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East Midtown Rezoning -- Scope of Environmental Review

My name is Lawrence W. Scheyer. I am a member of Manhattan Community Board Six, and serve on the Land Use & Waterfront Committee as well as the Public Safety, Environment and Transportation Committee. However, I am testifying as an individual. This is because the Board can only take a position by a formal resolution voted on at a monthly meeting of the full Board. The timing and accelerated schedule of the East Midtown Rezoning proposal is unfortunate because the fifty-member Board does not hold meetings during the summer. Therefore no such resolution has been enacted to date.

I believe CB6 had not been allowed adequate time to properly review and vote on the proposed Scoping before the Department of City Planning's September 28, 2012 public hearing, although the Land Use committee held special meetings in July and August and received presentations by representatives of the Department of City Planning. On October 1st – after the date of the September 28, 2012 public hearing and in the middle of the period for receipt of written comments -- City Planning made an additional presentation to CB6's Land Use Committee featuring representatives of the MTA who provided brand new information about proposed changes to the existing public transportation infrastructure, an area that will be severely impacted by the proposed rezoning.

There is so much to cover, and so little time. Therefore, I will give particular emphasis to absolutely critical transportation-related impacts of the proposal.

Task 2. Land Use, Zoning, and Public Policy: Midtown Manhattan, particularly East Midtown, is one of several immensely important commercial districts in New York City, and it features iconic buildings like Grand Central Terminal, the Chrysler Building the Pan Am (now Met Life) building, and the CitiCorp Building. But, a century ago – before there was a NYC Zoning Resolution – for all practical purposes, development in this area was defined, and physically limited, by the New York Central Railroad's development of Grand Central Terminal and its template for its immediate physical environs at the intersection of crossing subway lines. Then, in 1929, designs were drawn up for a city-owned four-track Second Avenue Subway and to tear down the ageing Second Avenue and Third Avenue Elevated trains and to open up those avenues for development. The elevateds closed in 1940 and 1955, respectively, and many of the small walk-up tenement buildings immediately adjacent to that area were replaced by larger,

modern buildings. But, loss of dedicated funding time and again caused deferral of construction of the Second Avenue Subway (and even led to its reduction in scale to the currently-planned two-track format). That is the major cause of the severe overtaxing we have of the capacity of the Lexington Avenue subway – the only East Side north-south rapid transit artery that remained. (It might be noted that there recently was introduced Select Bus Service on First and Second Avenues – but such service is just a half-measure, and an inadequate substitute for the capacity that a proper subway will provide.)

About a half a century ago, City planners realized there was tremendous on-street (as well as the underground) congestion in the built-out Grand Central area that caused multiple unresolved problems. So, the City began to actively follow a policy of encouraging the development of several decentralized business districts (as New York City is blessed with more than one major transportation hub). In each case there was in place in advance of development, existing infrastructure supportive of what was proposed. Mayor John V. Lindsay's Mayor's Development Offices began to encourage investment in diverse places like Lower Manhattan, Downtown Brooklyn, and Jamaica, Queens. In 1982 the Special Midtown District was established explicitly to "achieve balanced growth by stabilizing the East Side Core while encouraging development in West Midtown." Later, re-zonings in Long Island City, Downtown Brooklyn, Hudson Yards, the Brooklyn and Queens East River waterfront, and elsewhere have sought to advance this policy. At the same time, the bi-state Port Authority of New York and New Jersey and the New York State Urban Development Corporation (and its successor agencies and their subsidiaries) advanced major planned projects including, the World Trade Center, World Financial Center, Times Square redevelopment, Queens West, and Atlantic Yards (in Brooklyn).

The zoning proposal for East Midtown seems to be a reversal of course.

Before the proposed zoning change is put in place to encourage private investment in commercial real estate with replacement of and increases in building density – resulting in more people occupying them – there needs to be a thorough market and economic study that includes up-front initial public investment in infrastructure, particularly transit, but also includes upgrades to water and sewer services. In addition, required replacement and capacity upgrades to privately-owned utilities, including gas, electric, steam, and telecommunications facilities should be considered. There must be real and compelling justification for this reversal of the City's clear and consistent policy since before 1982. Such analysis also ought to look at the other regional business centers located just outside of the political jurisdiction of New York City, including Hoboken, Jersey City, Newark, White Plains, Yonkers, and Stanford.

The scoping of the environmental analysis needs to recognize that our East Midtown district does not exist – isolated from all else – within the precise boundaries drawn on a map, and the impact of what happens here concerns not only that area marked on the map. The City's new effort to re-directing the focus of real estate development to East Midtown it will have a major impact on competitive efforts to encourage real estate development elsewhere.

Also, since City Planning indicated most of the existing available Grand Central

special district density increases have not been utilized, there needs to be a comparative analysis between what building densities exist now (both in reality and theoretically under the Zoning Resolution) and the increased density that will be possible with a full build out using the supposedly easier-to-use proposed new zoning provisions. That's the capacity we need to plan for.

Task 11. Energy: Analyzing the energy impacts on East Midtown is somewhat different from other areas because its development sites are already occupied by large buildings having significant embodied energy requirements. An appropriate study in the proposed scoping should compare the life-cycle energy budget of renovating or enlarging an existing building with that of demolishing and replacing it.

The proposed scope seems to limit its analysis to the energy required to operate buildings. It does not discuss the energy required to demolish or construct buildings and does nor does it address the energy embodied in existing buildings.

Because large buildings dominate most sites in East Midtown, as compared to vacant lots or relatively small buildings, it is important to compare the energy cost to renovate (or even enlarge) existing buildings to that of replacing them.

A life cycle analysis would consider the embodied energy of the existing building, including the energy used to create, transport, and erect the old materials, the energy to demolish and dispose of the existing structure, and the energy to create, transport, and erect the new materials, compared to the energy needed to renovate the existing building, and it would also compare the relative energy costs to operate a new building versus those of a renovated building.

A similar analysis considering sites in other commercial districts with vacant or lightly developed sites, such as Hudson Yards or Long Island City's Queens West development, would contrast the energy budgets of replacing large buildings versus replacing small buildings.

Because of the environmental degradations caused by major heavy construction work, a case can be made that the greenest buildings are those that already exist and, without prejudging the analysis, there may be sufficient energy-related reasons for encouraging the reuse (and improvement of the energy profile without major demolition) of many of the large buildings now existing on sites in East Midtown and the construction of major new buildings on less developed sites elsewhere.

Task 12. Transportation: The key reason East Midtown is so attractive to tenants and developers is the centrality and accessibility of this location during the century that followed the opening of Grand Central Terminal (and the related Terminal City buildings in air rights over covered rail yards) almost a hundred years ago.

Scoping should provide for a serious and thorough analysis of the existing transit capacity constraints. Critically important, as the MTA pointed out to the CB6 Land Use and Waterfront committee on October 1st, Transport For London has determined it is necessary periodically to prevent passengers from entering some

of its Underground stations to allow clearing of platforms, stairways, and corridors and alleviate unsafe levels of crowding. (Is the emergence of this problem in London related to the city's aggressive pursuit of large new buildings – which the Department of City Planning would seek to have New York emulate?)

MTA planners shared with the Committee some ideas they have been working on for making improvements to the passenger experience in its existing public transportation infrastructure, including (partially funded) construction of additional stairways to subway platforms at the Lexington Avenue line at Grand Central Station, and an (unfunded) new fare control entrance from Grand Central Terminal, which will improve the flow of passengers to and from the subway platforms below and facilitate a less congested transfer between the Lexington Ave. (4,5,6) and Flushing-Times Square (7) lines. In addition, a bypass ramp (also unfunded) is proposed for a more direct connection from the subways to the LIRR East Side Access terminal. Other (unfunded) MTA proposals for improvements to increase capacity at the study area's other subway stations include physically carving out adjacent underground spaces for stairways and escalators at the 5 Av station, and for the connection between the Lex Av and 51 St Stations. These MTA proposals are necessary improvements, and there are plans for them, and they should be discussed in the scoping document. But, they are not realistic unless there is a dedicated source of funding available in advance. Therefore, the scoping document must also cover what happens if unfunded (or underfunded) projects will not be in service before the new buildings sought to be promoted by the zoning change are occupied.

There are several major-impact transportation projects in the process of being constructed, or being planned, which (directly and indirectly) concern the East Midtown area. They should all be included in the scoping:

1) East Side Access. When a new "station" opens around 2018 beneath the current two levels serving Metro-North trains at Grand Central Terminal, some LIRR trains will be diverted from their terminus at Penn Station to Grand Central Terminal, and this will generate additional foot traffic in the study area, as well as providing potential tenants for new buildings. However, many travelers arriving at Grand Central from Long Island will not be working within walking distance, and they will still need to take a subway to get to and from their destinations. Because the Midtown segment of the Second Avenue Subway will not be opening in tandem with East Side Access, this likely will strain the maximum capacity of the Lexington Ave. IRT (4,5,6) subway line.

Secondarily, the diversion of LIRR trains will provide new capacity back at Penn Station, and NJ Transit will be able to bring in more trains from New Jersey to the freed-up platforms. Many of these people will travel from Penn Station to the proposed East Midtown rezoning area in the ways we are familiar with: (a) via the 8th Ave. IND (E) train to the 5th Ave. or Lexington Ave. stations, or (b) via the West Side 7th Ave. IRT (1,2,3) trains to Times Square, with a transfer on the Times Square-Grand Central (S) Shuttle or the Flushing IRT (7) line to Grand Central station. Ridership on the 7 train is also expected to increase when the extension to the Javits Center opens, and the development accelerates in and around the West Side Yards, but this increase in demand will be mitigated

somewhat because Communications Based Train Control (now being installed) will allow the running of more trains on the 7 line. But, we must not forget increased train frequency of the 7 train will also increase the number of passengers seeking to transfer with the Lexington Ave. subway at Grand Central Station.

2) Amtrak's "Gateway Program". In the aftermath of New Jersey Governor Christie's cancellation of NJ Transit's project that would have built two new trans-Hudson rail tunnels and a "cavern terminal-beneath-Macy's" north of 34th St. adjacent (but unconnected) to Penn Station (a/k/a "ARC"), Amtrak is proposing construction of a pair of new trans-Hudson rail tunnels of its own (which would be shared with other railroads), that double the capacity of the existing two tunnels, and provide four to six new tracks beneath an adjacent parcel of property along the southerly edge of Penn Station, adding significantly to capacity. It would be in use by approximately 2025. (See, http://lautenberg.senate.gov/assets/Gateway.pdf) This raises the question, how many of the passengers on the additional new train arrivals will be continuing on to the East Midtown rezoning area?

3) Rail Connection of Grand Central Terminal and Pennsylvania Station. NYC's two most important railroad stations will finally be connected, with through-running long distance high speed trains accessible at Grand Central. (See, http://www.amtrak.com/ccurl/453/325/Amtrak-Vision-for-the-Northeast-Corridor.pdf) This project provide East Midtown direct rail access to every important destination along the Eastern Seaboard and, consequently, it will maximize the development potential of the proposed East Midtown rezoning area. Concurrently with its planning for Gateway, Amtrak has recently started designing a true high-speed rail corridor between Washington, New York and Boston, dubbed "NEC NextGen HSR" (Northeast Corridor Next Generation High Speed Rail). My understanding is that as part of the project's final phase (linking New York and Boston between 2030 and 2040 along a straighter, dedicated HSR right-of-way), a through-track rail tunnel link will be bored to connect the LIRR's new tail tracks being constructed at Grand Central (as part of East Side Access) with the lower level of new tracks and platforms proposed to be constructed at Penn Station during the Gateway Project. About a decade ago, while the NJ Transit ARC project was being conceived and developed, a link to Grand Central was also proposed "to tap the highly skilled labor pool in New Jersey and provide these potential employees direct access to the Grand Central area". (See, the proposed alignment in "Alternative G": http://www.rrwg.org/altgirum.pdf) It was not the alignment chosen, and one reason many rail advocates were not unhappy to see the demise of the very ill-conceived ARC project. (The benefits achieved of having two new rail tunnels beneath the Hudson River, and in use this decade, were negated by an indefensible lack of interconnectivity with other railroads using Penn Station.)

The precedent in the United States for the connection I'm describing was construction of the Center City Philadelphia rail tunnel linking the geographically separated major downtown rail terminals of the Pennsylvania and Reading Railroads, two once-competing railroads. (Completed in the early 1980's, and coupled with a rezoning that followed, it helped spur development of the iconic

new tall buildings on Center City's skyline.) A similar connection was planned between North Station and South Station in Boston. It even was incorporated in the plans for the "Big Dig". (It should be noted that the rail connection was included as the major component of the required environmental mitigation for the highway project. It was controversially defunded as costs escalated, but room for it was supposed to have been reserved to construct it later on.) Now, in a happy coincidence with the death of the ARC project, Amtrak has revived the idea of connecting Grand Central Terminal and Pennsylvania Station – as part of its vision for true high speed rail service along the Northeast Corridor.

4) Second Ave. Subway. The (so-far unrealized) plan is to continue the Second Avenue subway south of 63rd St. along the East Side, including a physical connection with Grand Central Terminal and its subway stations. (See, http://www.mta.info/capconstr/sas/description.html) It should be noted that the Second Avenue subway, when it was originally designed in 1929, was a four track trunk line, with express and local service, intended to replace the capacity of two elevated rapid transit train lines and bring daylight to the darkened the streets . The removal of the Els opened up a mid-century wave of real estate development, but the lack of coordinated construction of the Second Avenue subway has left East Midtown jammed-up to this day. (See, http://www.mta.info/capconstr/sas/background.html).

East Midtown lost its 2nd Ave. El trains in 1942. The 3rd Ave. El ceased operations on May 12, 1955, and their ancient steel superstructures were carted away. After decades of starts and stops and redesigns and postponements due to funding drying up for various reasons, the project was mothballed in the early 1970s. When the project was resurrected in its current incarnation, the MTA broke the "full build" construction of the Second Avenue subway down into a consecutive series of four smaller, incremental construction projects. It is presently working on Phase 1, a segment from 96th St. down to, and connecting with the presently unused pair of crosstown tracks in the 63rd St. tunnel to connect with the BMT Q train express tracks at 57 St. (7th Ave.). (The Long Island Railroad's East Side Access will utilize the 63rd Street tunnel's lower level.) Please note that the continuation of the Second Avenue line southward through Midtown toward the Financial District (including the tie-in to Grand Central) is delayed to Phase 3, which will be constructed after a northerly Harlem terminus is built. (Unfortunately, the MTA currently is providing no estimation about when it will start to seek funding for this phase of construction.)

5) 42nd St. Trolley. Another interesting transportation proposal that should be mentioned in connection with the scoping is Vision42's (George Haikalis' group's) idea for creating a pedestrian-oriented crosstown 42nd St. trolley corridor. (See, http://www.vision42.org/ . Mr. Haikalis has made a presentation of this concept to CB6 in the recent past, most recently in connection with the 34th St. transitway. Vision42 encourages making the open space along 42nd St. more park-like. This could be a greater benefit to more people than are the proposed park-like enhancements proposed by City Planning for Vanderbilt Avenue, which is out of one's way for most. A non-polluting and wireless electric tram will also swiftly and quietly whisk people along and bring them to the places they want to go – river to river – along the 42nd St. corridor (including Times

Square, the New York Public Library and Bryant Park, the Port Authority Bus Terminal, and New York Waterway's ferry terminal, the United Nations and, of course, Grand Central Terminal).

In addition to the impacts of these public transportation projects, other transportation initiatives should be considered for reducing commercial vehicular congestion in the area, such as requiring businesses to take mostly after-hours street truck deliveries, and requiring new buildings to be designed with internal bays to be utilized by delivery and service vehicles.

Another topic which ought to be covered is the possibilities for widening the people-clogged sidewalks along Lexington and Madison Avenues. What must be considered is the impact of adding new people to the neighborhood the impacts are of too-crowded sidewalks.

Task 20. Alternatives: The unfulfilled development potential that has been cited in regard in the special development subdistrict which currently exists around Grand Central Terminal could be dealt with by eliminating the difficult-to-use development right provisions, and starting fresh. It is important to emphasize new buildings being providing direct connections with the pedestrian concourse system of Terminal City serving Grand Central and the adjacent buildings. Moreover, the boundaries of the area within which greater FARs are allowed should be adjusted to correlate just to buildings touched by or involved in making actual improvements to the public realm.

The affected sites should be included in an urban design plan that explicitly directs placement of the new developments, so as to seamlessly integrate it with existing Grand Central Metro-North facilities, including North End Access, the East Side Access LIRR facilities, especially its concourse under Vanderbilt Avenue, the subway complexes, the various connecting buildings, and providing new entrances to the adjacent streets and new buildings in order to maximize the synergy and the predictability of the many improvements. The plan should direct or provide incentives to further extend existing subsurface corridors, and create direct building-to-subway, and building-to-LIRR East Side Access entry points.

I would hope these issues will all be fully considered.

Thank you for the opportunity to discuss these important topics with you.