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July 6, 2021

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Chairman  
Port Authority of New York & New Jersey  
4 World Trade Center, 150 Greenwich Street, 22nd Fl. New York, NY 10006

Rick Cotton  
Executive Director  
The Port Authority of New York & New Jersey  
4 World Trade Center, 150 Greenwich Street, 22nd Fl. New York, NY 10007

**Re: Port Authority Bus Terminal Replacement Project Final Scope EIS**

Dear Chairman O'Toole and Director Cotton,

Manhattan Community Board 4 (MCB4) welcomes the opportunity to formally comment on the Final Scope environmental Impact Statement of the Bus Terminal Replacement Project. MCB4 is pleased with the collaboration between the Port Authority of New York and New Jersey (PANYNJ), MCB4, the Hell's Kitchen South Coalition (HKSC), and the community. The final scope reflects a great degree of community input, including elements of the HKSC Neighborhood Plan, which have been incorporated into the proposal. However, MCB4 recognizes many community concerns remain. We are enclosing our previous March 29, 2021 letter that outlines MCB4's initial concerns, comments and questions on the proposed plan and final scope. Additionally, Christine Berthet from MCB4 provided testimony at the June 23<sup>rd</sup> virtual hearing.

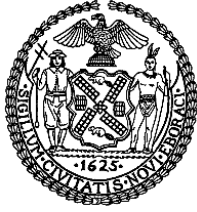
We thank you for listening to our community and look forward to continuing to work together to make this project a success for the Hell's Kitchen neighborhood and all New Yorkers.

Sincerely,

Lowell D. Kern  
Chair  
Manhattan Community Board 4

**Enclosure**

cc: Hon. Jerrold Nadler, US Senate  
Hon. Brad Hoylman, New York State Senator  
Hon. Robert Jackson, New York State Senator  
Hon. Linda Rosenthal, New York State Assemblymember  
Hon. Richard Gottfried, New York State Assemblymember  
Hon. Andrew Cuomo, New York State Governor  
Hon. Corey Johnson, New York City Council Speaker  
Hon. Scott Stringer, New York City Comptroller  
Hon. Jumaane Williams, New York City Public Advocate  
Hon. Gale Brewer, Manhattan Borough President



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March 29, 2021

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New York, NY 10007

**Re: Port Authority Bus Terminal Replacement Project**

Dear Chairman O'Toole and Director Cotton,

On February 10, 2021, the Port Authority of New York and New Jersey (PANYNJ) came to Manhattan Community Board 4's (MCB4) Clinton/Hell's Kitchen Land Use Committee and on February 17, 2021, came to the MCB4 Transportation Planning Committee to discuss updates to the 10-year Port Authority Bus Terminal Replacement project, following the release of the final scoping document on January 21, 2021. MCB4 welcomes the opportunity to comment on the final scope and is pleased with the collaboration between PANYNJ, MCB4, the Hell's Kitchen South Coalition (HKSC), and the community.

While the Board is pleased that the final scope reflects a great degree of community input, including elements of the HKSC Neighborhood Plan, which have been incorporated into the proposal, many community concerns remain.

The project has been submitted to the Federal Transit Administration and has just entered the Federal Environmental Review process, which will take at least 18 months to complete. We urge the PANYNJ to continue to take into account the community input in the project design. We

request that a series of meetings be initiated so that we can delve in the important details of neighborhood impacts, inter-modality, accessibility, and air quality.

MCB4's initial concerns, comments and questions on the proposed plan and final scope are outlined below.

### ***Project Elements as presented by the PANYNJ***

#### ***Main Bus Terminal***

Main bus terminal for commuter buses, between Eighth and Ninth Avenues, West 40<sup>th</sup> and West 41<sup>st</sup> Streets. The terminal will have a total of 160 gates—all sized for double-decker buses—and will satisfy 2040 demand projections. The terminal height will be the equivalent of approximately 14 stories. There will be no car parking on top of the terminal.

#### ***Intercity Bus Terminal***

Intercity Bus Terminal and bus layover garage built between West 39<sup>th</sup> and West 40<sup>th</sup> Streets, midblock, west of Tenth Avenue will have 40 gates. In addition, all buses currently parked at curbside and on surface lots will be housed in a new 450-space parking within this structure. The terminal height will be the equivalent of approximately 14 stories. There will be no car parking on top of the terminal.

#### ***New Ramps & Tunnels***

Buses will no longer use city streets: the two terminals will be linked by a tunnel under Ninth Avenue and by bridges (bus and pedestrian). They will feed buses directly to the Lincoln Tunnel via Dyer Avenue, bridges, and a system of ramps located on Galvin Plaza. There will no longer be bus ingress/egress onto city streets. The ramps system height will be the equivalent of approximately 14 stories. There will be no car parking on top of ramps.

#### ***Open Space***

Public open space to be developed by the PANYNJ, created on land and through decking midblock between Ninth and Tenth Avenues from West 37<sup>th</sup> to West 39<sup>th</sup> Streets, of approximately 3.5 acres. The platform will be engineered so that large trees can be planted.

#### ***Commercial & Residential Towers***

Privately financed and developed towers, two at the Main Bus Terminal, two at Galvin Plaza site, all within the approved zoning and height.

### ***Concerns***

#### ***Air quality:***

- While the terminals are described as ready to accommodate electric buses, it is not clear if they will accommodate hydrogen buses, the preferred method for long-distance carriers.
- Without a legal means for PABT to compel bus operators to adopt electric/hydrogen, there is a foreseeable risk that carriers who opt out of the program will either keep using older diesel buses or seek to return to curbside operations.
- Port Authority should study how to seal the buildings' envelopes and install ventilation and filtration systems.

- During construction, entrances and routes to the tunnel will trigger major disruption. Mitigation measures and monitoring of air quality due to additional traffic congestion will need to be implemented.

*Jitneys and Charter Buses:*

- Jitneys must be part of the scope and taken into account in the capacity required. The decision to exclude jitneys would violate the Interstate commerce law and negate the statement that all intercity buses are absorbed in the Long-Distance Bus Terminal. It is incumbent on the Port Authority to clarify that if capacity is available, it will be open to all operators on a first come first serve basis, provided all operators pay the asking price.

*Accessibility:*

- Many more elevators are needed in the terminals and boarding buses must be accessible for people with disabilities. Wheelchair/mobility scooter users will require not only wide platforms, but also a boarding device (e.g. lift or ramp), built into platforms if not on all bus fleets. We recommend consulting with the Mayor's Office for People with Disabilities (MOPD).

*Knitting the neighborhood together:*

- The plan calls for bridges over Ninth and Tenth Avenues as well as over West 40<sup>th</sup> Street (Ninth/Dyer Avenues) that are new or much bulkier than the current spans which create dead zones at the street level below them, effectively segregating Hell's Kitchen north and south. In addition to the bus ramp function, they will also provide pedestrian crossings. We urge the Port Authority to design these elements with the goal of making them as translucent as possible, allowing for light at street level. We hope that the pedestrian experience is given special attention for the areas below the bridges, so that they are welcoming to pedestrians and do not create new dead zones.
- The overall height of the Tower towards Ninth Avenue, near the Main Bus Terminal, is currently projected at 60-70 stories and remains an issue. The Board requests the PANYNJ review strategies to reduce the height while redistributing and maintaining the bulk to provide adequate financing as part of the overall project.
- To re-unify the neighborhood, the Hell's Kitchen South Coalition plan relied heavily on the development and greening of Port Authority properties located between West 37<sup>th</sup> to West 33<sup>rd</sup> Streets. Although they are outside of the project footprint for purpose of the EIS, the plans for these properties should be included in the City ULURP process.

*Funding:*

- While we applaud the proposed creation of two parks, we have seen in the past that community benefits are the first to be lost to inevitable budget constraints. For example, when the Hudson Yards project went over budget, it left no funds for the promised community benefits. We look to the Port Authority to create a mechanism to guarantee funding upfront for the parks' creation in 10 years.

## *Project Questions & Comments*

### *Public Approval Process*

- Clarify which New York City governmental approvals will be involved in the process.
- Clarify which governmental approvals will be subject to New York City's ULURP process.
- Clarify and make consistent nomenclature of the sites on the proposed plan.

### *Main Bus Terminal*

- Confirm that the new commuter terminal between Eighth and Ninth Avenues will provide a total of 160 gates—all sized for double-decker buses—and will satisfy 2040 demand projections.
- Confirm the proposed terminal height in feet (equivalent of approximately 14 stories).
- Confirm that there will be no car parking on top of the terminal.
- Confirm that the foundations and steel structure for the commercial and residential towers will be built as part of the Main Bus Terminal.
- Confirm that the Main Bus Terminal will be built subsequent to the construction of the Intercity Bus Terminal.

### *Intercity Bus Terminal*

- Confirm that if capacity is available, the long-distance terminal will be open to all operators including jitneys to New Jersey on a first come first serve basis, provided all operators pay the asking price.
- The assumptions underlying the definitions of jitneys in the Scoping document is inaccurate: "The PABT does not currently service [...] jitney services which are not considered to be Curbside Intercity bus service." (p10). There are currently two jitney companies currently operating inside the PABT: Community Lines @ Gate 51 and Spanish Transportation. All other jitney companies operating in the vicinity of the PABT are considered Intercity Bus Companies by New York City Department of Transportation (DOT) and must obtain an Intercity Bus stop permit to operate at curbside.
- Interstate Laws: On what basis would the jitney companies currently operating at the PABT be barred from using the East or West Terminal? If there is available capacity, on what basis will the PABT refuse to lease gates for the curb side operators who hold an intercity permit and compete for the same business? This would clearly violate the interstate laws.
- How will staging and bus storage be managed?
- What is the building separation between the Intercity Bus Terminal and the Metro Baptist Church?
- Clarify the approximate proposed terminal height in feet.
- Confirm that all buses currently parked on surface lots in Manhattan Community District 4 will be housed in new 450 spaces within the Intercity Bus Terminal.
- This second, interoperable terminal will provide much-needed sustainability, redundancy, and resilience.
- Confirm that the Intercity Bus Terminal is first in terms of sequencing of the projects.

### *New Ramps & Tunnels*

- Confirm buses no longer use city streets.
- Confirm that the foundations and steel structure for the commercial and residential towers will be built as part of the ramp structure.
- Clarify ramp heights, both bottom and top of ramps, at all locations in feet.
- Confirm that buses will exit the Lincoln Tunnel on the Galvin Plaza block, onto a ramp structure. That ramp structure then crosses over Tenth Avenue onto a roadway through the Intercity Bus Terminal. From there, buses continue onto a ramp crossing over West 40<sup>th</sup> Street and then turn east on a ramp parallel to West 41<sup>st</sup> Street. Then, buses cross on a ramp over Ninth Avenue and into the Main Bus Terminal.
- Confirm that buses coming from Dyer Avenue will directly access the West 41<sup>st</sup> Street Tunnel from Dyer Avenue and then go into the Terminal.
- Confirm that the below grade lanes on West 41<sup>st</sup> Street will be widened to accommodate increased bus use.

### *Commercial & Residential Towers*

- Two towers will be built at the Galvin Plaza ramp site
  - Eleventh Avenue, commercial building (70-80 stories)
  - Tenth Avenue, residential building (50-60 stories)
    - Confirm that the Tenth Avenue tower will meet the affordable housing requirements of the Special Hudson Yards District zoning regulations.
- Two towers will be built at the Main Bus Terminal site
  - Eighth Avenue and West 42<sup>nd</sup> Street (over 1,000 feet, equivalent to 100 stories).
  - Tower towards Ninth Avenue, near the Main Bus Terminal (currently projected at 60-70 stories).
- **The overall height of this tower remains a major community concern.** The Board requests the PANYNJ to review strategies to reduce the height while redistributing and maintaining the bulk in order to provide adequate financing as part of the overall project.
- Confirm that there is no public parking in any of the towers according to Special Hudson Yards District zoning parking requirements.

### *Open Space*

- In which construction phase will the park (not the platforms) be built?
- Confirm that the two new platforms between West 37<sup>th</sup> and West 39<sup>th</sup> Streets will be built in the first phase.
- Confirm that the two new platforms will first be used as construction staging. For what phase of construction? What is the approximate duration of the staging?
- Confirm that the platform will be engineered so that large trees can be planted.
- Open Space Improvement Funding
  - Funding must be set aside in a dedicated fund to ensure that the platforms and at-grade land designated for open space, will actually become a park.
  - Therefore, the Board requests the PANYNJ to create a funding mechanism, in consultation with MCB4, to guarantee funding now for the parks' creation in 10 years. Such a mechanism must ensure that the funds are set aside for open space development and cannot be used for other capital purposes.

### *Design Elements*

- Affirm the project will not require the acquisition or demolition of any privately-owned buildings. It will use Port Authority properties only.
- Ensure that an active ground floor around the entire perimeter of terminals and ramps will be created.
- Transportation Inter-modality
  - To meet the requirements of a 21<sup>st</sup> Century Bus Terminal, the project must be designed with full inter-modality, including:
    - MTA buses and trains
    - Access-a-ride
    - Taxis
    - Rideshare
    - Bikes
    - Scooters
  - Confirm that taxi/rideshare stations will be within each terminal's footprint.
  - Confirm that bike share docks, bike corrals, and indoor bike parking will be at street level, within each terminal's footprint, and that charging stations will be available.
  - How will New Jersey Transit and other bus operators provide bike storage on their buses?
  - MCB4 requests the PANYNJ engage with the MTA to evaluate the construction of a prior committed West 41<sup>st</sup> Street and Tenth Avenue station on the #7-line subway to enhance transit connectivity.
  - Wayfaring  
There should be an extensive and robust wayfaring program to direct the public to intermodal transfers and other transportation destinations within the district, such as Penn/Moynihan Station, the Hudson Yards #7-line subway station, and the West 39<sup>th</sup> Street Ferry Terminal.
- Accessibility
  - The Main Bus Terminal and Intercity Bus Terminal must be fully ADA accessible.
  - The number and size of elevators must be adequate to meet ADA requirements and other users, such as travelers with luggage, families with strollers etc. This applies to the connection to the subway systems as well.
  - Wider platforms for wheelchair/mobility scooter users should be required.
  - Boarding devices, lift or ramp, must be built into platforms and/or bus fleets to ensure full accessibility.
- Deliveries and Trash Disposal
  - Considering the overall density of the commercial and residential towers and the terminals, adequate staging and pick-up space must be fully contained within the footprints of the buildings. All deliveries should take place inside the buildings. This also applies to the four towers.
- Bus Driver Facility
  - In which terminal will a bus driver facility for layover and rest be created?
- Pedestrian Passageway



- Explore inclusion of a pedestrian passageway from Tenth Avenue to the Main Bus Terminals.
- Ninth and Tenth Avenue and West 40<sup>th</sup> Street Ramps
  - The proposed ramps over Ninth and Tenth Avenues and West 40<sup>th</sup> Street are bulkier and wider than the current spans. The current bridges effectively segregate the northern and southern parts of Hell’s Kitchen. Their design must seek to mitigate that factor, and not create dead zones at the street level below. The design goal should be to create as much openness between and through the ramps, maximizing natural light at street level. At night, the ramps should be lit in a similar way to the current triple bridges to create an architectural and community landmark.
  - Art: will the buildings’ interior be designed with artwork installation in mind? This may require appropriate wall space and lighting.

#### Façade Design

- Each street facade opposite area churches, and/or residential buildings comprising recognized historic fabric should aim for contextual treatment.  
What will be the treatment of the east side of the four-story Staging/Storage & Intercity Terminal on Metro Baptist Church which is directly East? How much light will be left to penetrate the only windows on the west side of the church? How much buffer space will be provided?
- The portions of the terminals facing Ninth Avenue should be sensitive to the proposed Paddy’s Market Historic District.

#### Streetscape

- Sidewalk Widening & Tree Planting
  - Clarify the locations in the proposed project where PANYNJ proposes to widen the sidewalks.
  - Clarify the locations of all proposed tree planting within the project area.
  - To maximize tree planting, all Con Edison vaults should be located inside the building footprints.
- Design
  - Streetscape design should be coordinated in conjunction with the streetscape design guidelines established by the Hudson Yards/Hell’s Kitchen Alliance (BID).
  - Ensure incorporation of pedestrian-scale retail storefronts at the base of all buildings.
  - Continue to work with the community on developing the streetscape approach and design of the project.

#### Environment

##### *Air Quality*

- How will the PANYNJ study how to seal the buildings’ envelopes and install ventilation and air filtration systems?
- The terminals are described to be ready to accommodate electric buses, how will they accommodate hydrogen buses, the preferred method for long-distance carriers?

- What strategies and legal means can PANYNJ adopt to ensure bus operators will adopt electric and/or hydrogen buses? Older diesel buses must not be permitted in the facilities or allowed to return to curbside operations.
- During construction, there will be major disruption of entrances and routes to the Lincoln Tunnel. What mitigation measures and monitoring of air quality due to additional traffic congestion will be implemented?

#### *Noise Mitigation*

- How will noise be mitigated, especially at the Intercity Bus Terminal adjacent to the Metro Baptist Church?

#### *Shadow Analysis*

- Conduct a shadow analysis on all locations, describing how light and air will be brought to the site, especially the area surrounding the Metro Baptist Church on 410 West 40<sup>th</sup> Street.

#### *Light Pollution*

- Billboards, including lighted super signs, are appropriate for the Eighth Avenue façade of the Main Terminal. Billboards, lit or static, should not be located on the Ninth Avenue façade of the Main Terminal, the ramps over West 40<sup>th</sup> Street and Ninth Avenue, or anywhere on the Intercity Terminal or the Galvin Plaza site. These locations are in the center of the residential Hell's Kitchen/Hudson Yards district, and not appropriate for public advertising.

#### *Sustainability*

- Detail what actions the PANYNJ will take to minimize their carbon footprint, in comparison to current operations at the existing facility.
- Evaluate the potential of installing solar panels at all locations in the proposed project, especially at the terminals.
- Evaluate the installation of active or passive green roofs at the terminals.

#### *Homeless Social Services*

- The existing Port Authority Bus Terminal and its surrounding environs have, for decades, been a location for homeless New Yorkers. The PANYNJ has partnered with many social service partners to address the needs of homeless New Yorkers in many different ways, from providing outreach services to a drop-in center, among other strategies. Given that homelessness remains an ongoing issue in the City of New York, the PANYNJ should provide space for social service providers to coordinate homeless services in and around the proposed project. The PANYNJ should develop a social service plan, with a designated provider, as an element of this development project.

#### ***Neighborhood Context & Port Authority Properties South of West 37<sup>th</sup> Street***

The PANYNJ also owns properties from the south side of West 37<sup>th</sup> Street to West 30<sup>th</sup> Street between Ninth and Tenth Avenues. The properties consist of Dyer Avenue below-grade cuts, and at-grade parking lots, historically used for commuter bus layover parking. Over the past decades, the PANYNJ has advanced or proposed plans to develop all or part of these properties. As a

response to the PANYNJ's initial plan, the HKSC developed a comprehensive community plan for all PANYNJ properties from West 30<sup>th</sup> to West 42<sup>nd</sup> Streets, between Ninth and Tenth Avenues.

Although those properties from West 30<sup>th</sup> Street to the south of West 37<sup>th</sup> Street are not part of this project, MCB4 and the Hell's Kitchen community have consistently requested that an overall plan on their disposition and development be developed and agreed to, as a companion to the Bus Terminal Replacement Project. MCB4 looks forward to working with the community and the PANYNJ to agree on that plan in a timeline consistent with the needed public approvals for the Bus Terminal Replacement Project.

MCB4 understands that we are at the beginning of a long-term public project. Many aspects of the proposed plan will be studied, developed, and finalized. MCB4 requests to continue its ongoing meetings with PANYNJ to review, understand and develop both the project and the neighborhood impacts of the Port Authority Bus Terminal Replacement Project. At its March 3<sup>rd</sup> Full Board meeting, Manhattan Community Board 4 voted by 41 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible to vote to submit these comments.

We thank you for listening to our community and look forward to continuing to work together to make this project a success for the Hell's Kitchen neighborhood and all New Yorkers.

Sincerely,



Lowell D. Kern  
Chair  
Manhattan Community Board 4



Jean-Daniel  
Chair  
Clinton/Hell's Kitchen Land Use Committee



Christine Berthet  
Co-chair  
Transportation Planning Committee



Dale Corvino  
Co-chair  
Transportation Planning Committee

Cc: Hon. Brad Hoylman, New York State Senator  
Hon. Robert Jackson, New York State Senator

Hon. Linda Rosenthal, New York State Assemblymember  
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