



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.ManhattanCB4.org

J. LEE COMPTON
Chair

June 14, 2006

Empire State Development Corporation
Moynihan Station Development Corporation
633 Third Avenue
New York, NY 10017

Attention: Regina Stephens

Re: Moynihan Station Civic and Land Use Improvement Project

Manhattan Community Board No. 4 is pleased to submit the following comments concerning the General Project Plan and Draft Environmental Impact Statement for the Moynihan Station Civic and Land Use Improvement Project. These comments were approved at CB4's meeting on June 7, 2006, by a vote of 32 in favor, 0 opposed, 2 abstaining and 0 present but not eligible to vote.

CB4 enthusiastically supports the "Required Work" described in the General Project Plan, including, most importantly, the construction of Moynihan Station, and the repair, preservation and protection of the historic features of the Farley Complex, as well as expansion of the existing West End Concourse beneath Farley, loading dock improvements for the USPS, and improvements to the underground connection between Farley, the Eighth Avenue Subway and Penn Station.

This is an exciting opportunity to expand and improve the City's mass-transit facilities while preserving a historic landmark – one of the very few in Community District 4. However:

1. Let's plan now for the whole project. The GPP is alarmingly vague about what the developer can do with the Western Annex. The GPP speaks of "destination retail (including large format stores and fine dining)" and a merchandise mart, but without any detail to make it real. While we recognize that large format stores may be appropriate at this location, their impacts must be carefully managed. For example, big stores must be supported by a steady flow of big trucks. The GPP indicates that truck bays will be located within the building on 31st Street, which is a significant improvement over the current situation, but how will truck deliveries be coordinated among retail tenants, USPS, the hotel, and other users? Security screening for trucks must be planned for now, and it must not take place on city streets. As for the merchandise mart, we are skeptical that it is a realistic idea, since previous efforts to establish similar facilities in or near our district have failed. We would not oppose a mart at this location, so long as it is not subsidized by the taxpayers.

However, the developers' preferred plan apparently is to relocate Madison Square Garden to the Western Annex and redevelop the current Garden site with office towers and a rebuilt Penn Station – "Moynihan East." We think we might prefer this plan too, if it can work without compromising the historic integrity of the Farley Complex or unduly burdening the surrounding community. We would like to see what the plan would look like.

Since our work on the Hudson Yards rezoning, this Board has supported the idea of moving the Garden to the east or west side of Ninth Avenue. We now have a unique opportunity to consider an actual proposal for the move, and all its pluses and minuses. We've long believed that healthy development in Hudson Yards is most likely to begin at Penn Station and move west as the market develops. Redeveloping the current Garden site and

Penn Station could create a true gateway to Hudson Yards that will encourage the further development that the Hudson Yards plan depends on. We should not lose the opportunity to try to accomplish all of this in the rush to build a Train Hall that should be much more than a spectacular back door to the dismal Penn Station we now have.

Neither should we lose the opportunity to move forward the Moynihan Station now before us. In doing that, though, the public sector must retain firm control over the design and programming of the Project's private commercial components. We are pleased that MSDC had the wisdom to reject the proposals for 40+ story towers above the Western Annex. It must continue to apply that wisdom to ensure that all of the development possibilities of this unique public asset are harnessed for the public good, and that the developer gets a fair deal but not a blank check.

2. This landmarked building must be treated respectfully. We are glad to see the current restoration of the General Post Office, including restoration of the damaged cornice. The alterations to the historic Farley structure that will be necessary to accommodate Moynihan Station should be carried out in a way that has a minimal impact on the building's historic features. Changes to openings, as in transforming windows to doors, and the creation of new openings should not be larger than actually required for the purpose. The large arches that are the distinctive architectural features of the Western Annex should be respected, and changes such as canopies must be minimal and respectful. Signage on the building's exterior and interior must not diminish the architecture. In such a complex undertaking, it seems inevitable that review by the Advisory Council on Historic Preservation pursuant to Section 106 of the National Historic Preservation Act should be required; the applicability of this requirement should be carefully reviewed and not avoided.

3. Transit, traffic and pedestrian impacts cannot be ignored. The EIS makes it clear that the Project will create significant congestion in an already crowded area. The usual signal timing changes and sidewalk widenings are not going to be sufficient. We need much more aggressive planning for the surrounding sidewalks and streets. Connections to other mass transit must be optimized. If at all possible, there should be internal circulation for taxis and black cars in the Western Annex. Before it can include Madison Square Garden, a host of other mitigations will have to be considered.

4. The public elements must be public. The developer should have no role in the operation of the Train and Intermodal Halls, the enlarged West End Concourse, the 32nd Street Pedestrian Corridor or the other elements of the Project occupied by public entities. These will be public facilities whose character and operation must not be compromised by the interests of the private developer.

Similarly, retail signage and advertising displays in public areas such as the Train Hall and the Intermodal Hall should be strictly limited, so that those public areas are not overwhelmed by private uses. Grand Central Terminal became a much more appealing and active public space when the Kodak sign was removed and the facility regained its grandeur as a train station first and foremost.

5. This is a great opportunity for public art. At least 1% of the \$556 million to be spent on the Required Work should be allocated to public art, and the developer should be required to include a comparable amount in its budget for the publicly-accessible commercial components of the Project. Prior plans to include a commemoration of the life and work of A. Philip Randolph should be pursued, and the eagles that were removed from the old Penn Station and are now owned by Vornado, should be given new, public roosts. Other salvaged Penn Station elements may also be available; some are in the collection of the Brooklyn Museum. This community should be involved in the planning of public art.

6. The PILOT deal must be explained to the public. The GPP makes it clear that the PILOT deal between the developer, the State and the City, which is one of the key financial aspects of the Project, has yet to be resolved. How generous will the deal be to the developer? Why should all PILOT payments be paid to the City? Shouldn't a portion be retained by ESDC/MSDC to fund operation of Moynihan Station? If not, how will those

operating expenses be funded? How much of the portion paid to the City will fund the City's contribution to the Project? How much, if any, will fund the Hudson Yards Infrastructure Corporation's financing plan? How much will ever reach the City's general fund?

7. Don't evade public process. Our November 2005 letter to MSDC requesting establishment of the community advisory committee required by the Urban Development Corporation Act has gone unanswered. This community advisory function should be established without delay, and should continue throughout the project's design phase.

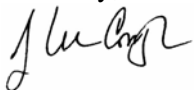
We are dismayed that the ESDC apparently intends to override local land use and landmarks laws. The project will transform a landmark occupying two full blocks in the heart of Manhattan, and require more than \$150 million in City capital funds. A project of this scale requires a transparent local public process and informed consideration by local authorities. We are particularly concerned that the project's boundary is proposed to be expanded to include Vornado's property on the east side of Eighth Avenue, part of which is publicly accessible private open space that was created pursuant to the plaza bonus provisions of the City's zoning regulations. None of this should happen without the public review and approvals required by the ULURP process.

It seems more than ironic that review of changes to this designated landmark by the New York City Landmark Commission seems unlikely to take place. It was the loss of the original Pennsylvania Station that triggered the formation of the Commission, and avoidance of its review of a worthy proposal to make up part of this loss is likely to raise unnecessary opposition.

8. Construction impacts. We request the establishment of a construction task force, consisting of representatives of Community Boards 4 and 5, MSDC, the developers, the construction manager, and all relevant public agencies. The task force should meet regularly throughout the construction process to provide information about the inevitable impacts on the surrounding area, and to mitigate those impacts when at all possible. The construction task force that met monthly throughout the construction of the Time Warner Centre is a useful model.

There is broad public support for this project. Despite our concerns and questions, we welcome it to our neighborhood.

Sincerely,



J. Lee Compton
Chair
Manhattan Community Board No. 4



Anna Hayes Levin
Co-Chair
Clinton/Hell's Kitchen Land Use Committee



Simone Sindin
Co-Chair
Clinton/Hell's Kitchen Land Use Committee

cc: Local elected officials
Manhattan Community Board No. 5
Amanda Burden, DCP
Ann Weisbrod, HYDC