

APPENDIX B

**WRITTEN COMMENTS RECEIVED ON THE
DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)**

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
Uniform Land Use Review Procedure
PSACII-Marconi Street Mapping
December 2, 2008
Application Numbers: C 080197 MMX, C 090070 PCX

DOCKET DESCRIPTION

CD 11

C 080197 MMX

IN THE MATTER OF an application submitted by the New York City Police Department, Fire Department, Department of Information, Technology and Telecommunications, Department of Design and Construction, and Department of Citywide Administrative Services, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment of the City Map involving:

- The establishment of Marconi Street north of Waters Place;
- The adjustment of grades necessitated thereby; and
- Any acquisition or disposition of real property related thereto;

Community District 11, Borough of The Bronx, in accordance with Map No. 13122 dated August 11, 2008, and signed by the Borough President.

C 090070 PCX

IN THE MATTER OF an application submitted by the NYPD, NYFD, DOITT, and DCAS, pursuant to Section 197-c of the New York City Charter, for the site selection and acquisition of property located at 1200 Waters Place (Block 4226, Lot 72 and p/o Lots 40 and 55) for use as a public safety answering center.

BRONX BOROUGH PRESIDENT'S RECOMMENDATION
Uniform Land Use Review Procedure
PSACII-Marconi Street Mapping
November 19, 2008
Application Numbers: C 080197 MMX, C 090070 PCX

BACKGROUND

PSACII Project Description

The September 11, 2001 terrorist attacks highlighted the need for a comprehensive network of telecommunications which must function under every conceivable circumstance. In this context the City agencies primarily responsible for securing public safety, the Police Department (NYPD) and Fire Department (NYFD) have identified a need for a new Public Safety Answering Center II (PSACII) to serve as backup to the current facility in downtown Brooklyn. The proposed location lies within the Hutchinson Metro Center in Community Board 11, in an M1-1 district.

The primary function of this proposed facility is to parallel the emergency 911 functions located in Brooklyn and if necessary serve as the city's primary emergency call facility. The building would contain 640,000 square feet and rise approximately 374 feet with 14 stories plus one below grade cellar level, on a 41,160 square foot footprint. Construction is anticipated to commence in 2009 and conclude in 2012.

Under normal circumstance PSACII would function twenty four hours, seven days per week employing approximately 850 people in several shifts of up to 315 employees each. In the event of an emergency PSACII is designed to accommodate a total of approximately 1,700 employees, an increase to 630 persons per shift.

A 630,000 square foot garage dedicated exclusively to PSACII would accommodate 500 vehicles on three levels rising approximately 35 feet. It would replace an existing asphalt lot containing 513 spaces that now serve the Hutchinson Metro Center. The new structure would be accessible from the proposed Marconi Street through a gated security entrance. A staffed security office within the garage would screen all visitors and staff before allowing access to the building's main entrance located on its southern façade.

The site consists of 13.08 acres, 8.75 acres for the proposed building and surrounding land (Block 4226, Lots 75, p/o Lots 40 & 55) plus 4.33 acres for the proposed public right-of-way to be known as Marconi Street, (Block 4226, part of Lots 30, 35 and 40). This vacant, bell-shaped parcel comprises the northernmost portion of the Hutchinson Metro Center. Marconi Street would replace the privately owned unmapped Industrial Street and run parallel to the site's western property line, originating at Waters Place and terminating at the southwest corner of the site.

One notable topographical characteristic of the site includes a gully located towards the property's southern boundary. This gully reduces the perceptible height from 374 feet to 340 feet, allowing for the garage structure to be landscaped, thereby appearing to be below grade.

The property contains a substantial number of mature trees. As the site lacks frontage on a public street, it is accessible only via a tree lined asphalt pedestrian path between Pelham Parkway and the off-street parking lot serving the Hutchinson Metro Center. The proposed Marconi Street would provide pedestrian and vehicular access.

Vehicular access to Hutchinson Metro Center complex is limited to Industrial Street, a two-way private roadway approximately thirty feet wide, extending north of Waters Place from a signalized intersection on Eastchester Road.

The NYPD intends to staff a security entrance designed to monitor vehicular and pedestrian access. A security fence approximately six feet high would encircle the site. The existing pedestrian path on the site's western boundary would remain outside the security fence, widened from its current twelve foot width to approximately twenty five feet enabling to enable emergency access/egress. A staffed security both at the northern terminus of the pedestrian path would monitor activity.

Surrounding development includes a range of residential, institutional, office and industrial buildings. Hutchinson Metro Center tenants include such professional and non-profit entities as Mercy College, Visiting Nurse Service, the Internal Revenue Service, medical facilities and business offices. Low-rise warehouses that include food manufacturing facilities are situated south and west of the proposed development as are retail stores fronting on Waters Place. High-rise buildings accommodating the Albert Einstein and Jacobi Medical complex are located southwest of the proposed site. Residential development within a one mile radius of the PSACII site is situated north, east and west. The scale of this development includes one and two family homes east of the site as well as mid rise and high rise buildings to the north and west.

SITE HISTORY

In 1999, the State of New York determined to dispose of certain psychiatric facilities deemed surplus properties. In this context the Empire State Development Corporation on behalf of the Dormitory Authority of State of New York (DASNY) sold 20.9 acres of the 32 acre Bronx Psychiatric Center campus including the Bronx Developmental Center building. Disposition to a private developer was accomplished pursuant to bidding. This site has since been transformed into the Hutchinson Metro Center, an office complex consisting of 985,000 square feet including one 12 story tower now open, a second 12story tower under construction, and plans for two additional towers. Ultimately, Hutchinson Metro Center plans 1.9 million square feet of Class A office space.

PROPOSED ULURP ACTIONS

Amendment to the City Map (C 080197 MMX)

The City proposes to map Marconi Street an official street at a width of 60 feet for approximately 1,670 feet distance and 50 feet for approximately 1,300 feet. This new mapped street would replace the privately owned unmapped Industrial Street and function as a two-way north south road between Waters Place and a cul de sac directly south of the proposed development site. The mapping of Marconi Street requires the purchase of approximately 167,000 square feet (3.8 acres) of privately owned property, including Block 4226, portions of Lots 30, 35 and 40. The area is bounded by the Bronx and Pelham Parkway, Waters Place, Hutchinson River Parkway, and Amtrak Right of Way. Part of the newly mapped street lies in an R5 district between Waters Place and the former Morris Park Avenue, and part in M1-1 district between the former Morris Park Avenue and the construction site.

Site Selection and Property Acquisition (C 090070 PCX)

This application concerns the site selection and authorization to purchase privately owned land for the PSACII facility.

DEVELOPMENT IMPACTS

Building Mass

PSACII would rise approximately 374 feet high, comparable to a 37 story residential building. In the Bronx, only the 41 story Tracey Towers exceeds proposed PSACII height. Within the Hutchinson Metro Center complex the tallest structure is Tower I, with 13 stories.

Shadows

The Draft Environmental Impact Statement (DEIS) notes that the longest shadow cast, 1,608 feet, on December 21st would be 4.3 times the height of the subject structure. This shadow would impact an area bounded by Astor Avenue on the north, Continental Avenue on the east, East 194th Street on the south and Stillwell Avenue on the west. June 21st would experience the shortest shadow cast. The proposed development would periodically shadow the Hutchinson River Greenway, Colucci Playground, and the mapped open space area that include the loop ramps of the traffic interchange for Pelham and Hutchinson River Parkways.

TRANSIT ACCESS

No subway access exists within ¼ mile of the site. A shuttle bus operated by the Hutchinson Metro Center connects the office park with the Westchester Square station of the Number 6 line on East Tremont Avenue. Westchester Square is also the junction for numerous bus lines. Access to the Hutchinson River Parkway, Bronx River Parkway and the New England Thruway, (I-95) are within a ½ mile of the site. Amtrak maintains Boston-Washington service on tracks located on the site's northwest boundary.

ENVIRONMENTAL REVIEW AND ULURP CERTIFICATION

This application was reviewed pursuant to CEQR and SEQR and received a Positive Declaration, meaning that the proposed project will have an adverse impact on the environment. The City Planning Commission certified these applications as complete on August 28, 2008.

COMMUNITY BOARD PUBLIC HEARING

Bronx Community Board 11 held a public hearing on these applications on September 25, 2008. A unanimous vote recommending disapproval of this application was 36 in favor of disapproval, 0 against and 2 abstaining with cause. The abstainers are New York City personnel, one member employed by the York City Police Department, the other by the Department of City Planning.

BRONX BOROUGH PRESIDENT'S PUBLIC HEARING

The Bronx Borough President convened a public hearing on these applications on October 16, 2008. Speakers representing the applicants spoke in favor of these applications. One member of the public spoke in opposition. There being no other speakers present, the hearing was closed.

BOROUGH PRESIDENT'S RECOMMENDATION

I agree that the City needs backup infrastructure to ensure uninterrupted communications during emergencies. Accordingly, I generally support the PSACII proposal. Nevertheless, I have several concerns with the form of PSAC II as currently proposed which must be addressed.

PSACII, one of the Bronx's tallest buildings at 374 feet, would stand in dramatic contrast to its low density surroundings. The additional traffic this project would generate may overburden Water Street, the only current access to the Hutchinson Metro Center office complex. Resolution of this problem requires due diligence on the part of the applicants, architects and traffic engineers as they consider installation of mass transit access and parkway ramps to the site. Such access must include Metro North rail service via a reactivated Morris Park station stop and on site bus service provided by the MTA. I support construction of ramp access directly from the Hutchinson River Parkway to the Hutchinson Metro Center. This ramp will dramatically reduce the impact of traffic on local streets.

This project will require a projected \$700,000,000 for construction plus \$300,000,000 for communications equipment, a total of approximately one billion dollars, most likely a conservative estimate. In the context of this large capital allocation, it behooves the City to invest relatively modest monies to reduce traffic congestion, noise and air pollution and to improve accessibility. Such investment appears even more justified when considering that the long term vision for the center includes a total of 1.9 million square feet of Class A, tax revenue producing office space.

My approval of this project is subject to the following conditions:

1. The Department of Transportation and Department of Parks and Recreation must commit reconstruct and improve all of Pelham Parkway.
2. Direct MTA bus service into the Hutchinson Metro Center via Marconi Street must be implemented as soon as possible, but no later than the PSACII opening.
3. The installation of an entrance-exit ramp between the Hutchinson River Parkway and the Hutchinson Metro Center facility must accompany construction of PSACII.
4. The City of New York and its construction contractors must commit to employ Bronx residents in construction and long-term jobs and support Bronx based suppliers and contractors the the Buy Bronx/Buy New York and Bronx-at-Work programs.
5. Construction practices for the project must utilize the most advanced technology for emission controls. These include low sulfur-emissions for on-road vehicles and electric vehicles for on-site use, compliance with Local Law 77 which requires City construction projects to use ultra-low sulfur diesel fuels and the best available emissions controls.
6. All concrete mixing must occur on-site to minimize truck traffic during construction and concomitant air and noise pollution.
7. A comprehensive traffic management plan, including a routing plan for construction related vehicles and long term circulation must be designed and implemented.
8. The City must commit to seeking reactivation of the Morris Park railroad station along with Metro North service to Co-Op City, Parkchester and Hunts Point. Within a ¼ mile radius of the PSACII site, this additional station stop would serve major Bronx institutions three of which include the Albert Einstein Medical Center, Mercy College, Jacobi Hospital.ⁱ
9. A landscape plan designed to minimize tree loss, especially the pine trees now lining the existing pedestrian path must be incorporated.
10. The City must commit to brief Bronx Community Board 11 and interested citizens on a routine basis during the construction period, concerning progress and issues associated with the project as raised by residents and neighboring institutions.

Subject to the above conditions I recommend approval of these applications.

ⁱ Major institutions and businesses within a ¼ mile radius of the PSACII site currently employ an approximate total of 5,000 people, including: Albert Einstein College of Medicine, Jacobi Hospital, Calvary Hospital, Montefiore Hospital, Westchester Square Hospital, Our Saviour Lutheran School, plus twenty eight business and professional offices at the Hutchinson Metro Center (Mercy College, Internal Revenue Service, Visiting Nurse Service of New York, New Bronx Chamber of Commerce, Automatic Data Processing and others)..



**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION**

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DIAL 311 Government Information
and Services for NYC

December 23, 2008

Inspector Anthony T. Tria
New York City Police Department
620 Circle Drive
Fort Totten, New York 11359

**Re: Public Safety Answer Center II
Block 4226, Lot 30
07NYP004X/ 07DEPTECH347K**

Dear Inspector Tria,

The New York City Department of Environmental Protection Bureau of Environmental Planning and Analysis (DEP) has reviewed the March 2008 Phase II Environmental Site Assessment prepared by Louis Berger & Associates on behalf of New York Police Department for the above referenced project. It is our understanding that the New York City Police Department is proposing to acquire private property to construct a 493,500 gross square feet 7-story building, a new accessory parking structure for 500 vehicles and a 2,000 gross square feet security control office in Pelham Parkway section of the Bronx, NY. The complex, Public Safety Answer Center II (PSAC II), would serve as the City's second emergency 911 service center. The proposed project would require approval for site selection for a public facility, acquisition of privately owned land by the City and an amendment to the City Map to map a public street.

The site is zoned M1-1, which is a manufacturing zoning district. The Phase I report revealed the southern portion of the site is occupied by at-grade accessory parking for the adjacent Hutchinson Metro Center office building to the south and the northern portion is occupied by vacant land that formerly accommodated two baseball fields (no longer functional, enclosed by fencing, largely overgrown with shrubs and partially overlaid with fill). An asphalt pedestrian walkway cuts through the center of the northern portion of the site providing a pedestrian connection between the Bronx and Pelham Parkway and the Hutchinson Metro Center Office Park. The site does not have any linear frontage adjacent to a public thoroughfare. Vehicle access to the site is provided from the south via Industrial Street, which is a private, unmapped roadway extending north from Waters Place for approximately 0.75 miles to the southern boundary of the site. The site was formerly marshland and that Westchester Creek ran through from north to south. Between 1897 and 1947, the site was filled in with material of an unknown origin. The northwest part of the Site contained a series of debris mounds (e.g. soil, concrete, asphalt). No buildings are present at the site. The immediate area surrounding the site supports a variety of low-density land uses on campus-like settings, including a mix of commercial and government offices and large institutional uses. Other prevalent land uses in the area consist of open space,

warehousing, light industrial and transportation related uses. Residential areas are typically located further to the north across the Bronx and Pelham Parkway and to the east across the Hutchinson River Parkway.

The New York State Department of Environmental Conservation (NYSDEC) database revealed forty-eight leaking tanks (LTANKS) within half a mile, twenty seven underground storage tanks (USTs) within one-quarter mile, and twenty five aboveground storage tanks (ASTs) within a quarter mile from the subject property.

- The March 2008 Phase II Environmental Site Investigation Report chooses to evaluate results via NYSDEC's Part 375 for Unrestricted Use along with some comparisons to TAGM 4046. It is unclear why Unrestricted Use was chosen, as this project is evidently more commercial in nature, but the results indicate that the site clearly does not meet requirements for Unrestricted Use. DEP recommends that the results be reevaluated utilizing a more appropriate end use scenario.
- As described in the Draft Environmental Impact Statement, a Remedial Action Plan and Construction Health and Safety Plan should be prepared and submitted to DEP for approval prior to the commencement of any construction activities.

Please include project number 07DEPTECH347K on all future correspondence and submissions for this project. If you have any questions or comments please feel free to contact Mitchell Wimbish at (718) 595-4451.

Sincerely,



Terrell Estes
Director, Office of City Project Review

cc: J. Wuthenow
M. Moinuddin
M. Wimbish
R. Burns – DDC
A. Sabet – DDC

PO Box 1000

Woodbourne, NY 12788-1000 01/0/09

December 26, 2008

FILE

01/0/09

Inspector Anthony Tria
NYC Police Department
620 Circle Drive
Fort Totten, NY 11359

Dear Inspector Tria:

Please provide me with a copy (paper only, no electronic media) of the Draft Environmental Impact Statement for the Public Safety Answering Center II project. As I do not have access to a computer, I am unable to visit your web site to obtain a copy.

Thank you in advance for your attention to my request.

Very truly yours,


Steven Finkelstein