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Daniel Garodnick
Chair
Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

**Re: Port Authority Proposed Bus Terminal Replacement Project
ULURP Application #C240353ZSM and #C240336MMM**

Dear Chair Garodnick:

On June 10, 2024, The Port Authority of New York and New Jersey (“Port Authority”) presented to Manhattan Community Board 4’s (MCB4) Hell’s Kitchen/Clinton Land Use and Zoning Committee its plans for its proposed Bus Terminal Replacement Project (“Proposed Project”) of the existing Midtown Bus Terminal located at 625 Eighth Avenue, Manhattan (Block 1032, Lot 29), together with other nearby properties owned by the Port Authority, and to seek approval of a number of land use actions to facilitate the Proposed Project.

The Proposed Project includes:

1. A bus terminal, bus storage facility, and ramps (the “Replacement Facility”);
2. Two privately developed towers, (“Overbuilt Towers”) located above the bus terminal along its Eighth Avenue frontage; and,
3. The Dyer Deck-Overs and their conversion to publicly accessible open green space.

To accommodate a new bus terminal, the eastern portion of West 41st Street is proposed to be permanently closed between Eighth and Ninth Avenues. Two decks over the below-grade portions of Dyer Avenue and Lincoln Tunnel Expressway would be constructed to facilitate construction-period bus operations. These “Dyer Deck-Overs” would be converted to publicly

accessible open space following completion of the Replacement Facility. The Replacement Facility would be accompanied by private development to assist in funding its construction.

On July 10, 2024, Port Authority returned to MCB4's Land Use Committee to further discuss the specifics of the land use actions it is requesting in order to facilitate the Proposed Development. They are:

A. a zoning text amendment to Section 74-145 (Bus stations) of the Zoning Resolution of the City of New York (the "Zoning Resolution" or "ZR"); and

B. a special permit pursuant to paragraph (c) of Section 74-145, as so amended, to:

- (i) allow the construction of a bus station with 10 or more berths for buses on a site of any size;
- (ii) allow within demapped air space the development of a building or portion thereof which is part of such bus station; and
- (iii) allow the distribution of floor area on the Development Site without regard to zoning district boundaries, modify the height and setback regulations of Section 81-26, and modify the mandatory district plan elements of Section 81-40.1

C. De-mapping of a number of areas where the terminal will encroach on the public space.

The Replacement Facility will span four city blocks and contain an improved and expanded main terminal building (the "Main Terminal"), a bus storage and staging facility (the "Storage and Staging Facility" or SSF), and new ramp infrastructure with a direct connection to the Lincoln Tunnel (the "Ramp Structure"), all connected by over-street building and bridging elements to contain bus movements within the facilities.

The Port Authority states that the commercial Overbuild Towers are necessary to help fund the development of the Replacement Facility.

The area targeted for this massive project lies in the existing historic residential and business community of Hell's Kitchen, home to over 20,000 residents and scores of businesses and social service facilities. The Replacement Facility and Overbuilt Towers, which will comprise 8.5 million square feet, take up to ten years to complete, and cost over ten billion dollars, is an unprecedented construction project of this size in the heart of a dense New York City commercial and residential district.

Manhattan Community Board 4 has the responsibility under the New York City Charter to examine the proposal, to evaluate impacts on the community — on those who live, work, visit, or travel through — and to recommend action in the best interest of all constituents concerned.

While the Board appreciates the vital necessity of a bus transportation hub in Manhattan for the economy not only of New York City but also of the region, the Board also is acutely concerned about the health and well-being of the people who live, work, and travel through the immediate

area and of **the immense impact the development will have on their lives and their community** for the immediate future and decades beyond.

To address those concerns, MCB4 has worked with Port Authority for over four years to make the project a successful one, both for Port Authority, for commuters, and for the community of Hell's Kitchen. We commend Port Authority for its constructive and continuing engagement with this Board and this community. And we appreciate the Port Authority's stated commitment that this engagement and cooperation will continue not only during the construction phase but also after the project is completed.

After careful study of the project from public meetings of the Board's Hell's Kitchen/Clinton Land Use and Transportation Planning Committees, as well as scores of meetings with the Port Authority and MCB4's Port Authority Working Group, MCB4, concluding that the project should move forward only after the issues enumerated in this letter have been addressed, votes by 39 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible, **to recommend approval of the project with the following conditions:**

1. Clarifications and Modifications are made to the proposed Zoning Text Amendments;
2. The proposed mapping changes are subject to the requested mitigation under the DEIS; and
3. The overall proposed project is subject to the mitigations requested under the DEIS and memorialized in a Points Of Agreement document.

MCB4 wants the project to succeed. For that to happen it is critical that the many outstanding issues remaining are resolved before the City Council hearing.

1. CLARIFICATION AND MODIFICATION OF THE ZONING TEXT REQUESTS

Noted below are MCB4 markups and comments to the proposed zoning text amendments with requests for clarifications or changes. The majority of the requested changes requested seek to ensure the proposed text uses defined terms, further limits the applicability of proposed text only to provisions needed to effectuate the current Port Authority Proposed Project. The current proposed text, for example, would allow future bus stations and related uses elsewhere in MCD4. MCB4 proposes text changes to eliminate any precedent for such future bus station use.

MCB4 has met both with the Department of City Planning (DCP) and Port Authority to reconcile the proposed text to meet the concerns detailed above. Both agencies have committed to continue to work with MCB4 to make further text changes during the ULURP process. The following *in bold italics* are both comments to DCP and the Port Authority and recommended text changes. Port Authority's (PA) comments are in red.

Proposed Zoning Text from ULURP Application

74-45

Bus stations

The City Planning Commission may permit bus stations listed under Use Group IV(B) with fewer than 10 berths pursuant to paragraph (a) of this Section, and with 10 or more berths pursuant to paragraph (b) or paragraph (c), as applicable.

All bus stations lawfully existing on December 15, 1961 are permitted to continue for the duration of the term for which such #use# has been authorized but the #enlargement#, KL3 3707368.5 #extension#, reconstruction or relocation of any bus station heretofore or hereafter constructed shall not be permitted except in accordance with the provisions set forth in this Section.

(a) In C1, C2, C4, C6, C7 or C8 Districts, or in any #Manufacturing District#, the Commission may permit bus stations with fewer than 10 berths for buses on a site of not less than 20,000 square feet, provided that the following findings are made:

* * *

(b) In C4, C6 or #Manufacturing Districts#, the Commission may permit the construction of a bus station with 10 or more berths for buses on a site of not less than 20,000 square feet, provided that the following findings are made:

* * *

In addition, the Commission shall require the provision of adequate #accessory# off- street parking spaces necessary to prevent the creation of traffic congestion caused by the curb parking of vehicles generated by such #use# and shall determine the required spaces in accordance with the purposes established in this Resolution with respect to other major traffic-generating facilities. The Commission shall require, in any event, no less than 20 spaces for the temporary parking of automobiles.

MCB4 Comment: *There is no parking in the current proposal, nor does MCB4 support a proposal with parking. This provision does not apply to the current proposed PABT project.*

PA Response: *The proposed special permit is being sought under paragraph (c). Paragraph (b) is not applicable to the proposed project or the special permit. It is an existing provision of Section 74-145 that is included in this document solely to conform with DCP's formatting standards for zoning text amendments.*

(c) In any #Commercial District# or #Manufacturing District#, located within Community District 4 in the Borough of Manhattan, the Commission may permit the construction of a bus station with 10 or more berths for buses on a site of any size.

MCB4 Comment: *The proposed text could allow other bus terminals to be built in MCD4. The text should be narrowed to articulate that the proposed project must be located in only two special zoning districts — on a site that has portions of it located both the Hudson Yards Special District and the Midtown Special District.*

*PA Response: As a general matter, the PA does not object to narrowing the language in this proposed paragraph (c),
MCB4 notes that the final text revision must be agreed to DCP during the ULURP process. Since there is broad agreement on this matter, MCB4 would request DCP make such proposed changes prior to City Planning Commission ULURP hearing.*

In conjunction with a permit for a bus station, when the air space above a #street# or portion thereof is closed, demapped and conveyed by the City to the owner of an adjoining #zoning lot# that will contain such bus station, the Commission may permit in such demapped air space the #development# or #enlargement# of a #building# or portion thereof which is part of such bus station. Additionally, the Commission may permit the modification of any applicable regulations of this Resolution, other than #floor area ratio# provisions, in connection with such bus station or any other #use# #developed# on the same #zoning lot# as such bus station.

MCB4 Comment: (on the italicized section) This degree of flexibility needs to be narrowed.

PA response: The PA is considering a modification, subject to review by DCP, to the highlighted text) to incorporate the language indicated in bold below.

Additionally, the Commission may permit the modification of any applicable regulations of this Resolution, other than #floor area ratio# provisions and other than #use# regulations set forth in Section 22-10, Section 32-10, and Section 42-10, in connection with such bus station or any other #use# #developed# on the same #zoning lot# as such bus station. Any modification that CPC grants pursuant to this language would also be subject to the required findings of paragraph (c)(3), set forth below.

MCB4 notes that such changes begin to address the need narrowing of flexibility, but every time bus station and related facilities is used, it must be defined term, #bus station and related facilities#

In order to grant such a permit, the Commission shall determine that the conditions set forth in paragraph (c)(1) and the findings set forth in paragraphs (c)(2) and (c)(3) of this Section, as applicable, are met.

Where the bus station and related facilities allowed under this Section will be #developed# pursuant to Chapter 8 of Title 17 of the Unconsolidated Laws of New York, any #buildings or other structures# comprising such bus station and related facilities shall not be subject to the #bulk# regulations or other applicable regulations of this Resolution, and the floor space within such #buildings or other structures# shall be excluded from the calculation of #floor area#.

MCB4 Comment: Please define "related facilities."

PA Response: The PA is amenable to a modification to clarify the meaning of “bus station and related facilities.” The PA proposes the following language:

“For purposes of this paragraph (c), a #bus station and related facilities# shall include (i) any bus station and #uses accessory# thereto that are #developed# in accordance with a special permit granted under this paragraph (c), and (ii) any #uses# that are constructed and maintained pursuant to Chapter 8 of Title 17 of the Unconsolidated Laws of New York.”

Clause (i) of the above draft definition would apply to any future bus station project, other than the PA might develop. Clause (ii) of the above draft definition is specific to the PA, since it references the existing New York State statute that exempts PA projects from local zoning regulations. MCB4 notes that this proposed revised language is subject to DCP review.

The curb level of a zoning lot of which the demapped air space is a part shall not be affected by the closing and demapping of air space above such street. However, the Commission may establish an appropriate level or levels instead of curb level as the reference plane for the applicable regulations relating to open space, yards, level of yards, KL3 3707368.5 equivalent rear yards, rear yard setback, minimum distance between buildings, and height and setback. (1) Conditions Where the #development# or #enlargement# of a #building# is allowed within one or more demapped air spaces pursuant to this Section, such demapped air spaces and any adjoining tracts of land containing such #building# may be considered as part of a single #zoning lot#, but such demapped air spaces shall not generate #floor area# to be utilized on such #zoning lot#.

MCB4 Comment: *Demapped air spaces do not generate FAR, please provide full zoning calculations, to show deductions.*

On July 17, 2024, the Port Authority provided the zoning calculations. They will be analyzed by MCB4 and generate further questions during the ULURP process,

(2) Findings applicable to bus station #use#
In order to allow such bus station #use#, the Commission shall find that:

MCB4 Comment: *It should be clear in the zoning text that this section applies only to bus station #use# not the tower development.*

(i) the operation of such bus station does not create serious traffic congestion, and is not detrimental to public health or general welfare of the city;

MCB4 Comment: *MCB4 requests that DCP clarifies how the Port Authority will comply with finding (i) since according to the DEIS the de-mapping and closing of West 41st Street will create serious traffic congestion by redirecting traffic to West 37th (45% increase) and West 35th Streets (25% increase), streets that are currently excessively congested, and thus increase bad air quality.*

(ii) the principal access for such #use# is not located on a local #street# but is located either on an arterial highway, a major #street# or a secondary #street# within one-quarter mile of an arterial highway or major #street#;

(iii) the site plan for the bus station and related facilities includes pedestrian-oriented public spaces that, in their sizes and locations, reflect appropriate consideration of existing or planned at-grade pedestrian circulation networks;

MCB4 Comment: MCB4 requests that DCP clarifies how the Port Authority will comply with finding (iii) since *the at-grade de-mapped areas on the east side of Eleventh Avenue (West 39th and West 40th Streets) and along the south side of West 40th Street (Tenth to Eleventh Avenues) will result in the pedestrians' clear path to be narrower than mandated by current DOT sidewalk guidelines*¹.

(iv) the design of the facility, including public entrances to the bus station, vehicular entrances and exits, bus ramps or overpasses, and accessory #uses# within the bus station and related facilities are sited and designed in a manner that reflects appropriate consideration of the civic importance of the site and of the experience of pedestrians within existing or planned #streets# or open areas;

(v) the locations of at-grade entrances to such bus station and related facilities are designed to encourage pedestrian circulation into and on the #zoning lot# and are well-situated in relation to existing and proposed at-grade pedestrian and bicycle circulation networks;

(vi) the bus station provides adequate connections to and from existing transportation facilities;

(vii) the bus station and surrounding transportation network accommodate projected bus volumes and reduces potential conflicts between buses and other modes of transportation in the surrounding area; and

(viii) the #use# and #development# of the bus station will not have undue adverse impacts on the character of or land uses in the surrounding area.

MCB4 Comment: MCB4 requests that DCP clarifies how the Port Authority will comply with finding (viii) since *the existing view corridors along Ninth Avenue, West 40th Street between Ninth Avenue and Dyer, and Tenth Avenue will be nearly fully obstructed. And the 10-year construction period will entail numerous street closures, large volumes of*

¹ The sidewalk measurements were confirmed by the Port Authority at the July 24, 2024 Transportation Planning Committee meeting. According to DOT's Pedestrian Mobility Plan the pedestrian clear path must be a minimum of eight feet, excluding any obstacles and furniture like bollards and tree pits.

commuters crossing west of Ninth Avenue to the interim terminal locations, night work, and small business disruption.

(3) Findings applicable to modifications other than those allowing the bus station #use#

In order to modify any other applicable regulations of this Resolution, the Commission shall find that:

(i) such modifications will facilitate an improved site plan for the bus station and related facilities or are otherwise in furtherance of the bus station project;

(ii) such modifications will not unduly obstruct access to light and air from surrounding #streets#, open areas and properties; and

MCB4 Comment: *MCB4 requests that DCP clarifies how the Port Authority will comply with finding (ii) since the DEIS shows that there will be extensive obstructions to light and air to open space and historic properties due in large proportion to the additional floor area to be permitted in the Overbuilt Towers.*

(iii) any proposed modification of regulations governing #zoning lots# divided by district boundaries or the permitted transfer of #floor area# will not unduly increase the #bulk# of any #development# or #enlargement# on the #zoning lot# or the intensity of #use# on any #block# to the detriment of occupants of #buildings# on the #block# or the surrounding area.

MCB4 Comment: *MCB4 requests that DCP clarifies how the Port Authority will comply with finding (iii) since the DEIS finds that there will be significant traffic impacts in our district² and that the transfer of FAR plays a significant role in these impacts.*

Proposed Map Changes

“Closing of a portion of West 41st Street between Eighth Avenue and Ninth Avenue; a portion of West 40th Street between Tenth Avenue and Eleventh Avenue;”

MCB4 Comment: *As noted above, MCB4 requests clarification on the negative impact map changes will have on vehicular traffic and pedestrian safety.*

² According to the DEIS, 45 intersections will experience significant adverse impacts. The CEQR manual shows that those impacts are increased considerably due to the change in use and transfer of floor area across zoning lots.

2. MAPPING CHANGES SUBJECT TO REQUESTED MITIGATION UNDER THE DEIS

As noted in our March 18, 2024³, letter to the U.S. Department of Transportation Federal Transit Administration, responding to the Replacement Terminal DEIS (attached), this massive project in a dense urban residential and commercial neighborhood will have enormous impacts on the surrounding community on many levels.

The Port Authority Bus Terminal Replacement Project is the largest capital project the Port Authority has ever undertaken. The immense scale of the project extends in a connected building from Eighth to Eleventh Avenues and includes a 2.5-million square foot Main Bus Terminal and 960,000 square feet Staging and Storage Facility, plus new ramp structures. Another component of the project will be the construction of 5 million square feet of commercial office space after the terminal is complete. In total the bus terminal expansion and the office space will comprise 8.5 million square feet. Thus, the sheer size of the project creates inescapable significant impacts with which the community must contend for decades to come.

In MCB4's March 18, 2024 letter, the Board made extensive comments on the many significant impacts identified in the DEIS and detailed the most significant changes yet to be addressed affecting urban design, historical assets, transportation, and construction, and asked for studies, corrections, and clarifications. We have yet to receive responses to all of our concerns and the Board understands that this takes time. Nevertheless, as a condition for approval for the requested land use actions, we expect Port Authority to continue to make a timely good faith effort to resolve the issues we raised, including completing the 50 requested studies, confirming the 33 statements and agreements, correcting the 15 errors, and clarifying the 9 assertions, all of which are detailed in our March 18th letter. We should note that answers to our questions and comments may possibly generate more requests for mitigations.

3. OVERALL PROJECT SUBJECT TO MITIGATIONS AND MEMORIALIZED IN A POINTS OF AGREEMENT DOCUMENT

In addition to the text changes and DEIS confirmations requested above, MCB4 requested and prioritized the following community mitigations to alleviate the impacts created by the project. Such commitments should be memorialized in a "Points of Agreement" document. The mitigation measures requested by the community focus on minimizing and rectifying impacts as well compensating for impacts.

MCB4 notes that the mitigation measures proposed in the DEIS for such a massive project with a construction timeframe of ten years in the middle of a vibrant commercial and residential district are inadequate and have yet to be discussed with the community.

³ <https://cbmanhattan.cityofnewyork.us/cb4/wp-content/uploads/sites/10/2024/03/18-EXEC-CHKLU-Letter-to-PANYNJ-re-Draft-Environmental-Scope-of-Work-for-the-Midtown-Bus-Terminal-Replacement-Project.pdf>

Park Space and Neighborhood Greening

1. Agree to a park design and operation and maintenance process including: detailing a community design process for the Dyer deck-over and other parks; and completing an operation agreement with Hudson Yards/Hell's Kitchen Business Improvement District (HYHK BID) and NYC Parks Department.
2. Fund and implement the greening of Dyer Avenue from West 34th to West 37th Street — including the platform west of Dyer Avenue between West 35th and West 36th Streets and the connector to West 37th Street — and the expansion of the “Canoe” on West 36th Street, west side of Dyer.
3. Identify the temporary and permanent relocation for Astro's Dog Run and redesign and expand Theresa's Park including a green wall on Staging and Storage Facility's (SSF) eastern wall.

Traffic and Pedestrian Safety/Air quality

4. Implement sidewalk widenings around the Proposed Development to provide a pedestrian minimum clear path as required by the New York City Department of Transportation and plant required trees every 25-feet between bollards.
5. Ensure pedestrian safety and eliminate traffic back-ups on all intersections on Ninth, Tenth, and Eleventh Avenues from West 28th to West 46th Streets using any and all of the following measures: close the contra lane on Dyer 34th — 37th Streets; reduce signals' green phase; and, employ necessary number of pedestrian managers
6. Provide ADA access including elevator to all floors for Metro Baptist Church/ Rauschenbusch Metro Ministries social and community service programs.
7. Modify the configuration of the West 30th Street interim Bus Terminal to free up sidewalk space and commit to closing this installation (parking and gates) once the project is complete.
8. Commit to implementing incentives for bus companies to convert their fleet to 100% electric by 2040; commit to work with New York City DOT, to implement rules to disincentivize bus loading and parking on the streets within a given radius of the Port Authority zone.

Design and Construction

9. Confirm the establishment of a construction task force that includes MCB4. And provide as applicable: a relocation plan/business assistance plan including affected affordable businesses on Ninth Avenue; night work mitigation; and a public safety and social service plan.
10. Install sustainable green walls on the portion of the Galvin ramps south wall facing the park and on the portion of the Staging and Storage Facility facing the future park.

Affordable Housing Sites

11. Provide affordable housing by developing through an RFP the northeast corner of Dyer Avenue and the West 33rd Street lot and designating the northwest corner of Dyer Avenue and West 40th Street lot and the northeast corner of Ninth Avenue and West 41st Street lot for affordable housing.

Ground Floor Sites: Retail and Community Facilities

12. Reserve specified amount of square footage, at specific locations, for white box (water, electrical, heating/ air conditioning, plumbing, bathrooms) community facilities, not-for-profit off-off Broadway theaters, and local offices for MCB4 and the HYHK BID. And select locations for and establish affordable rent structures for neighborhood-scale retail

on Ninth Avenue and other appropriate locations in the Port Authority buildings west of Ninth Avenue.

Sustainability Measures

13. Install a direct line to the river for rainwater management, separate from the sewer infrastructure, and/or install storm water retention tanks

Historic Preservation

14. Establish a Paddy's Market Historic District Fund for storefront and façade improvements (to be administered by HYHK Alliance).

MCB4 thanks the Port Authority for the following actions they already discussed and committed to. These should also be included in the Points of Agreement document.

Park Space and Neighborhood Greening

- Please confirm that the staging decks over Dyer Avenue will structurally support a public open green space with full grown trees and plantings.
- Please confirm that the design, funding, and procurement processes for Dyer Avenue public open green spaces will occur concurrently with construction of the Port Authority Proposed Development so that construction on the green space may commence immediately after the Port Authority is finished using Dyer decks for bus staging.

Design & Construction

- Please confirm key elements of building and façade design.
- Please confirm ongoing community participation in Proposed Facility design process to integrate the design into existing community fabric.
- Please confirm that the base height of the terminal on Ninth Avenue will be consistent with the heights of the tenements on the west side of Ninth Avenue north of West 40th Street. And that the new terminal and retail facades on the east and west sides of Ninth Avenue will be consistent with the context of the Paddy's Market tenement vernacular, including building shapes, masonry, and punched window openings.
- Please confirm there will be a detailed and thorough asbestos remediation plan in place to protect the neighborhood during demolition phases.
- Please confirm that there are safety measures against potential terrorist attacks or other emergencies on the ramps. And that there will be an emergency evacuation route and plan.
- Please confirm that there are structural requirements for the foundations and structure of the towers to be able to withstand impact like what happened on 9/11.
- Please confirm that there is backup system for ventilation and air filtration.
- Please confirm that there will be the plan to control and contain construction debris and mitigate air pollution.
- Please confirm where the cement trucks will be queued up.
- Please confirm the use of bird-friendly glass.

Traffic & Sidewalks

- Please confirm the design and installation of the West 39th Street greenway path from Ninth to Eleventh Avenues with midblock raised crossings (with DOT) including midblock raised crossings on West 37th Street and West 38th Streets, neck downs at the Northwest corner of West 41st Street and Galvin Plaza, and neck downs at the northeast corner West 40th Street and Ninth Avenue.
- Please confirm that the temporary bus operations relocated to the SSF, the Dyer Deck-Overs, and West 30th Street will be ADA compliant.
- Please confirm that the temporary elevator access in 2028 will also be ADA-compliant and ensure that access to the temporary and new elevator will be as proximate and easily accessible, if not more so, as the current elevator.
- Please confirm that no buses will use the streets to access the terminal except for 90 buses maximum on West 41st Street from Dyer to Galvin Plaza at the morning peak hour.
- Please confirm that there will be no taxi stand on Ninth Avenue or West 40th Street.
- Please confirm that all retail, bus terminal, and commercial buildings' deliveries and trash services will be done from internal loading docks instead of the sidewalk, including those for the existing businesses located on Ninth Avenue between West 40th and West 41st Streets.
- Please confirm that the Port Authority will use sustainable trash management in both bus terminal and commercial towers including trash compactors, separated trash and recyclable deposit chutes with pneumatic pipe system and waste level sensors in the containers.
- Please confirm that curb cuts planned on the north side of West 39th Street (Tenth Avenue to Eleventh Avenue) will be limited to a 40-foot width and used on an exceptional basis.
- Please confirm how many (and which) sidewalks will be enlarged and / or equipped with neck downs and if the radius of the SE Corner of West 40th Street and Eleventh Avenue will be sharpened to make a safer pedestrian crossing.
- Please confirm that the sidewalks on SE and SW corners of Ninth Avenue at 41st Street with pedestrian bump outs will be constructed as part of the sidewalk.
- Please confirm if a sidewalk will be created on the south side of West 41st Street (Ninth Avenue/Dyer) to allow for pedestrian circulation and replace the passage currently located on the south side of the bus tunnel.
- Please confirm that the Con Edison grates will not be located on the sidewalk, but rather installed within buildings and that security bollards will be designed in such a way that trees can be planted in between them.
- Please confirm the installation of permeable pavement and bioswales to reduce runoff volumes of rainwater and melting snow.
- Please confirm Port Authority Police vehicles will be parked in the terminal and where the Post Office trucks will be parked overnight.
- Please confirm the plan for an off-street, locked bike parking in or around the complex and the location of the bike share stations and if a Citibike hub will be installed nearby.
- Please confirm that the conflicts of turning buses with the pedestrian crossing on West 40th Street and Dyer Avenue will be resolved in favor of pedestrian safety.

Sustainability Measures

- Please confirm that solar panels and green roofs (with consideration to open, public space) will be installed that exceed the requirements of LL 97. Alternately, or in addition, consider implementing green public space to maximize the roof top green use.
- Please confirm that all bus gates and parking slots in the facility will be equipped with level 3 EV charging stations and include a separate public access level 3 charging station area.

Historic Preservation

Please confirm that the art deco lighting towers, and portions of the brick portal walls from the north tube entrance of the Lincoln Tunnel be salvaged, relocated, and repurposed as design elements in the new proposed public open spaces between West 37th and West 39th Streets, Ninth to Tenth Avenues.

CONCLUSION

The Federal-Aid Highway Act of 1956, which authorized what was then the largest public works program in U.S., came at a huge cost to America's poorer, urban communities.⁴ According to estimates from the U.S. Department of Transportation, more than 475,000 households and more than a million people were displaced nationwide because of the federal roadway construction in the late 1950s, which aimed to connect the emerging suburbs to downtown centers. Highways cut through dense, often poor neighborhoods, upending the pedestrian landscape, and worsening air quality. Communities lost churches, businesses, and homes. Hell's Kitchen was no exception. Hundreds of residential buildings were demolished, thousands of residents were displaced during the Port Authority of New York and New Jersey's construction of the Lincoln Tunnel, completed in 1957, the current bus terminal, and the terminal access ramps.

Sixty years after the Highway Act was authorized, the Port Authority of New York and New Jersey came to a community meeting at the Metro Baptist Church on West 40th Street to propose another large-scale program: a new bus terminal in Hell's Kitchen at the cost of more demolition of the neighborhood of Hell's Kitchen.

The community members gathered on the night of April 18th on West 40th Street spoke with one voice: this would not happen again. No eminent domain. No demolition of homes. To its credit, the Port Authority listened, and ultimately agreed: The new terminal and storage facility and ramps would be constructed entirely on Port Authority property.

⁴ New Visions for Public Affairs, Vol. 7, April 2015

Highway to Inequity: The Disparate Impact of the Interstate Highway System on Poor and Minority Communities in American Cities

David Karas, University of Delaware. <https://www.ce.washington.edu/files/pdfs/about/Highway-to-inequity.pdf>

The community also insisted the neighborhood, east to west, north to south, be knitted back together, with Hell’s Kitchen north and south of 42nd Street connected once again by its Main Street — Ninth Avenue — as it had been when the historic Paddy’s Market, stretching along the Avenue from 35th to 42nd Streets, served a vital and thriving community.

Again, to its credit, the Port Authority listened and agreed to work with this community board and the community it represents to achieve that end — to make the new terminal and storage facility fit into the fabric of the neighborhood through contextual design, environmental responsibility, pedestrian safety, and community integration.

By removing bus traffic from neighborhood streets and developing new open green spaces the Port Authority will make a lasting and greatly appreciated contribution to the health and well-being of the community. But we must not lose sight of the immense scale and scope of the proposed project. It will disrupt this community for a decade and permanently alter the neighborhood. It will bring thousands of new workers to an already densely crowded Midtown. It will create new traffic patterns and necessitate new traffic calming and mitigation efforts. It will alter view corridors on Ninth and Tenth Avenues and add large, even massive, new structures to a predominately residential neighborhood.

We cannot undo the harm inflicted on this community in the past. But we can recognize that harm was done and make every effort this time not only to make sure the neighborhood is not harmed but to ensure the neighborhood is improved.

That’s why it’s critical to work together, Port Authority, MCB4, and city agencies, to resolve outstanding issues and complete the mitigations enumerated in this letter. These mitigations will not hamper the completion of the project. They will, in fact, make the project a positive one for the community and a success for the Port Authority.

Manhattan Community Board 4 remains grateful for our productive engagement with the Port Authority team. We and the community look forward to continuing this valuable collaboration as the project moves forward.

Sincerely,



Jessica Chait
Chair
Manhattan Community Board 4



Jean-Daniel Noland
Co-Chair
Clinton/Hell’s Kitchen
Land Use Committee



Paul Devlin
Co-Chair
Clinton/Hell’s Kitchen
Land Use Committee

Cc: Hon. Jerry Nadler, U.S. Congressman
Hon. Brad Hoylman, NYS Senator
Hon. Tony Simone, NYS Assembly Member

Hon. Erik Bottcher, NYC Council Member
Hon. Mark Levine, Manhattan Borough President
Rick Cotton, Executive Director, PANYNJ
Veronica Vanterpool, Acting Administrator, Federal Transit Administration