would otherwise be the case, thereby reducing adverse impacts on the public; and

**WHEREAS**, Friends, along with other entities and individuals, filed an action against the City, the Hudson River Park Trust and the State of New York in the Supreme Court of New York State; and

**WHEREAS**, the plaintiffs subsequently withdrew the action against the State of New York only; and

**WHEREAS**, the City's ability to move its sanitation operations from Pier 97 and Gansevoort at this time or anytime in the near future is limited and the City has asserted that the relocation of such operations is likely to result in severe and adverse public impacts; and

**WHEREAS**, notwithstanding a good faith search, the City has not been able to identify any sites to which the sanitation operations at Pier 97 and Gansevoort could be relocated on an interim basis, though it is still willing to continue that search; and

**WHEREAS**, the City has expressed its commitment to moving with reasonable speed to complete the new Garage at 57<sup>th</sup> Street, which will allow it to remove its sanitation operations from Pier 97; and

**WHEREAS**, the City has already begun to pursue the regulatory approvals necessary for construction of a new sanitation garage adjacent to the West Side Highway at Spring Street (hereinafter, the "Spring Street Garage"); and

WHEREAS, the City is also prepared to assume full financial responsibility for the remediation of Pier 97 and Gansevoort so that upon completion of clean-up, these lands will be suitable for park purposes, a commitment which may involve a significant financial expenditure; and

WHEREAS, the City is agreeable to paying to the Hudson River Park Trust (hereinafter, the "Trust") the sum of \$21,500,000, which amount will be used to design and construct new park facilities at Pier 97 and Gansevoort when the sanitation operations are relocated from those sites; and

WHEREAS, the parties in this action believe that a settlement on the terms described below constitutes a fair and equitable resolution of competing interests and they jointly recommend that the Court approve the settlement;

NOW, THEREFORE, in settlement of the claims alleged by plaintiffs in this action, but subject to the approval of the Court and its continuing jurisdiction over this matter, the parties agree as follows:

**1. Pier 97: Continuing Occupancy; Removal Date.**

The City may continue to use and occupy Pier 97, including the adjacent salt pile, for its sanitation uses until **May 1, 2008**. If the City fails to relocate its sanitation uses from Pier 97 by that date the City shall pay an additional sum to the Trust, as set forth in the Schedule of Payments attached as Exhibit A, and as discussed in Paragraph 6 of this Agreement and Order. However, in the event that, notwithstanding the penalty payment, either 1) the City has not vacated Pier 97 on or before January 1, 2009, or 2) at any time after May 1, 2008, it does not appear likely that the City will vacate on or before January 1, 2009, then the plaintiffs shall have the right to seek Court intervention and any remedy available in law or equity.

**2. Gansevoort: Continuing Occupancy; Swing Site; Removal Date.**

The City may continue to use and occupy Gansevoort, excluding the CNG facility, for its sanitation uses until **December 31, 2012**. The City may also add to its operations at Gansevoort by completing and operating the **Swing Space**, and by relocating sanitation vehicles which are to service Manhattan Districts 2, 4 and/or 5 or from Districts 2, 5, and/or 6, but in no event any other or additional districts to Gansevoort; provided that use of the Swing Space shall be permitted only until **December 31, 2012**. If the City fails to relocate its sanitation uses from Gansevoort by that date, the City shall pay an additional sum to the Trust, as set forth in the Schedule of Payments attached as Exhibit A, and as discussed in Paragraph 6 of this Agreement and Order. However, in the event that, notwithstanding the penalty payment, the City has not vacated Gansevoort on or before December 31, 2013 ; or at any time after January 1, 2013, it does not appear likely that the City will vacate on or before

December 31, 2013, the plaintiff shall have the right to seek Court intervention and any remedy available in law or equity, subject to the provisions of paragraph 7.

### **3. Cleanup/Delivery of Sites.**

The City will be deemed to have relocated its sanitation uses from Pier 97 and Gansevoort, respectively, at such time as it ceases operations at the site, including but not limited to truck parking and storage, and removes the salt pile from it, though other facilities and structures may still remain on the site. As soon as practicable after the City ceases operations at Pier 97 or Gansevoort, the City shall, at its expense, but in coordination with the Trust, remove, or arrange to have removed, all such other facilities or structures at the site, including, without limitation, in the case of Pier 97, the operations center and the adjacent salt pile structure and, in the case of Gansevoort, the salt pile building, the incinerator building, the Swing Space and the marine transfer station down to, but not including, the piling.

Following the City's relocation of sanitation uses from Pier 97 and Gansevoort, the City shall proceed promptly to investigate site conditions at Pier 97 and Gansevoort, respectively. The City agrees to undertake preliminary borings at representative locations on the Gansevoort site and also to commence a Phase I investigation of the site no later than June 30, 2008, and to share the results with the Trust, but it shall not be obligated to undertake any other onsite activities until its operations are relocated. The City shall commence a Phase II investigation, if it is required, no later than 30 days after the City's relocation of sanitation uses and shall thereafter proceed diligently with such investigation if it is required. Once the site conditions are known, the City shall, at its expense, but in coordination with the Trust, remediate any contamination at the site, so that the site will be usable for its intended park purposes. The City agrees to perform such clean-up, or have it performed, in the shortest practicable time period.

### **4. Spring Street Garage: City Commitments**

The City has identified a site at the corner of the West Side Highway and Spring Street as the preferred location for a new sanitation garage (hereinafter, the "Spring Street Garage") to which its sanitation uses at Gansevoort could be relocated on or before December 31, 2012. The construction of a new garage at that site is necessarily subject to regulatory reviews and/or approvals, including but not limited to those under the State Environmental Quality Review Act, the Rules of Procedure for City Environmental Quality Review, and the City Uniform Land Use Review Procedure. Subject to the foregoing, the City is committed to pursuing the Spring Street Garage on a time schedule that will allow it to be completed by December 31, 2012. Schedules of the anticipated process for regulatory approvals, acquisition, design and construction are annexed hereto as Exhibit B. Although these schedules are anticipatory and non-binding, and may be delayed due to litigation or other developments beyond the City's control, and although the City may determine that construction of a garage on that site is not appropriate, or that another site is preferred, the City's commitment pursuant to Paragraph 2 of this Agreement and Order shall not be changed. In the event that the plaintiffs believe that the process of securing approvals for, and designing and building the Spring Street Garage has fallen behind by one year or more due to delays within the City's control, they may apply to the Court to seek an enforceable schedule for the completion of the Spring Street, or any other



remedy pursuant to this Agreement or provided by law or equity, subject to the provisions of paragraph 7.

**5. Investigation of Interim Sites**

The parties agree that the City has made a good faith effort to find interim sites that would allow it to remove its uses from Gansevoort at date prior to December 31, 2005, but has been unable to find any that, considering, among other things, availability, location and DSNY's operational requirements, would allow such uses to be removed very much earlier, if earlier at all, than such date. Nonetheless, the City agrees to continue to investigate possible interim sites over the next year, and if a site or sites are identified that would allow the removal, on a reasonable cost basis, of all sanitation operations from Gansevoort earlier than December 31, 2011, to report back to plaintiffs.

**6. Payments by City; Escrow of Funds**

The City will pay the Trust the sum of \$21,500,000. as set forth in, and subject to the provisions of the schedule annexed hereto as Exhibit A. An initial payment of \$6,000,000 shall be made to the Trust within 60 days of the effectiveness of this agreement, and the balance shall be paid to the Trust in semi-annual installments in accordance with the schedule annexed hereto as Exhibit A.

If the City fails to remove its facilities from Pier 97 and/or Gansevoort, as the case may be, by the removal dates set forth in paragraphs 1 and 2, the City shall make additional payments to the Trust, as provided in Exhibit A.

All amounts paid to the Trust under this agreement are restricted funds and shall be held by it in a separate escrow account and invested as the Trust shall deem prudent. Such amounts, together with any income realized on the principal, shall be used and disbursed by the Trust at such time or times and in such amounts as it shall determine, in its discretion; provided that any amounts used and disbursed shall be used and disbursed solely to plan, design, prepare the site and construct the park facilities contemplated for Pier 97 and Gansevoort; and provided further that such amounts shall be used and disbursed only for eligible capital costs as defined below; and provided further that no more than \$7 million, plus any income realized thereon, shall be used and disbursed for Pier 97 and adjacent areas, with the balance used and disbursed for the new park facilities at Gansevoort. In the event that park construction at Pier 97 and Gansevoort is complete and a balance still remains in the escrow account, such balance shall be used and disbursed solely for park construction at other locations in the Hudson River Park, and only for Eligible Capital Costs at such locations as that term is defined below.

For purposes of this Agreement, "Eligible Capital Costs" shall mean costs and expenses of Capital Contracts that, in the City's sole determination: (1) provide for the construction, reconstruction or installation of a physical public betterment or improvement (or any preliminary studies and surveys relating thereto) which costs are classified as capital assets according to generally accepted accounting principles and the directives of the New York City Comptroller, and (2) may be financed by the City with bonds pursuant to

subdivision 19 of Section 11.00.a or other appropriate subdivision of the New York State Local Finance Law providing for the original improvement or embellishment of a new park, playground, or recreational area of not less than fifty (50) acres "Capital Contract" shall mean an executed contract for consultant and/or construction activities reflecting a commitment of a capital expenditure in furtherance of the development of Pier 97 and Gansevoort in conformity with the Hudson River Park concept and financial plan, dated May 1995, as modified by the May 1998 final environmental impact statement and as may be further modified from time to time in accordance with the Act, which contract has been executed in accordance with applicable Trust procurement guidelines. Nothing herein shall constitute an authorization for the issuance of bonds.

Neither the payments made pursuant to this section nor any other consideration given by the City under this agreement shall reduce the City's other commitments to fund the Hudson River Park, including without limitation, the amounts appropriated and re-appropriated for the Park in the City's fiscal 2005-06 budget.

#### **7. Reporting and Enforcement**

Every six months after the effectiveness of this agreement, beginning June 30, 2006, the City shall provide a written report to the plaintiffs and the Trust setting forth the status of (i) its efforts to remove its operations from Pier 97 and Gansevoort and construct/complete the new garage at 57<sup>th</sup> Street and the Spring Street Garage and (ii) as appropriate, the results of site investigations at Pier 97 and Gansevoort and any remediation of those sites, identifying any special problems that have arisen or that it contemplates may arise. Reports provided to the plaintiffs and the Trust in December 2008 and December 2010 shall also be provided to the Court. Plaintiffs shall have the right to comment on such reports and, if they deem it appropriate, to ask the Court for an opportunity to appear before it to discuss the status. All parties shall also have the right, upon appropriate notice to the other parties and at any time or from to time, to seek enforcement of any part of this agreement by the Court.

The City shall exercise due diligence in complying with the provisions of this Agreement and Order. The parties acknowledge that the City may not be able to adhere to a deadline contained in paragraphs 1 and/or 2 of this Agreement and Order due to an event beyond the City's control, including, for example, an act of terrorism, court order, contractor strike or the like despite the City's due diligence to comply with the provisions of this Agreement and Order at issue. If such an event occurs, the City shall notify the other parties to this Agreement in writing within a reasonable time after the date the City knew or should have known of the occurrence of such event and may seek the agreement of the parties or apply to the Court for an extension of the deadlines contained in paragraphs 1 and/or 2 of this Agreement, limited to the period of time that such event placed the City's ability to meet such deadlines beyond the City's control.

#### **8. Effectiveness of this Agreement**

The effectiveness of this agreement shall be subject to the approval of the Court and incorporated into a judicial order of the Court, which may be accomplished, if the Court is

agreeable, by a "SO ORDERED" provision at the end of this agreement. The agreement shall be effective on approval by this Court.

9. **Dismissal of Action; Continuing Jurisdiction of the Court.**

Upon the effectiveness of this agreement, the action initiated by plaintiff shall be marked as settled and the stipulation between the parties staying construction of the Swing Site Garage shall be deemed dissolved. However, the Court shall retain jurisdiction for the purposes of enforcing this agreement and considering modifications to it, and for all other appropriate purposes.

10. **Notice.**

Any notice required to be given under this Stipulation shall be effective if hand delivered or send by facsimile with a copy by certified mail:

If to Plaintiffs to:

Alterman & Boop, LLP  
35 Worth Street, 3<sup>rd</sup> Flr  
New York NY 10013  
Fax: (212) 431-3614

Friends of Hudson River Park  
c/o Albert K. Butzel, President  
311 West 43<sup>rd</sup> Street, Suite 300  
New York NY 10036  
Fax: (212) 757-0985

If to Defendants to:

Susan Amron, Esq.  
New York City Law Department  
100 Church Street  
New York, NY 10007  
Fax: (212) 788-1619

Robert Orlin  
General Counsel  
New York City Department of Sanitation  
125 Worth Street  
New York, NY 10013  
Fax: (212) 788-3876

Hudson River Trust  
c/o General Counsel  
Pier 40 @ West Houston St  
New York, NY 10014  
Fax: (212) 627-2021

Any Notice shall be effective on the next business day after delivery or on the third business day after service by fax and certified mail.

  
\_\_\_\_\_  
ASSISTANT CORPORATION COUNSEL  
CITY OF NEW YORK

  
\_\_\_\_\_  
ALTERMAN & BOOP LLP,  
ATTORNEY FOR PLAINTIFF'S

  
\_\_\_\_\_  
FRIENDS OF HUDSON RIVER PARK DA

  
\_\_\_\_\_  
HUDSON RIVER PARK TRUST

SO ORDERED:  
October 7, 2005

  
\_\_\_\_\_  
J S C.

EXHIBIT A

EXHIBIT A

Exhibit A - Settlement Payment Terms

In accordance with paragraph 6 of the agreement and order, the City will pay the Hudson River Park Trust the sum of \$21,500,000, in the installments identified below. The amounts paid to the Trust shall be held by it in a special escrow account and disbursed and used as provided in Section 6 of the Agreement.

The initial \$6,000,000.00 shall be paid to the Trust within 60 days after the effectiveness of the Agreement. The remaining balance shall be paid in semi-annual installments on January 10 and July 10 of each year, beginning January 10, 2006. The following are the annual payments, half to be paid on January 10 each year and half to be paid on July 10, except as otherwise provided.

<u>Year</u>	<u>Total Annual Payment</u>
2006	\$3,100,000
2007	\$3,100,000
2008	\$1,800,000*
2009	\$1,800,000
2010	\$1,800,000
2011	\$1,850,000
2012	\$1,850,000
2013	**

Notes:

\* The 2008 figure assumes that the City removes its sanitation operations from Pier 97 by May 1, 2008. If it fails to remove all its operations from Pier 97 by that date, the amount payable for 2008 shall be \$3,300,000; \$900,000 of which shall be paid January 10, 2008, \$750,000 of which shall be payable on May 5, 2008 and \$1,650,000 of which shall be payable on July 10, 2008. If the City fails to remove its operations from Pier 97 by January 1, 2009, the payment for each subsequent year shall be increased to such amount as the Court shall determine.

\*\*The City is committed to remove its sanitation operations from Gansevoort by December 31, 2012. If it removes all its operations prior to that date, then, provided that it gives six months' advance notice of its leaving, it shall not be obligated to pay any semi-annual installment due after it has left

If, in contrast, the City fails to remove all of its sanitation operations from Gansevoort by December 31, 2012, the amount payable for 2013 shall be \$2,725,000 (payable in semi-annual installments. Payment for any subsequent year in which the City continues to maintain any sanitation operations at Gansevoort (which shall be permitted only with the approval of the Court) shall be increased by 20% over the previous year's payment or to such greater amount as the Court may order.

EXHIBIT B



**Exhibit B – Anticipated Design, Review and Construction Schedule  
for the Spring Street Garage**

<b>Activity</b>	<b>Date</b>
Advertisement of Request for Proposals (“RFP”)	September 2005
Award/Execute Contract	April 2006
Submission of Draft Environmental Impact Statement	May 2006
ULURP Certification	May 2006
Commencement of Design	July 2006
Submission of Final Environmental Impact Statement	July 2006
Completion of ULURP Review	January 2007
Submission of Preliminary Design	April, 2007
Acquisition of Property pursuant to EDPL	October 2007
Submission of Final Design	November, 2007
Start Construction	November, 2008
Complete Construction	November, 2012

CITY OF N.Y. LAW DEPT.  
OFFICE OF CORP. COUNSEL  
COMMUNICATIONS SECTION

2005 OCT 28 AM 11:28

Index No. 105763/05 I.A.S. Part 5 (Stallman, J.)

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

FRIENDS OF THE HUDSON RIVER PARK, FRIENDS OF  
CLINTON COVE, HELL'S KITCHEN NEIGHBORHOOD  
ASSOCIATION, HON. TOM DUANE, FRANZ LEICHTER,  
KATHLEEN STASSEN BERGER, TOBE BERGMAN,  
KRISTIN DIONNE, JOHN GARCIA, NICHOLAS HABER,  
CORY OLICKER HENKEL, LAUREN MCGRATH, DARCI  
OBERLY, SHELLY SECCOMBE, PETER SIRIS, ARTHUR  
STOLLAR, and DAVID TILLYER,

-against-  
Plaintiffs-Petitioners,

NEW YORK CITY DEPARTMENT OF SANITATION,  
THE CITY OF NEW YORK, THE STATE OF NEW YORK,  
and HUDSON RIVER PARK TRUST,

Defendants-Respondents.

**SETTLEMENT AGREEMENT AND ORDER**

**MICHAEL A. CARDOZO**

*Corporation Counsel of the City of New York*  
Attorney for City Defendants-Respondents  
100 Church Street, Room 6-139  
New York, N.Y. 10007  
Of Counsel: Susan E. Amron  
Michael Burger  
Tel: (212) 788-1578

RECEIVED  
OCT 28 2005  
HUDSON RIVER PARK TRUST

**Nov. 14, 2008, City Council Hearing on Sanitation Dept. Plans for a  
a Regional Garage and Open-Sided Salt Shed on Spring Street**

I am President of the Village Independent Democrats, a 51-year-old progressive Democratic Club, which has fought throughout its history to improve living conditions for the residents of Greenwich Village and for the City of New York.

The proposal by the Sanitation Department to build a 12-story garage to house garbage trucks from 2 adjacent sanitation districts and from another district on the East Side adds hundreds of daily truck trips to an area near the Holland Tunnel which is already one of the most congested in Manhattan. These trips will increase the pollution of an area which already has the most polluted air in Manhattan. (See Daily News article attached.) Greenwich Village will soon be subject to many additional truck trips to a marine transfer station planned for Gansevoort Peninsula.

In addition to the garbage trucks from Districts 1, 2, and 5, the proposed garage will have parking for 100 city employees, a facility for truck repair and washing, and a gas station fueling the trucks and other city vehicles. This gas station would house thousands of gallons of fuel close to a major access point to and from Manhattan, the Holland Tunnel. The danger of such a location should be self-evident.

The 7-story open-sided salt shed is a potential source of blowing salt to local streets and pollution in the nearby Hudson River. The daily traffic jams near the Holland Tunnel will block ready access to this salt in snowy weather.

This proposed facility not only burdens the surrounding neighborhood which in recent years has changed from industrial to increasingly residential with more than its fair share of added pollution. It will create major gridlock and inefficiencies for Sanitation Department operations because of the very congested conditions already existing on the streets near the Holland Tunnel.

The Hudson Rise alternative plan which would serve two districts eliminates the salt shed, provides a public park on the garage's rooftop and accepts the community's fair share of sanitation service costs for Districts 1 and 2 with far less environmental impact. We urge you to oppose the Sanitation Department plan.

**Katharine B. Wolpe**  
**President, Village Independent Democrats**

# Hard to breathe easy

## City's worst asthma zones sniffed out

BY JORDAN LITE  
DAILY NEWS STAFF WRITER

IT'S A TYPICAL EVENING rush hour on Canal St.: Cars and trucks plod their way to the Holland Tunnel as pedestrians on packed sidewalks dodge between them.

As the pedestrians pass a truck idling on the corner of Varick St., they catch a blast of pollution from its tailpipe, a dose so large it maxes out a machine used to measure the vehicle's toxic emissions.

"It's dangerous for children to be breathing this," said Loretta Ko, 40, whose 7-year-old son, Keith, attends school in nearby Chinatown.

About one in five of the 300 children in his after-school program at Public School 124 have asthma, and Keith keeps an inhaler there in case he has an asthma attack.

As legislators debate Mayor Bloomberg's congestion-pricing plan, air-pollution samples collected by the Daily News across the city highlight another side of the debate: how the city's clogged streets impact New Yorkers' health.

Residential blocks on Staten Island had the cleanest air, while the Bronx and Brooklyn had the dirtiest, according to data collected by The News.

In all five boroughs, vehicle emissions were elevated in areas of congested traffic, often spiking with the passage of buses and trucks.

"That's really sad that people have to live with this pollution," said Mel Peffers, the air quality program manager at the Environmental Defense group, who assisted The News in measuring ultrafine particles. "It's so pervasive. We've got to clean that up."

The tiny particles produced during the fuel-combustion process in vehicles carry toxic chemicals. And because they can lodge deep in the lungs and pass into the bloodstream, they are of significant interest to scientists who have found increased risks of asthma and heart disease to anyone regularly within 500 to 1,500 feet of traffic.

"There's so much traffic," said Yvette Bonilla of the South Bronx, 51, who lives just blocks away from the Bruckner Expressway and has asthma. Her four grandchildren and their cousin also have asthma.

"Sometimes they tell me, 'Mommy, I can't breathe,'" Bonilla said of her grandkids.

Bonilla's 9-year-old grandson Roberto Reyes said vehicle emissions in the neighborhood can



**Yvette Bonilla (r.) and her family all suffer from asthma. With her are Roberto Reyes, Priscilla Reyes, Cruzita Serano, and Thalia Mena.**

Photo by Tara Engberg  
be so suffocating that, "I hold my breath until I get out of it."

The News collected air samples on Manida St., a tree-lined, residential block off the Bruckner. The air had 30,000 particles per cubic centimeter of air. There is no agreed-upon standard for safe levels of ultrafine particles.

The particle numbers jumped to 70,000 and got even higher along the entrance to the highway. They stayed elevated, in the 40,000-to-50,000 range, along commercial E. 163rd St.

Passing trucks drove the readings up to 120,000.

By comparison, the machine clocked as few as 12,000 particles per cubic centimeter of air on Fingerboard Road West on Staten Island and 18,000 in Central Park.

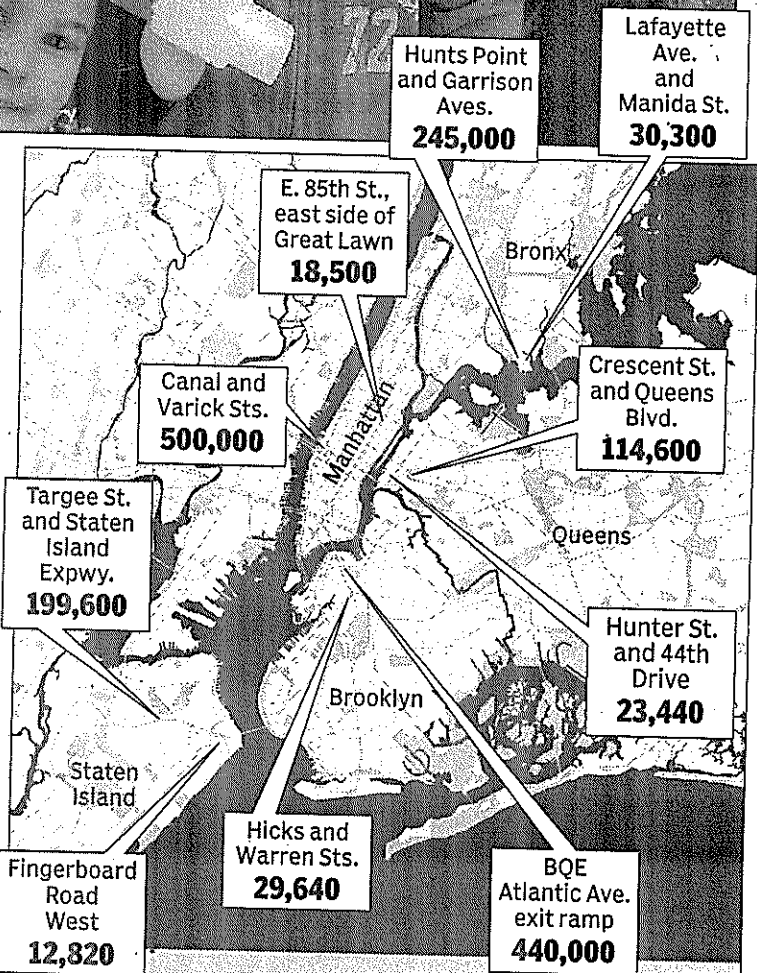
It maxed out at a spike of 500,000 during the evening rush hour near an idling truck on Canal and Varick Sts.

Asthma is influenced by many factors, not just pollution.

But the wide range in air pollution levels documented by The News shows "quite clearly that where there's traffic, there's a lot of particles," said Pat Kinney, an associate professor of environmental health at Columbia's Mailman School.

"Most people would agree that more ultrafine counts is worse than fewer," said George Thurston, an associate professor of environmental health at NYU Medical Center. "With air pollution... even at lower levels, you get some susceptible people. As you go to higher and higher levels, a bigger and bigger percentage of the population is affected."

After London instituted con-



The Daily News, accompanied by scientist Mel Peffers of the advocacy group Environmental Defense, collected air pollution samples in each of the five boroughs on May 30 and 31. Using a machine called a P-Trak, The News took measures of ultrafine particles, tiny matter produced during fuel combustion. Units are in ultrafine particles (those less than 1 micron) per cubic centimeter. Here are some of the best and worst from each borough.

gestion pricing in 2003, vehicle emissions dropped by 12% to 20%, according to 2005 research.

And when Atlanta enacted temporary traffic restrictions during the 1996 Olympics, childhood asthma hospitalizations among Medicaid recipients fell by nearly 42%, a 2001 study in the Journal of the American Medical Association showed.

If the Legislature backs Bloomberg's congestion-pricing plan, New York could see similar effects by reducing traffic lev-

els and increasing traffic speed, because idling vehicles can emit up to three times the level of pollutants as those that are moving, said Andy Darrell of the Environmental Defense group.

"If congestion pricing diminished pollution in some parts of New York but increased it in other parts of New York, that would be something one would have to look at carefully as a potential negative aspect," Kinney said. But "if it's equitable and everybody benefits, then that's good."

jlite@nydailynews.com

COMMUNITY BOARD #1 – MANHATTAN  
RESOLUTION

*Committee  
members*

DATE: JULY 31, 2007

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	4 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	36 In Favor	0 Opposed	0 Abstained	0 Recused

RE: DSNY Manhattan 1/2/5 Garage Complex at Spring Street

WHEREAS: The Manhattan Borough President convened a meeting of representatives from Community Boards 1, 2 and 4 and local Elected Officials on July 12th, and

WHEREAS: The purpose of this meeting was to engage the NYC Department of Sanitation (DSNY) in a dialogue to directly address the issues raised by the Release of a Final Scoping Document for a Consolidated Sanitation Garage for Community Districts 1,2 and 5 at Spring Street, and

WHEREAS: The "Working Group" now awaits DSNY's written response to the Manhattan Borough President to questions about the financial modeling and design criteria used to evaluate Block 675 (29th-30th Streets) as a potential site for DSNY garage operations, and

WHEREAS: The "working group" now awaits a DSNY written response to the Manhattan Borough President about concerns that the air quality in the vicinity of the Spring Street proposal will be impossible to mitigate, specifically noting that while air pollution from "particulates" might decline (assuming the City actually implemented the clean fuel options it is touting), the concentration of particulate pollution would increase and that the air pollution mitigation measures the City appears to be relying on - including improved catalytic converters - actually change the chemical nature of the resulting emissions, creating highly toxic compounds that have been linked to demonstrable adverse health impacts, and

WHEREAS: Community Board 1 and 2 share a common boarder and there have been many land use issues of mutual concern along the border that have affected both Community Boards, and

WHEREAS: Both Boards 1 and 2 have worked jointly in the past on issues of mutual concern, and

WHEREAS: The Proposed Consolidated Sanitation Garage is located along our common border and will have major impacts throughout Lower Manhattan, and

WHEREAS: Both Community Boards have passed resolutions in strong opposition to this proposal, now

THEREFORE  
BE IT  
RESOLVED  
THAT:

Both Community Boards 1 and 2 declare the Proposed Sanitation Garage to be an issue of mutual concern and pledge to work cooperatively on the Proposed Consolidated Sanitation Garage for Manhattan Districts 1, 2 & 5, and

BE IT  
FURTHER  
RESOLVED  
THAT:

Community Boards 1 and 2 agree to hold a joint Public Hearing for the Uniform Land Use Review Procedure (ULURP) if the applicant is certified, and

BE IT  
FURTHER  
RESOLVED  
THAT:

The DSNY Spring Street facility as presently envisioned poses an unacceptable threat to air quality and public health, and

BE IT  
FURTHER  
RESOLVED  
THAT:

Community Boards 1 and 2 calls for a moratorium on DSNY garage site location plans in our districts until these issues have been addressed in writing to the satisfaction of the Borough President and his "working group".

December 6, 2007

Honorable Amanda M. Burden  
Chair, City Planning Commission  
Director, Department of City Planning  
22 Reade Street  
New York, NY 10007

Re: NYC Department of Sanitation  
ULURP Application for Sanitation Garage serving  
Manhattan Districts 1, 2, and 5  
CEQR 07-DOS-003M

Dear Director Burden:

Community Board 1 concurs with Community Board 2 that the proposed Sanitation Garage for Districts 1, 2 and 5 is a regional facility that serves three community districts. We therefore encourage the City Planning Commission *not to certify* the current ULURP application for this project unless a Fair Share analysis is conducted on the basis that is a "regional facility."

I ask that you refer to the attached resolution in which CB 1 expresses our concerns regarding the quality of life issue of air pollution that may result from this project, given its known link to demonstrable adverse health impacts.

We look forward to working with you and the other community boards affected by the proposed sanitation garage to identify viable alternative locations.

SY  
JM

**Testimony to City Council of Mark Mancinelli, Developer  
304 Spring Street  
November 14, 2008**

My name is Mark Mancinelli, I am a resident of downtown Manhattan for more than 20 years, and I am the developer and representative of 304 Spring Street. Our building provides a home for 40 residents, including 11 children. We also have two businesses in our building, which employ more than 20 people.

We are in the unusual position where we come here to tell you to vote YES. We want you to vote yes – **BUT NOT TO THIS PROPOSAL**. We ask you to vote yes for a proposal that creates a reasonable balance between the needs of the city, and the requirements of our community.

A proposal which will not impose more traffic, more noise, and more pollution on a robust and growing community. A proposal that will not be devastating to the future development and use of the area for our children and our families.

And we are not dreaming of what that proposal is, because we have it. Our community has sponsored five leading architects to design alternatives to the DSNY's proposed facility. And indeed, our proposal was awarded a top prize for innovative Urban Design and Planning by the American Institute of Architects.

**The current ULURP is factually incorrect in so many respects as to be embarrassing.**

It uses census data from 2000, ignoring the enormous growth of the community since 2002, where 7 new residential towers have been constructed. It systematically understates the real usage of the facility by ignoring the traffic impact of employee parking and city vehicles that will fuel at the site, among other things.

There are so many defects in the ULURP that I recommend you review the work of Denise Levine, who has prepared a 90+ page document outlining the errors, omissions and misstatements in the DSNY's ULURP. And I submit that the DSNY should be ashamed to present such a piece of work to city organizations as if it were a legitimate basis for your decision making.

**In conclusion – Our request of you is modest.** We are not asking you to eliminate the facility - We are asking you to approve a facility of reduced size. And you have the power to do so. We request that any vote on this project include a reduction in the building envelope consistent with our proposal – 75' in height, and with appropriate setbacks suitable for the development of a residential neighborhood. The DSNY can accomplish its objectives in a facility of this size.

**Good government, good urban planning requires that you, our representatives, vote for a reduction in the proposed facility.**



TESTIMONY PRESENTED 8/27/08 BEFORE NYC PLANNING COMMISSION  
REGARDING DEIS FOR SPRING STREET GARAGE AND THE NYC COUNCIL 11/14/08

My comments will be limited to one area of my expertise, NOISE. For almost 40 years I have been involved in noise abatement issues on local, city, state and national levels. In 1974 I helped draft the first major revision of the NYC Noise Code since 1937. My involvement in the most recent revision, effective last year, was intense from start to finish. As chair of Community Board 2's Subcommittee on Noise under its Environment Committee, I dealt with complaints, related to the NYCDEP, served on the Manhattan Borough President's construction noise task force testified often before the NYC Council. Relevant to this hearing, I have been a homeowner/resident of the neighborhood for the last 50 years.

The Community Sanitation Committee's response to the DEIS has dealt brilliantly with the statistical aspects of the problems associated with the ill-conceived plan of housing a three district sanitation facility and salt shed on the proposed locations. Having made my contributions to those comments, I will focus on the human and health factors. First, you should consider that noise is finally recognized as a health hazard. It can not only damage hearing, but it is also known to raise blood pressure, create severe sleep disturbance, increase heart rate and reduce ability to focus and learn. This effects children even more than adults. Psychological and emotional problems resulting from long exposure to noise at any level are being found to be more profound than previously recognized.

Noise is a unique pollution. Its effects are highly personal. It is a form of pollution which is difficult to control since it bounces off solid surfaces, is enhanced by the presense of water and can pick up strength surrounding configurations, for example, tunnels. It also has a more specious effect when it is accompanied with vibrations. It occurs to me that the DEIS did not deal with vibration of either the construction or the operation. NYCDEP may have sought to avoid that issue in its study of the project. Noise grows exponentially and vibration is decidedly in the equation.

Presently, there are at least six hotels planned for the immediate area. Some are about to open and the others will be built before the garage could. There is no consideration in the DEIS of the proliferation of noise caused by the traffic increase, the attendant clubs and bars and the growth of frustrated horn honking. Meanwhile, Pier 40 is likely to house three schools whose students will be subjected to a mind-stunting din throughout the day. Apparently, the theory operational in the plan was: THE AREA IS NOISY ALREADY. WHAT DIFFERENCE WOULD A FEW MORE DECIBLES MAKE? IT ALREADY HURTS. WHAT'S A BIT MORE PAIN?

While participating in the Construction Noise Task Force during the tenure of BP C. Virginia Fields I became aware of just how many city agencies are involved. To name some of them I can predict in this project there will be DOB, DEP, DOT, NYPD, DSNY and the Comptroller's office. Even the updated code does not solve the endemic problem of who has the final word on the execution of a permit. What recourse will the community have if, for example, DOB issues a permit for emergency week end work and the DEP responding to a noise complaint says it cannot rescind the order? We become the civilian victims of the conflict. This brings me to the dilemma of time. There is no doubt that in the normal course of events, construction will far exceed the planned time unless the work orders for nights and week ends are granted to mitigate running behind schedule. Thus, it would not be a shock to realize that we may be subjected to noise from TWO sites for very extended periods. I say two sites because the salt pile and garage are separate but simultaneous. Think further on the effect on West Street with the need for cranes, bulldozers, trucks and cement mixers. We are talking years.

Barrier walls to mitigate noise do no such thing. They merely divert it and bounce it in another direction. Any direction in which it would be diverted, would be a Plague Upon Our House. Absorbing materials may help indoors, but they are not designed to withstand the elements outside. This is illustrative of my objection to the premise that the project falls simply within the

guidelines of a garage. Its effects go to the surrounding neighborhood in spite of any efforts to control the noise within. Any conclusion to the contrary is ridiculous.

Keep in mind that there is a marked difference in a sound annoyance that is temporary or intermittent and one that goes on and on and on and on. The adverse reactions are cumulative. After a while, the pain becomes acute and unbearable. The very fact that this is to be a 24/7 operation puts the likelihood of acute reaction in the forefront of concern. Every year we increase the population of vulnerable children in the area and every year the fragile elderly increase as well. In conclusion, this whole project is an ill conceived offspring of poor planning and and faulty conception. If it is, indeed, allowed to gestate to term, a monster will be born.

Respectfully submitted,  
Frieda K. Bradlow, ACSW  
43 Charlton Street  
NYC 10014

[fbradlow@aol.com](mailto:fbradlow@aol.com)

TIMOTHY A. ROBERT  
505 GREENWICH STREET APT. 14H  
NEW YORK NY 10013  
917.991.7797  
TROBERT@NYC.RR.COM

November 14, 2008

Jessica S. Lappin, Chair  
Landmarks, Public Siting & Maritime Uses  
The New York City Council  
250 Broadway  
New York, NY 10007

Dear Ms. Lappin and Committee Members,

Thank you for allowing me the opportunity to voice my concerns. I am resident of 505 Greenwich Street, which is right around the corner from the site of the proposed Sanitation Garage. I would like to provide you with my viewpoint as a resident of the area.

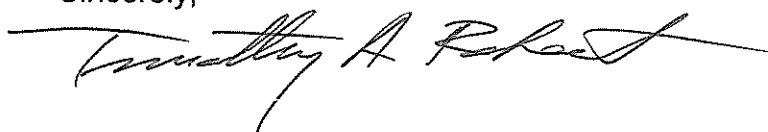
As you may know, the air quality in my neighborhood is the second worst in the city. So I don't see the wisdom in putting a three-district Sanitation Garage in my neighborhood. I firmly believe that green technologies will eventually be ascendant, and the DSNY will eventually embrace them. But realistically, I think it's safe to assume that it will be decades before Department of Sanitation trucks will be clean and green. For this reason, I think it's clear that the operations of the proposed garage would have a significant adverse impact upon my neighborhood's air quality over a long period of time.

Secondly, as anyone who is familiar with the area knows, the traffic in my neighborhood is extremely heavy. The addition of hundreds of garbage truck trips per day to my neighborhood, no matter what time of day they occur, will do nothing but exacerbate the serious traffic congestion in my area.

Third, the new residential buildings in the immediate area are mostly 10 to 12 stories high, and the proposed Sanitation Garage would be dramatically out of scale with these nearby buildings. I have little doubt that even a person with limited aesthetic sensibilities could stand at the corner of Spring and Washington Streets and envision how this garage would present a visually arresting sight.

Obviously, the proposed Sanitation Garage poses a significant threat to my neighborhood's quality of life. I urge the city council not to sacrifice the needs of the residents of Hudson Square by approving the ill-conceived DSNY plan. Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Timothy A. Robert". The signature is fluid and cursive, with a long horizontal stroke at the end.

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: CHRIS LYNCH

Address: 505 GREENWICH ST

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: Mr. & Mrs. Marc Hodulich

Address: 505 Greenwich St. #14A

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: Divali Kamalawan

Address: 330 Spring St Apt 9C NY NY

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: LYNNE COLLINS

Address: 375 HUDSON STREET

I represent: SAATCHI & SAATCHI

Address: \_\_\_\_\_

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

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11-14-08

Name: MARK Mancinelli (PLEASE PRINT)

Address: 304 Spring St.

I represent: 304 Spring St.

THE COUNCIL  
THE CITY OF NEW YORK

*Sanitation Garage*

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: NOV 14/2008

Name: RAD mazon (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Disarm

500 Greenwich St

THE COUNCIL  
THE CITY OF NEW YORK

*Sanitation Garage*

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: NOV 14/2008

Name: Roger Blum (PLEASE PRINT)

Address: \_\_\_\_\_

I represent: Disarm

Address: 500 Greenwich St

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

Name: Frieda K. Bradlow (PLEASE PRINT)

Address: 43 Charlton St.

I represent: CBA Environment Comm.

Address: 3 Wash Sq.

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: JUSTIN HOY

Address: 423 W. 21<sup>st</sup> STREET

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: Kim Tabak

Address: 330 Spring Street NYC 10013

I represent: Myself

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: John Stallery

Address: 304 Spring St.

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Albert Butzel

Address: 1125 Park Ave, NYC 10028

I represent: Myself

Address: Above

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

THE COUNCIL  
THE CITY OF NEW YORK

HUDSON  
SARVAK  
SANITC

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: JULIE NADEL

Address: 16 HUDSON ST

I represent: Self

THE COUNCIL  
THE CITY OF NEW YORK

SPRING  
ST DOS

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 10/14/08

(PLEASE PRINT)

Name: JOHN LEE COMPTON

Address: 460 W 252 ST.

I represent: COMMUNITY BOARD 4

THE COUNCIL  
THE CITY OF NEW YORK

SPRING ST  
GARAGE

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: MARIA PASQUANANTE-DERR

Address: 15 West 11th St.

I represent: myself as a resident

THE COUNCIL  
THE CITY OF NEW YORK

SPRING ST  
GARAGE

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: AJ PIETRANTONE

Address: ~~311 WEST 43~~ 447 W 45 #2B

I represent: FRIENDS OF HUDSON RIVER PARK

Address: 311 WEST 43 #300

THE COUNCIL  
THE CITY OF NEW YORK

Spring Street  
Garage

Appearance Card

[ ]

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Edward Kirkland

Address: 300 West 272<sup>nd</sup> St, New York, NY 10011

I represent: 300 West Block Association

Address: 300 West Block Association producing next

THE COUNCIL  
THE CITY OF NEW YORK

SPRING ST  
SANITATION  
GARAGE

Appearance Card

[ ]

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

Date: 11/14/08

(PLEASE PRINT)

Name: ANDREW S NEALE

Address: 288 WEST ST

I represent: TRIBECA COMMUNITY ASS.

Address: SAME

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

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

Date: 11/14/08

(PLEASE PRINT)

Name: RICHARD SLOAN

Address: 530 CANAL ST

I represent: THE COMMUNITY

THE COUNCIL  
THE CITY OF NEW YORK

Spring St.  
Garage

Appearance Card

[ ]

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Denise Levine

Address: 505 Greenwich St

I represent: (resident)

Address: \_\_\_\_\_



THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11.14.18

(PLEASE PRINT)

Name: SUSAN SLOVER

Address: 304 SPRING ST #8

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11.14.08

(PLEASE PRINT)

Name: ROSEMARY KUROPAT

Address: 304 SPRING ST #8

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Annie Washington

Address: M.D.

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

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

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Justin Hoy

Address: 433 W 2nd St

I represent: SAMP Chelsea

Address: \_\_\_\_\_

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

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: DAVID RECK

Address: \_\_\_\_\_

I represent: COMMUNITY BOARD #2

Address: 3 WRS SQ VILL.

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

THE COUNCIL  
THE CITY OF NEW YORK

Sanitation  
Salt Shed

Appearance Card

K [ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. garage

in favor  in opposition

Date: Nov 14, 2008

Name: Ellen Peterson-Lewis (PLEASE PRINT)

Address: 622 Greenwich St # 3D

I represent: Public Members CB2

Address: Environment, Public Health & Safety

THE COUNCIL  
THE CITY OF NEW YORK

SANITATION GARAGE

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

Name: DORIS CORRIGAN (PLEASE PRINT)

Address: 200 W. 20 ST

I represent: CHELSEA WATERSIDE PARK ASSOC.

THE COUNCIL  
THE CITY OF NEW YORK

SANITATION GARAGE

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

Name: PAMELIA WOLFF (PLEASE PRINT)

Address: 223 W 21 ST

I represent: CHELSEA WATERSIDE PARK ASSOC.

THE COUNCIL  
THE CITY OF NEW YORK

SANITATION

Crusg

Appearance Card

[ ]

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

Name: SARAH DE SARAH 100B (PLEASE PRINT)

Address: 434 GREENWICH ST

I represent: TRIBE CR CTY ASSOC

Address: Sen

THE COUNCIL *Sanitation Garage*  
THE CITY OF NEW YORK

Appearance Card

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Robert Tranchesi

Address: 409 W 21st St

I represent: Save Chelsea

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

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

Date: 11/14/08

(PLEASE PRINT)

Name: Peter Gleason

Address: 53 N. Moore St. #30

I represent: Self

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

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

Date: 11.14.08

(PLEASE PRINT)

Name: GARY STEPHAN

Address: 530 CANAL

I represent: CANAL ST. COALBION

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

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

Date: 10-14-08

(PLEASE PRINT)

Name: PAULIP MOUQUINHO

Address: 549 GREENWICH ST

I represent: COMMUNITY SANITATION STEERING

Address: COMMUNITY (CHAIRMAN)

Sanitation Garage  
**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card

[ ]

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

Date: 11/14/08

(PLEASE PRINT)

Name: Barbara Siegel

Address: 466 Washington St SE

I represent: Canal Park

**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card

[ ]

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Ed. Behr

Address: 466 Washington St

I represent: Community Sanitation Steering

**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card

[ ]

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: SIJAN COURTNEY

Address: 530 CANAL ST

I represent: Com. Sanitation Steering Com.

**THE COUNCIL**  
**THE CITY OF NEW YORK**

Appearance Card

[ ]

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

Date: 11.18.08

(PLEASE PRINT)

Name: VICTORIA FAUST

Address: 533 Canal St 10013

I represent: Community Sanitation Steering

Address: Community



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



THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

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

Date: \_\_\_\_\_

(PLEASE PRINT)  
Name: Darren Sulek  
Address: 1 Morton Square SEW

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

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

Date: 11/14/08

(PLEASE PRINT)  
Name: MARL AMERUSO  
Address: \_\_\_\_\_  
I represent: COMMUNITY BOARD 1

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

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

Date: 11/14/08

(PLEASE PRINT)  
Name: RICHARD BARKETT  
Address: 533 CANAL  
I represent: CANAL WEST COALITION  
Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

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

Date: 11/14/08

(PLEASE PRINT)  
Name: JANA HAINLSON  
Address: 530 CANAL ST  
I represent: 530 Canal St. Realty Corp.  
Address: 530 Canal St.

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/05

(PLEASE PRINT)

Name: MICHAEL KRAMER

Address: 225 Front St Suite 2N, NYC 10038

I represent: ST. John's Center / Urban Glass House / Park-It

Address: 550 Washington St, NYC

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Mr. Khaled Musa

Address: 54-10 Arnold Ave, Maspeth NY 11378

I represent: VISIONS

Address: 500 Greenwich St, NYC

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: TIMOTHY A ROBERT

Address: 505 GREENWICH ST APT 14H

I represent: MYSELF, MY WIFE

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/05

(PLEASE PRINT)

Name: Gary Spindler

Address: 250 W 26th St

I represent: Park-It Management

Address: SAME

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Commissioner Doherty

Address: DSNY

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Bob Orlin

Address: \_\_\_\_\_

I represent: DSNY

Address: \_\_\_\_\_

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Dan Klein

Address: \_\_\_\_\_

I represent: DSNY

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Steve Braughtigan

Address: \_\_\_\_\_

I represent: DSNY

Address: \_\_\_\_\_

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

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: E. GAMBLE

Address: 22 WEST 97th ST. NY NY 10014

I represent: WEST BETH

Address: 46 WEST 91st NY NY 10014

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. SALT SHED Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: 14/11/08

(PLEASE PRINT)

Name: ZAKRZEWSKA

Address: 304 SPRING ST

I represent: Z+H-ARCHITECTS. COOP

Address: 304 Spring St. NY

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: TALIA BALSAM

Address: 304 Spring St

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

I intend to appear and speak on Int. No. Salt Shed Res. No. \_\_\_\_\_  
 in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Vicky Blankenship

Address: 55 Bethune St. C614 NYC 10014

I represent: Westbeth Artists Residents Council

Address: same



THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Jabari Magnus

Address: 330 Spring St Apt 9C

THE COUNCIL  
THE CITY OF NEW YORK

Sanitation  
Garage

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: Nov 14/2008

(PLEASE PRINT)

Name: Michael Cush

Address: \_\_\_\_\_

I represent: VISIONS

Address: 500 Greenwich St

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: David Levin

Address: 104 Charlton St Apt 3E

I represent: Save Hudson Square

Address: 104 Charlton Street

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 11/14/08

(PLEASE PRINT)

Name: Andrew Azoulay

Address: 104 Charlton Street Apt 3E

I represent: Save Hudson Square

Address: \_\_\_\_\_

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

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

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

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Annie Washburn

Address: 829 Washington St

I represent: MPDI

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

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

Date: 11/14/08

(PLEASE PRINT)

Name: Mary Swartz

Address: 413 W. 22 St

I represent: Save Chelsea

Address: To 413 W. 22 St

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

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

Date: 11/14/08

(PLEASE PRINT)

Name: Matthew Washington

Address: \_\_\_\_\_

I represent: Friends of Hudson River Park

THE COUNCIL  
THE CITY OF NEW YORK

Appearance Card

[ ]

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

Date: 14 NOV 08

(PLEASE PRINT)

Name: ADAM MOILES

Address: ~~848 WASHINGTON ST~~ 62 LEROY ST.

I represent: ANDRE BALAZS PROPERTIES (THE STANDARD HOTEL)

Address: 848 WASHINGTON ST