



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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October 17, 2011

Robert Dobruskin, AICP
Director
Environmental Assessment and Review Division
Department of City Planning
22 Reade Street, Room 4E
New York, NY 10007

**Re: Draft Scope of Work for SEIS
625 West 57th Street**

Dear:

Manhattan Community Board 4's (CB4) Clinton/Hell's Kitchen Land Use Committee (C/HKLU) appreciates the opportunity to provide comments for the Supplement Environmental Impact Statement for 625 West 57th Street. At the recommendation of C/HKLU, CB4 adopted the following letter at its meeting on October 5, 2011.

Background

DFR 57 LLC (the "Applicant") proposes a rezoning of a portion of the block bounded by West 57th and West 58th Streets, between Eleventh and Twelfth Avenues in Manhattan, along with special permits, modifications to existing special permits and a restrictive declaration and other related land use actions, to facilitate the development of approximately 1,076,400 square feet of residential, commercial, community facility, and parking uses. The eastern portion of the block is already developed with a residential building with ground floor retail and parking uses and a building with mini-storage uses. The entire block was the subject of a previous Environmental Impact Statement and Land Use Approval in 2001.

In order to develop the proposed project, discretionary actions from the New York City Planning Commission (CPC) are required. Therefore, the proposed project is subject to environmental review under City Environmental Quality Review (CEQR) regulations. Because development of the proposed project may potentially result in significant adverse environmental impacts that were not identified in the 2001 FEIS, a Supplemental Environmental Impact Statement (SEIS) will be prepared. A draft scope for the SEIS has been prepared to describe the proposed project, present the proposed framework for the SEIS analysis, and discuss the procedures to be followed in the preparation of the draft SEIS (DSEIS).

The 2001 FEIS identified three potentially significant impacts and proposed mitigation measures – hazardous materials, noise and traffic and transportation. Ten years have passed since the FEIS and these tasks need to be re-studied and new mitigation measure need to be presented. None of these issues have improved in the last ten years.

The Draft Scope of Work for the SEIS (Draft Scope) does not consider the Helena part of the proposed project. CB4 requests that the two projects be viewed as one development for the purposes of determining if the development meets the threshold for analysis or mitigation. In addition, the SEIS needs to taken into consideration the Eleventh Avenue Re-Zoning and potential residential that may be developed in the area in the coming years.

The following are specific comments on several of the individual sections discussed in the Draft Scope:

Land Use, Zoning, and Public Policy

The statement, on page 11 of the Draft Scope, that “the proposed project would not introduce a population with higher average incomes compared to the average incomes in the study area...” may be valid if the study area is as narrow (1/4 mile) as it is. But it's important to include the lower-income Clinton/Hell's Kitchen community south and east of the development. Therefore, the study area for describing predominant land use patterns should be extended from 1/4 mile (five blocks) to at least 1/2 mile (ten blocks).

The Draft Scope must also consider the effect of the lack of production of any permanent affordable housing by the project. The proposed re-zoning must include provisions for permanently affordable housing through inclusionary zoning to mitigate the project's effect on the existing socio-economic demographic.

Socioeconomic Conditions

The Draft Scope indicates that there would be no indirect residential displacement because the projected median incomes of residents are likely similar to the new developments within a 1/4 mile. CB4 requests that the analysis use the existing area median income, not just the median income in new developments. The SEIS should look at indirect displacement.

Community Facilities and Services

Since the project would not exceed the CEQR threshold of 901 units, the Draft Scope states, on page 12, that there would not be “any significant adverse impacts to public high schools, publicly funded child care facilities, public libraries, police and fire services, or health care facilities, and no further analysis is warranted.” But there are other developments in the area and together they will have a significant impact. In addition, the SEIS should recognize the potential increased residential population expected with the recent Eleventh Avenue Rezoning. Therefore the study must consider the cumulative impact of area development.

Shadows and Urban design and Visual Resources

Special attention should be placed on these tasks given the irregular and unusual design of the proposed building.

Natural Resources

The SEIS should consider the potential adverse impact of glass on resident and migrating birds. Glass, especially in windows which reflect trees or sky and windows which show indoor plants, is deceptive: it is not seen by birds as a solid barrier. The NYC Audubon Society estimates 90,000 birds, from over 100 species, are killed each year in the city by flying into glass. The SEIS should examine potential strategies which protect wildlife by integrating bird-safety features into the design of the proposed project, strategies which might also have the benefit of complementing the LEED Green Building Rating System.

Transportation

At the outset, CB4 requests that the study area be expanded to include Tenth Avenue and Ninth Avenue for West 54th, West 55th and West 56th Streets. Further, using the 2001 rezoning, as amended in 2004, as the “no-build” scenario, particularly as it relates to traffic and transit use, is not appropriate and underestimates the affect this project can have. Therefore, CB4 requests that the current condition be used as the “no build” condition. It is important to note that in the traffic analysis, the number of subway trips in the AM, PM, and Saturdays, if using the current condition, exceeds the 200 threshold. However, the net increase under the “no build” condition does not. The same is true for walking trips in PM and Saturdays. This decision of what to use as the “no build” condition would also affect the number of intersections that meet the 50 vehicle threshold. Therefore, CB4 requests that the SEIS use the net increase from the current condition to establishing the subway/bus/walking and vehicle threshold.

The assumed numbers for taxi usage are very low for entering and exiting the building, particularly for PM hours. A market-rate high rise located as far from the subway as the project is, might require a more unique methodology than is usually used for estimating taxi usage. Thus, CB4 requests that more intersections be studied in the SEIS.

Even an incremental increase of cars turning from West 57th Street onto 12th Avenue could have a substantial affect on traffic, particularly if the traffic light timing affects northbound traffic on the West Side Highway ramp. CB4 requests that this be carefully examined in the SEIS. Additionally, having entrances and exits on both West 57th and West 58th Streets increases the potential locations for vehicle/pedestrian/bicycle encounters and creates more safety issues. Moreover, a scheme that only permitted one entry would have the likely impact of increasing open space. Thus, CB4 requests that the SEIS study the feasibility of having only one entry/exit for the project, preferably on West 58th Street.

Construction Impact

CB4 is concerned about the impact of construction in the area on several fronts: noise, air quality, transportation, etc and requests that a holistic approach be taken in looking at these impacts. Moreover, CB4 requests the formation of a construction task force, which would include representatives from the

Applicant, CB4, all the involved public agencies and local residents, representatives from the community and local businesses (especially those facing possible displacement), which would help ameliorate concerns before they arise. The construction impacts must be mitigated to the greatest extent possible. The task force would begin work prior to the start of construction and should continue to meet regularly throughout the period of construction.

Infrastructure

The Helena has 597 units and the Proposed Pyramid has 863 units, which exceed the 1,000 unit threshold. As previously requested, the SEIS should consider the Helena part of the proposed project. If the proposed residential units for the project and the Helena are combined, they exceed the 1,000 unit threshold for “generation of wastewater”.

Alternatives

One alternative which should be looked at is the 399 car garage special permit. CB4 has a policy against non-accessory parking and there are several parking lots in the area.

Sincerely,



Corey Johnson, Chair
Manhattan Community Board 4



Elisa Gerontianos, Co-Chair
Clinton/Hell’s Kitchen Land Use Committee

[signed 10/17/2011]

Gretchen Minneman, Co-Chair,
Clinton/Hell’s Kitchen Land Use Committee

cc: Douglas Durst, Helena Durst - DFR 57 LLC
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