

A. INTRODUCTION

This chapter of the Final Environmental Impact Statement (FEIS) summarizes and responds to the substantive oral and written comments received during the public comment period for the Draft Environmental Impact Statement (DEIS) for the Hunter's Point South Rezoning and Related Actions project. Public review began on April 2, 2008, with the issuance of the Notice of Completion for the DEIS. The public hearing on the DEIS was held concurrently with the hearing on the project's Uniform Land Use Review Procedure (ULURP) applications on August 13, 2008 at Tishman Auditorium, Vanderbilt Hall, New York University School of Law, 40 Washington Square South, New York, New York. Public notices advertising the date, time and location of the public hearing were published in the *City Record* on July 17 and again from July 28 to August 13, 2008 and in newspapers of general circulation in the potentially affected area, including *Queens Tribune*, *Hoy*, and *Daily News*. The comment period for the DEIS remained open until 5:00 P.M. on Monday, August 25, 2008.

Section B identifies the elected officials, community board and organization members, and individuals who commented at the public hearing or in writing. Section C, which is organized by subject area, summarizes and responds to each substantive comment made at the public hearing or received during the comment period. Where multiple similar comments were made on the same subject matter, a single comment combines and summarizes the individual comments. After each comment is a list of the people who made the comment, as referenced in section B. Where no further elaboration is required to address a comment, or where comments do not relate to the analysis of the proposed actions in the DEIS, the response provided is "comment noted."

B. LIST OF COMMENTERS

1. Queens Community Board 2, Recommendations, June 23, 2008 and June 30, 2008 and testimony at public hearing presented by Joseph Conley, Chair (CB2).
2. Honorable Helen Marshall, Queens Borough President, Recommendations, July 30, 2008, and testimony at public hearing (Queens BP).
3. Elena Conte, Pratt Center for Community Development, member of Queens for Affordable Housing Coalition, testimony at public hearing (Conte).
4. Hannah Weinstock, community organizer for Queens Community House, testimony at public hearing (Weinstock).
5. Alicia Vizueta, volunteer for Queens Community House, testimony at public hearing (Vizueta).
6. Victoria Hernandez, volunteer for Queens Community House, testimony at public hearing (Hernandez).

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7. Josefa Castro, Catholic Charities, testimony at public hearing (Castro).
8. Sara Lazo, member Our Lady of Sorrows Parish, testimony at public hearing (Lazo).
9. Reverend Monsignor Thomas Healy, pastor Our Lady of Sorrows Church, testimony at public hearing (Healy).
10. Ruben Rivas, member Our Lady of Sorrows Parish and Congregations United for Action, testimony at public hearing (Rivas).
11. Ericka Stallings, housing advocacy coordinator for The New York Immigration Coalition, represented by Miguelina Mercedes, Catholic Charities of Brooklyn and Queens, testimony at public hearing (Stallings).
12. Raul Rothblatt, testimony at public hearing (Rothblatt).
13. Richard Lee, Asian Americans for Equality, written testimony submitted at public hearing (Lee).
14. Jonathan Furlong, New York City Habitat for Humanity, written testimony (Furlong).
15. Edelberto Saltos, written testimony (Saltos).
16. Ingrid (no last name provided), written testimony (Ingrid).
17. Kathleen Smith, member of St. Paul the Apostle and Queens Congregations United for Action, written testimony (Smith).
18. Queens North Community Center, written testimony (Queens North Community Center).
19. Javier Ramirez-Baron, written testimony (Ramirez-Baron).
20. Real Estate Board of New York, written testimony (REBNY).
21. Mark Kivelevitz, Metropolitan Transportation Authority Bridges and Tunnels (MTABT), written comments provided by e mail, August 19, 2008 (MTA B&T).

C. COMMENTS AND RESPONSES

CHAPTER 1: PROJECT DESCRIPTION

Comment 1: The density of this project is out of character with the existing Hunter's Point South community to the east of the project sites. While Community Board 2 approves the proposed Hunter's Point South Rezoning and Related Actions project, such approval does not extend to other projects that may seek such densities at other locations within Community Board 2. **(CB2)**

Response: As part of the proposed actions, Site A would be rezoned to R10, a high-density residential district in which residential uses and community facilities are allowed, and Site B would be rezoned to R7-3, a medium-density residential district in which residential uses and community facilities are allowed. The proposed density on Site A is consistent with that of the Queens West development to the north of the site along the waterfront. The proposed density for Site B is less than that for Site A, in order to provide a transition from the

high-density development proposed for Site A and the Hunter's Point South neighborhood to the east. The proposed actions would apply only to Sites A and B and would not affect or change existing zoning in the Hunter's Point neighborhood.

Comment 2: No building, including its mechanical space, to be developed in the Special Southern Hunter's Point District should be taller than the Citylights building. **(CB2)**

Response: The proposed buildings would be substantially similar in height to the buildings currently constructed or under construction to the north as part of the Queens West development (which includes the Citylights building). The maximum envelopes and heights on each development parcel would be limited by the new special zoning district, which would specify the locations where towers are permitted and permit certain of the towers to be up to 400 feet tall, not including mechanical space (see Figure 1-12 in Chapter 1, "Project Description," of this FEIS and Figure 24-1 in Chapter 24, "Alternatives"). Therefore, these towers would be similar in height to the Citylights building, which is 390 feet, not including mechanicals. However, the proposed height and setback provisions for the residential towers would result in a smaller profile for the towers than those at Queens West.

Comment 3: The New York City Economic Development Corporation (NYCEDC) should emphasize the preservation of the local history of Hunter's Point and Long Island City, the restoration of the waterfront habitat, and the emergence of the local arts community in the programming of the site plan and open space. **(CB2)**

Response: These issues can be considered as part of the future design process for infrastructure and open space. Design of the waterfront park at Hunter's Point South will be a collaborative and participatory process subject to input from multiple stakeholders, including the community.

Comment 4: To maintain ongoing community involvement with the project, Community Board 2 should have representation with full voting rights on the Board of any development entity that is created to govern development and management of Site A. **(CB2)**

The Office of the Queens Borough President should be a member with full voting rights on any development entity that is created to oversee construction and implementation of the project. **(Queens BP)**

Local community and affordable housing experts and advocates should be represented and meaningfully involved in the decision-making regarding management of the development. **(Conte)**

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Response: The specific approach to development on Site A at the Hunter's Point South site is still being evaluated. Should a new development entity be created (e.g., a 501(c)(3) or Local Development Corporation [LDC]) to oversee and implement development, then that organization would include formal representation for Community Board 2 and the Office of the Queens Borough President.

Comment 5: The New York City Office of Small Business Services (NYCSBS) should develop a program to match Queens-based businesses to the procurement needs of the not-for-profit Local Development Corporation that may govern the development of Site A. For the duration of the development process beginning with the selection of the developer there must be an ongoing outreach effort that will inform and promote opportunities available to the community and M/WBE firms for the provision of goods and services for the project. **(Queens BP)**

Response: The development of Hunter's Point South (Site A) will be completed in a manner consistent with the City's M/WBE policies for procurement.

Comment 6: REBNY supports the redevelopment of Hunter's Point South as outlined in the plan before the Commission. We are excited that this portion of the Queens waterfront will be transformed into a well-designed mixed-use community that can be developed into 6,650 new housing units, 5,000 units on Site A and a possible 1,650 units on Site B. The project will also provide new waterfront open space, pedestrian and bicycle friendly streets and a location for ferry travel. **(REBNY)**

Response: Comment noted.

CHAPTER 3: SOCIOECONOMIC CONDITIONS

AFFORDABLE HOUSING

Comment 7: The provision of middle-income housing is very important to New York City; residents who can't find affordable middle- and moderate-income housing are leaving New York City and eroding the tax base. **(Queens BP)**

Response: Comment noted. See the response to Comment 8 below.

Comment 8: The project's mix of market-rate and affordable units should be changed to accommodate families with incomes below 80 percent of the Area Median Income (AMI). Specifically, the 60 percent affordable units should be distributed as follows:

- 1,500 units (50 percent) for 80 to 145 percent of AMI.
- 500 units for 50 to 80 percent of AMI.
- 500 units for 30 to 50 percent of AMI.

- 500 units for families earning below 30 percent of AMI.

The low-income units should be coordinated using Section 8 vouchers. **(CB2)**

Response:

The affordable housing crisis in New York City is not limited to low-income families but also extends to moderate- and middle-income families. As a result of the high cost of housing, the City is witnessing an exodus of its middle-income residents. A 2006 Brookings Institution study found that the City had the smallest proportion of middle-class families of any metropolitan area in the country. The study also found that the number of middle-income neighborhoods in the City had dropped from nearly 50 percent in 1970 to only about 30 percent in 2000, with New York City leading the trend in the disappearance of middle-income neighborhoods in cities. Another report by the City's Office of the Comptroller found that middle-income households were the most likely to leave New York City due to rising housing costs.

In recent years, the City has experienced a sharp drop in the number of units affordable to the middle class. According to *The State of New York City's Housing and Neighborhoods* report published by The Furman Center at New York University, between 2002 and 2005, the number of units available to households making 80 percent of U.S. Department of Housing and Urban Development (HUD) Income Limits fell by approximately 17 percent (205,000 units). While 58 percent of the City's rental housing was affordable to such a household in 2002, only 48 percent of the City's rental housing was affordable to that same household in 2005. City police officers, firefighters, teachers, nurses and construction workers, among others, are moving longer distances from their place of employment or leaving the City altogether to secure affordable housing.

Middle-income households have been difficult to serve due to the lack of State and Federal programs that target this population, and these households now suffer from the loss of thousands of Mitchell Lama units, a shrinking stock of rent-stabilized units, and the sale of existing middle-income bastions like Stuyvesant Town. Because current State and Federal housing subsidies, such as Low Income Housing Tax Credits and Federal Section 8 Rental Subsidies, predominately target incomes at or below 60 percent of HUD Income Limits, middle-income families are not eligible for the vast majority of affordable housing now produced. In addition, more and more affordable units, including those created under the Mitchell-Lama program, are now becoming market-rate units.

Hunter's Point South is an integral component of the City's New Housing Marketplace Plan (NHMP) to create and preserve 165,000 units of low, middle and moderate income housing. The \$7.5 billion plan is the largest municipal affordable housing effort in the nation's history. More specifically, Hunter's Point South is a key piece of the Middle Income Housing Initiative, which was

designed to be implemented on large-scale sites across the City to create 22,000 units of housing affordable to moderate and middle income New Yorkers.

In terms of affordability goals of the New Housing Marketplace Plan, the plan pledges 68 percent of the units for low-income families and 32 percent for moderate- and middle-income families. An in-depth survey of the incomes of New Yorkers who moved into units financed by the New Housing Marketplace Plan in Fiscal Year (FY) 2006 was completed. The study results, extrapolated to the first four years of the Housing Plan, show that overall, 76 percent of units have been rented or bought by low-income households, 9 percent by moderate-income households and 15 percent by middle-income households. These findings indicate that the City has been not only meeting but exceeding its targets for low income-income households. One reason for the ability to create and maintain low-income units has been the use of City-owned sites. The foreclosures that occurred during the City's 1970s fiscal crisis have provided low-cost sites for new construction and preservation of thousands of low-income units. Affordability goals for moderate and middle-income households, however, are more challenging.

The Hunter's Point South project aims to deliver on the City's commitment to generate moderate- and middle-income housing as part of the City's overall affordable housing strategy. Since its inception, the project has been envisioned as a way to create a significant new inventory of middle-income housing units. When announcing the acquisition of land to be used for the Hunter's Point South project, Mayor Bloomberg reiterated the need for housing affordable to moderate- and middle-income residents and outlined his vision for the site. The Mayor stated that "middle-income families are facing housing affordability challenges as a result of New York's success, and we have to make strategic, long-term investments to ensure that New Yorkers of all incomes can work and live in our City. This development will build on New York's grand tradition of major middle-income communities, but updated for the 21st century. We will work quickly to turn this into homes for thousands of teachers, police officers, firefighters, nurses and other moderate- and middle-income New Yorkers."

The scale of Hunter's Point South presents a unique opportunity to create otherwise difficult-to-finance middle-income housing. Of the approximately 5,000 units to be created at Hunter's Point South, at least 3,000 (60 percent) would have rents or mortgages affordable to households with incomes between 80 percent and 165 percent of HUD Income Limits.

Three income bands (80 percent, 130 percent, and 165 percent of HUD Income Limits) were selected to serve the families of firefighters, police officers, nurses, teachers, social workers, transit workers, and scores of other critical service providers who are otherwise being priced out of the City, or pushed to its outskirts. These three income bands, along with a variety of unit sizes, provide a broad range of options for middle income families.

Lowering affordability levels (including the Community Board 2's alternate proposal) would threaten the financial feasibility of the project since lower affordability levels create a significant financing gap for the project, which already has significant costs associated with acquisition, site preparation, and infrastructure and park construction. It would also result in the creation of fewer middle income units since units with lower affordability would be taken from the inventory of middle income units to be generated . Given the challenges associated with developing units affordable to middle-income households, this loss of units would not likely be made up elsewhere in the City. The project's overarching housing policy goal is to maximize the number of units at the project that would be affordable to moderate- and middle-income families.

Finally, in addition to the affordable housing to be provided at Site A, the proposed actions also include a proposed rezoning of an adjacent privately owned site (Site B). This parcel would be rezoned as part of the proposed actions and would be mapped with inclusionary zoning. The inclusionary zoning would provide a density bonus in exchange for 20 percent of the units to serve households at 80 percent of HUD Income Limits or less. This area is also part of the 421a Geographic Exclusion Zone which requires that, without substantial government assistance, 20 percent of the units on the site be set aside for households earning 60 percent of HUD Income Limits or less in order to receive the 421a property tax exemption. When combined, many projects that utilize the inclusionary zoning and the 421a extended tax benefits create units for households earning 60 percent of HUD Income Limits or less. It is anticipated that the density bonus being offered at Site B would produce an estimated 330 units of low-income housing.

Section 8 voucher holders would be eligible to apply for apartments at Hunter's Point South.

Comment 9: Every effort should be made to broaden affordability. **(Ingrid, Queens BP, Ramirez-Baron)**

Response: See the response to Comment 8.

Comment 10: Pratt Center for Community Development, Queens for Affordable Housing Coalition, and the Queens Community House request that the plan incorporate the following recommendations:

- 50 percent of the units at Site A should be affordable at or below the median income for Queens (\$48,000 for a family of four)
- Of those units, at least 20 percent of the units at Site A should be affordable for truly low-income families, those earning less than \$25,000 per year. (The New York Immigrant Coalition requests that 25 percent be set aside for families earning less than \$25,000 per year.) **(Castro, Conte, Furlong,**

Lee, Queens North Community Center, Saltos, Smith, Stallings, Weinstock)

Response: See the response to Comment 8.

Comment 11: As a public project to be built on public land, it's very important that the Hunter's Point South project provide a public benefit. However, with 40 percent of the units to be market-rate, the project is less affordable than when it was originally proposed and as currently proposed, it is not affordable to the middle income for Long Island City residents or Queens residents. The median income for a family of four in Long Island City is \$44,000, and the median income for a family of four in Queens is \$48,000. **(Castro, Weinstock)**

Response: See the response to Comment 8. Major public benefits provided by the project include the 11 acres of City parkland, an approximately 1,250-seat intermediate/high school, and the creation of up to 3,000 residential units for moderate- and middle-income households. The land for Site A has yet to be acquired by the City and unlike typical public properties within the City's inventory, significant upfront investment is required to cover acquisition and infrastructure costs.

The median income for Queens varies depending on the source of data. According to the U.S. Census Bureau's American Community Survey (ACS) estimates, the median family income in Queens was \$57,300 in 2006, the most recent year available. The HUD Fiscal Year 2008 Median Income for Queens is \$59,700. Income limits for income-restricted housing at Hunter's Point South would be adjusted for household size, and these units would be affordable to a broad range of households, including those below the ACS median family income and the HUD median income. For example, according to current calculations, a one-person household earning approximately \$43,000 would be eligible for a studio, a two-person household earning approximately \$49,000 would be eligible for a one-bedroom unit, and a three-person household earning approximately \$55,300 would be eligible for a two-bedroom unit.

Furthermore, the City's housing programs apply a broader "marketing band" for affordable units, whereby households earning slightly above or slightly below the income limit may qualify for the unit. This flexibility could allow, for instance, a household earning approximately \$47,000 to qualify and afford a two-bedroom unit at Site A.

Comment 12: The project as currently proposed is not affordable. The New York City Department of Housing Preservation and Development (NYCHPD) says that increasing the affordable housing on the project site would threaten the plan's financing. I believe that if the project cannot be done equitably, it should not be done at all. **(Rothblatt)**

Response: The current housing program for Site A would create approximately 3,000 affordable units (60 percent of the total units produced) for moderate- and middle- income households earning between 80 and 165 percent of HUD Income Limits. As noted in the response to Comment 11, the site’s development includes significant acquisition and infrastructure costs that could not be supported by low-income rents. Reducing the level of HUD Income Limits served by the project would create a significant financing gap. Moreover, as noted in the response to Comment 8, the affordable units produced at Hunter’s Point South are critical in addressing a housing crisis that extends to moderate and middle income families.

Comment 13: On most City-owned land that the Bloomberg Administration has transferred to developers for housing, a minimum of 20 percent has been reserved for people in the lowest income tier. But in Queens, including at Hunter’s Point South, this is not the case. Even though Queens houses one-quarter of the City’s population earning less than \$50,000 per year, it has received less than 7 percent of the New Housing Marketplace units, and only 3 percent of the units serving this income tier. **(Castro, Conte, Weinstock)**

Response: After the fiscal crisis of the 1970s, New York City acquired a large stock of land through foreclosures (“in-rem” land) that was disposed to developers through a variety of programs. The vast majority of in-rem stock existed in the Bronx, Brooklyn, and Harlem in Manhattan, allowing for the creation of a large number of affordable units in those communities.

As the supply of in-rem stock dwindles, the City is working on innovative policies and programs to support the continued creation of affordable housing on private land. For example, inclusionary zoning, where developers receive a floor area bonus in exchange for producing low-income units, has been successfully expanded to areas including Greenpoint-Williamsburg and Jamaica.

If Site B is developed with the floor area bonus of 1.25 FAR for the provision of Inclusionary Housing, those units, in particular the units for low-income families must be built either on Site B or within a ½-mile of Site B and must offer permanent below-market rate housing for low-, moderate-, and middle-income families. Under the Modified Project Alternative, the Special Zoning District text would be modified to require that those units be built either on Site B or within ½ mile of Site B, and in the event that the ½-mile radius falls within Brooklyn, the Inclusionary Housing would instead be provided in an adjacent community district in Queens. Therefore, if the Modified Project Alternative were to be adopted, the affordable housing units would be required to be located within Queens.

On Site A, significant upfront investment is required to cover acquisition and infrastructure costs. As previously noted, low-income housing rents would not

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support these costs, making the project financially infeasible. Funding for moderate/middle income units and low-income units is not interchangeable.

Comment 14: Immigrants, and particularly immigrants of color, are disproportionately affected by the lack of affordable housing in New York City. Immigrants make up two-thirds of New York's low-wage workforce, but are much less likely to live in affordable housing created through public programs. One of the major causes of this problem is the inadequate investment in affordable housing in areas with large and growing immigrant communities, including Queens. **(Stallings)**

Response: The City does not maintain records on the immigration status of applicants or residents for HPD housing programs. In order to ensure that the public is aware of affordable housing opportunities in their community and throughout the City, HPD marketing guidelines require developers to place ads in at least three newspapers including: one city-wide daily newspaper with a circulation of at least 200,000; one ethnic-based paper with a circulation of at least 10,000; and one local newspaper.

Comment 15: Without greater affordability, the proposed project will lead to the gentrification of our neighborhoods, pushing our families out, and we will be excluded from the project. There is an affordable housing crisis in Queens that should be addressed. The project should provide affordable units for lower income tiers. **(Castro, Healy, Hernandez, Lazo, Rivas, Stallings, Vizueta, Weinstock)**

Response: See response to Comment 8. The DEIS and this FEIS include an evaluation of the potential for the proposed actions to result in gentrification and resulting indirect displacement of residents in the area surrounding the project sites in Chapter 3, "Socioeconomic Conditions." The analysis concludes that the proposed actions would not result in significant adverse impacts related to indirect residential displacement. The neighborhood is currently undergoing a strong trend toward the development of new market-rate housing, and this trend is expected to continue in the future. The proposed actions would offer housing opportunities for a wide range of incomes through the provision of both affordable and market rate units, and this mix of housing types could serve to relieve rather than increase market pressures in the area.

Comment 16: 25 percent of the affordable units should be set aside for homeownership. **(CB2)**
The affordable units on Site A should be permanently affordable. **(Conte, Lee)**
Every effort should be made to provide home ownership opportunities. **(Queens BP)**

Response: The City will be incorporating affordable homeownership opportunities into Hunter's Point South (Site A) although the exact number of units has yet to be

determined. Currently, the City's affordable homeownership programs utilize a variety of regulatory mechanisms to ensure long term affordability (subordinate mortgages, regulatory agreements, etc). The City would utilize one or more of these mechanisms to ensure long term affordability for homeownership units at Hunter's Point South.

Comment 17: 250 of the affordable units should be allocated for senior citizens. **(CB2)**

Response: The City proposes to include senior housing in the project. At this time, it is assumed that the senior housing will apply for HUD-sponsored Section 202 Supportive Housing for the Elderly financing, which serves very low-income senior households (below 50 percent of HUD Income Limits). This program provides rental subsidies that protect seniors from increases in rents over time if they are on fixed incomes and keeps the apartments affordable to them.

Comment 18: Residents of Queens Community Boards 1 and 2 should be given preference (totaling 50 percent of the units). Preferences should also be given for civil service employees (5 percent), mobility impaired persons (5 percent), and visual and hearing impaired persons (2 percent). **(CB2)**

Response: These preferences for the affordable units will be followed at Site A and administered through the Department of Housing, Preservation and Development's housing lottery.

Comment 19: If Site B is developed with the floor area bonus of 1.25 FAR for the provision of Inclusionary Housing, those units, in particular the units for low-income families, must be built on Site B and must offer permanent below-market rate housing for low-, moderate-, and middle-income families. If these units are built off-site, they must be located within the boundaries of Queens Community Board 2 and not in Brooklyn despite Brooklyn's proximity. **(CB2)**

All inclusionary affordable housing units should be built on-site. **(Queens BP)**

Response: As required by the City's Inclusionary Housing program, these affordable units would be permanently affordable. If the Modified Project Alternative is adopted (see Chapter 24, "Alternatives," for a detailed description of this alternative), then the modified Special Zoning District text would require that the Inclusionary Housing be provided either within the new Newtown Creek Subdistrict or within a ½-mile radius, and in the event that the ½-mile radius falls within Brooklyn, the Inclusionary Housing would instead be provided in an adjacent community district in Queens.

Comment 20: NYCHPD and NYCEDC should continue to work with Community Board 2 to identify City-owned or brownfield sites, either on or close to the waterfront, that

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would be dedicated for the development of housing for families with incomes below 80 percent of AMI. **(CB2)**

Response: Comment noted. As part of the proposed actions, the rezoning for Site B is intended to encourage any residential redevelopment of that site to include 20 percent of its units as low-income units. In addition, NYCHPD and NYCEDC are working with Community Board 2 to explore whether there are City-owned sites that would be suitable for the development of affordable housing. Any such project sponsored by a City agency would require its own evaluation in accordance with City Environmental Quality Review procedures.

Comment 21: To stimulate the local economy and to encourage the growth of small businesses in Hunter's Point, preference for the retail space on Sites A and B should be given to small businesses. Rents for small business entrepreneurs must be affordable to encourage small business growth. **(CB2)**

Response: While it is too early in the development process at this time to identify specific tenants for the retail space, it is anticipated that retail uses would serve the local population. It is envisioned that the retail uses would be concentrated along 2nd Street to create a neighborhood retail corridor with additional retail space on portions of Borden Avenue, Center Boulevard, and 55th Avenue. The size of the development parcels on Site A, which is set by the new streets to be mapped as part of the proposed actions, is such that new buildings' floorplates would be conducive to the development of small retailers.

Comment 22: REBNY commends the City for seeking new means to provide workforce housing for a range of income groups not adequately served by the market. While many programs are already producing low-income housing around the City, there are fewer opportunities for new housing production that serves a broader band of incomes **(REBNY)**.

Response: Comment noted.

JOBS

Comment 23: EDC and HPD should partner with unions to provide jobs and training for, and give preference to, local workers. During construction, workers involved in the construction of this project should be paid prevailing wage rates. **(CB2)**

Response: Comment noted.

CHAPTER 4: COMMUNITY FACILITIES

SCHOOLS

Comment 24: The entrance to the school should be located on 51st Avenue. **(CB2)**

Response: The design of the school is being developed by the School Construction Authority (SCA). With an intermediate school component and a high school component, the new school is likely to need two separate entrances. The location of those entrances will be determined as the design is developed.

Comment 25: NYCEDC should work closely with the School Construction Authority to develop comprehensive K-12 programs that will serve the needs of the new residential developments in Long Island City. The correct mix of seats needed at various grade levels must be determined for CSD 30 as a whole, with specific focus on the schools in the Hunter’s Point South neighborhood: P.S. 78, the 630-seat school to be constructed at Queens West, and the Hunter’s Point South school to be developed as part of the proposed actions. **(CB2)**

Response: Comment noted. SCA and the New York City Department of Education (DOE) develop the programming for new schools based on consideration of district-wide and local programming needs. On this basis, SCA and DOE are currently planning for the new school at Hunter’s Point South to have approximately 1,250 seats and serve grades 6 through 12.

Comment 26: The Hunter’s Point South school should be designated as a Beacon school. **(CB2)**

Response: Under the Beacon School-Based Community Center program, school buildings are available for student and community use after school, on weekends, and during the summer. Each Beacon Center is managed by a nonprofit community-based organization. The New York City Department of Youth and Community Development funds the program. As plans for the proposed new school at Hunter’s Point South advance, DOE will make a determination as to whether the school should be designated as a Beacon school.

LIBRARIES

Comment 27: Funding should be provided to build and maintain a library on Parcel 8 of the Queens West site. **(CB2)**

Response: As described in the DEIS and FEIS in Chapter 4, “Community Facilities,” according to the Empire State Development Corporation, a new library is planned for Parcel 8 at Queens West, outside of the project area.

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DAY CARE

Comment 28: A day care component should be provided as part of the community facility program. **(CB2)**

Response: Comment noted. At this time, it is too early to determine whether the New York City Administration for Children's Services will provide publicly funded day care at Hunter's Point South. As described in the FEIS, the proposed actions would provide approximately 45,000 gross square feet of space for community facility use. If warranted, a portion of this space could be used as a public day care center.

POLICE AND FIRE PROTECTION

Comment 29: The 108th Precinct is in a physically and technologically outdated facility. Given the increase in the local population, the proximity of this Precinct to the East River, the Queens-Midtown Tunnel, and the United Nations, EDC should work with the New York City Police Department (NYPD) to relocate the 108th Precinct to a new facility, either at Hunter's Point South or at an alternate site in Community Board 2. **(CB2)**

Response: The NYPD conducts its own needs assessments and space planning efforts. In addition, NYPD adjusts its allocation of personnel as the need arises. It is NYPD policy not to make adjustments in advance of planned or potential development. The development expected in the Hunter's Point neighborhood the future without the proposed actions, or with development on Site A and Site B as a result of the proposed actions, may prompt the need for adjustments to the size and deployment of the police force. In addition, further adjustments could be made based on budgetary factors or other policy decisions made by 2017.

Comment 30: New York City Fire Department (FDNY) services should be increased. **(CB2)**

Engine Company 261 in Long Island City should be reopened in recognition that Hunter's Point South and Queens West will bring tens of thousands of new people in high-rise buildings into the area. This fire company was closed because there was not enough demand for it, but the new developments would bring this demand. We must be certain that fire safety and protection is adequate to service the increased population. **(Queens BP)**

Response: Comment noted. As discussed in Chapter 4, "Community Facilities," FDNY allocate personnel in response to demonstrated need, rather than in advance based on proposed or planned development. Therefore, FDNY will continue to evaluate the need for personnel and equipment in the study area and make necessary adjustments to adequately serve the area. The proposed development,

including the street layout, building heights, and building design, has been developed in coordination with FDNY.

HEALTH CARE FACILITIES

Comment 31: Despite increases in the population of Hunter’s Point and Long Island City, no new health care facility is under consideration. The New York City Department of City Planning (NYCDCP) and NYCEDC should commit resources to study the lack of and need for health care services in Community Board 2. **(CB2)**

Response: The FEIS includes an evaluation of the proposed project’s effects on health care services in Chapter 4, “Community Facilities,” which concludes that the proposed actions are below the *CEQR Technical Manual* threshold of a 5 percent increase in demand for health care services, and the proposed actions would not result in a significant adverse impact with respect to health care services. It is beyond the scope of the proposed project to study the lack or and need for health care services in Community Board 2.

Comment 32: EDC should contact Mount Sinai of Queens to discuss the goal of including medical offices in the project plan. **(CB2)**

A YMCA facility should be included in the project plan. **(CB2)**

Response: The anticipated development that would result from the proposed actions would include space for retail, commercial, and community facility use. If warranted, that space could be developed with medical offices or a YMCA.

CHAPTER 5: OPEN SPACE

Comment 33: EDC should commit to making Community Board 2 an active participant in the programming of the park space for the project. **(CB2)**

Response: Comment noted. The next key phase in development of the proposed Hunter’s Point South Rezoning and Related Actions project is the design and programming of the waterfront park and 55th Avenue open space to be provided on Site A. The design process will involve a substantial community outreach component.

Comment 34: The programming and design of the park space for Hunter’s Point South should include the following:

- Water access for kayaks **(CB2)**
- Use of the park for day camps **(CB2)**
- A new Learning Center to emphasize natural resources **(CB2)**
- The restoration of waterfront habitat, including animal and plant life **(CB2)**

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- Public art **(CB2)**

In addition, the park should strive to achieve a balance between active and passive recreational uses of open space. **(CB2)**

Response: Comment noted. See response to Comment 33.

Comment 35: Park jurisdiction should be clarified between the Queens West Development Corporation and the State and City parks departments. **(CB2)**

Response: The new parkland to be created as part of the proposed actions on Site A will be mapped City parkland and will be under the jurisdiction of the New York City Department of Parks and Recreation (NYCDPR). This is described in the FEIS in Chapter 1, "Project Description."

Comment 36: Should residential construction not begin within three years from the approval of this ULURP action, the City should commence construction of the park component of the project. **(CB2)**

Response: As currently contemplated and as assumed in Chapter 20, "Construction," the waterfront park and other publicly accessible open spaces to be constructed on Site A would be developed in conjunction with residential development on each of the parcels.

Comment 37: Adequate park security must be ensured. **(CB2)**

Response: As stated above, the open spaces to be created on Site A will be under the jurisdiction of DPR. It is expected that DPR will ensure adequate security of the new parks as it does with its other City parks.

Comment 38: A plan should be developed to create synergies between the school to be located on Parcel B of Site A and the waterfront park. **(CB2)**

Response: A substantial portion of the waterfront park will be located across Center Boulevard from the school that is proposed for Parcel B on Site A. As the park design process is under way, the potential synergies between the school and the waterfront park can be explored.

Comment 39: The eventual developer of Site B must be required to engage the community as it designs the open spaces to be provided on Site B. **(CB2)**

Response: Site B will remain a privately owned site. If developed, the development must conform to waterfront zoning and the requirements of the Waterfront Access Plan included in the Special Southern Hunter's Point District Newtown Creek Subdistrict. The design for the 55th Avenue public space at Site B, if developed,

would also be required to be consistent with the design standards employed for the 55th Avenue public park within Site A, as specified in the proposed zoning.

CHAPTERS 13: INFRASTRUCTURE; 14: SOLID WASTE; AND 15: ENERGY

Comment 40: EDC and HPD should maximize energy efficiency and “green” sustainable features throughout the Hunter’s Point South plan, including retaining the services of a sustainability consultant to assist and develop the plan and implement the program. **(CB2, Queens BP)**

Response: The City is exploring the incorporation of green, sustainable principles into the Hunter’s Point South project, including the development of green buildings and stormwater best management practices, and is evaluating the cost-effectiveness of green strategies.

Comment 41: The existing sewer system is old and upgrades for the surrounding neighborhood should be included in this project. **(CB2)**

Response: As described in the FEIS in Chapter 13, “Infrastructure,” detailed infrastructure planning will be undertaken as the project advances. As part of the proposed actions, throughout Site A, a new system of water mains, sanitary sewers, and separate storm water sewers would be installed.

Comment 42: The existing combined sewer outfall should be closed. **(CB2)**

Response: As discussed above, detailed infrastructure planning will be undertaken in coordination with the New York City Department of Environmental Protection (NYCDEP). Throughout Site A, a new system of water mains, sanitary sewers, and separate storm water sewers would be installed, and an Amended Drainage Plan would be created. Creation of a new separate sanitary and storm sewer system would be consistent with the City’s goals to reduce combined sewer overflow (CSO) events, since the separate system would allow rainfall on the project sites to be discharged to the East River and Newtown Creek, reducing the burden on the combined sewer system leading to the Bowery Bay Water Pollution Control Plant, the wastewater treatment plant that serves the project sites.

CHAPTER 16: TRAFFIC AND PARKING

Comment 43: Community Board 2 does not agree with the proposed traffic plan for the project. An alternative traffic plan should be designed for the project, with 2nd Street designated and improved as a two-way, rather than a one-way, street. Center Boulevard should also be two-way south of Borden Avenue. **(CB2)**

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Response: As discussed during the community outreach process, different street network plans were explored. As part of these efforts, NYCEDC, NYCDOP, NYCDPR, the New York City Department of Transportation, and FDNY convened to discuss the street layout and traffic circulation along 2nd Street and Center Boulevard. Numerous iterations were evaluated, including an option for 2nd Street operating as a two-way roadway. It was the consensus of these agencies that 2nd Street should operate as a one-way roadway with two travel lanes in the southbound direction, a parking lane on one side of the street which would also incorporate a bus stop, and a Class I bikeway separated from the travel lanes by means of a 5 foot buffer.

Comment 44: Fifty-fourth Avenue should be designated and improved as a viable east-west connector street. **(CB2)**

Response: The narrow roadway width along 54th Avenue is not conducive to 54th Avenue being designated as a major east-west connector street for the purposes of the EIS. For the traffic analyses provided in the DEIS and FEIS, trip assignments to the project sites were based on the most logical routes to the sites; trips were assigned along 54th Avenue to the extent that is logical given its geometric constraints. NYCEDC will undertake a planning study in the future to identify improvements that can be made to 54th Avenue to make this a more viable connector street.

Comment 45: No parking spaces should be removed from Vernon Boulevard as proposed in Chapter 22, "Mitigation," in the DEIS. **(CB2)**

Response: Chapter 22, "Mitigation," describes potential mitigation measures that could be implemented to mitigate or avoid the significant adverse traffic impacts identified in Chapter 16, "Traffic and Parking." These parking spaces can be retained, if NYCDOT determines that the need for parking outweighs the need to mitigate significant traffic impacts. As noted in the Mitigation chapter, if it is determined that on-street parking should be retained at locations where such mitigation was assumed, additional unmitigated traffic impacts could result.

Comment 46: The development of Sites A and B will cause an increase in competition for the limited on-street parking available in Hunter's Point and Long Island City. Given the affordable housing component of the project, the cost of indoor parking may be a barrier to its use by residents of the affordable housing units. Therefore, parking prices for the indoor spaces should be set at reduced rates to encourage residents of Sites A and B to use it. **(CB2)**

Response: Comment noted. The FEIS describes the anticipated shortfall in on-street parking spaces anticipated to occur at nighttime as a result of the proposed actions in Chapter 16, "Traffic and Parking." At this time it is too early to determine the fee structure for the accessory parking spaces.

Comment 47: The DEIS shows that the intersection of Borden Avenue and the Midtown Tunnel entrance and exit will be adversely impacted by the proposed development, and the proposed mitigation will only be partly effective. This will result in a significant impact to tunnel operations. Are there any other proposals being considered to mitigate the impacts to the tunnel? (MTABT)

Response: As part of the mitigation measures developed and evaluated for this intersection (see Chapter 22 of this FEIS, “Mitigation”) a traffic signal would be installed with sufficient green time to process traffic exiting the toll plaza and using the exit ramp onto Borden Avenue. In addition to a proposed traffic signal, left turn and through movements from the Queens-Midtown Tunnel exit ramp onto eastbound Borden Avenue and southbound 11th Street, respectively, would be prohibited, thus also limiting any queuing from this ramp back to the toll booth area. A preliminary traffic simulation was conducted for PM peak period conditions and indicates that this proposal would be effective in limiting queuing and mitigate potential impacts to the tunnel.

Comment 48: While the DEIS looked at the impacts to the intersection of Borden Avenue and the Midtown Tunnel entrance and exit, it did not analyze the effects of increased demand on operations in the plaza from site generated traffic trying to access the Long Island Expressway from Borden Avenue. These vehicles must cross traffic exiting the plaza to 21st Street, and will exacerbate existing weaving problems in the plaza. An analysis of traffic operations in the tunnel plaza should be included in the FEIS. (MTABT)

Response: A preliminary traffic simulation was conducted for the weaving of traffic exiting the toll booth area from the two right-most toll booth lanes, to the 21st Street exit ramp just east of the Borden Avenue exit ramp, and across traffic entering the eastbound Long Island Expressway from Borden Avenue during the PM peak period. With the inclusion of traffic mitigation measures identified for the intersection of Borden Avenue and the Queens-Midtown Tunnel exit ramp at 11th Street, the preliminary traffic simulation indicates that conditions would not be adversely affected as compared to future No Build conditions.

CHAPTER 17: TRANSIT AND PEDESTRIANS

Comment 49: The addition of 5,000 units of housing will stress the already overburdened public transportation network in Long Island City. The following measures should be undertaken to improve the existing transportation network and expand its capacity to handle the increase in population that will result from the proposed actions:

- (a) Existing Q103 bus service to Hunter’s Point South should be extended, with consideration given to re-routing this bus line as follows: Borden Avenue to

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Center Boulevard, left at 2nd Street, Borden Avenue to 54th Avenue. **(CB2)**
New bus service should be provided to Hunter's Point South. **(Queens BP)**

(b) The New York City Transit (NYCT) Vernon Boulevard-Jackson Avenue No. 7 subway station should be enhanced, and service for this line upgraded. **(CB2)**

(c) Ferry service (New York Water Taxi) should continue, and the possibility of providing resident subsidies for the use of the New York Water Taxi should be explored. **(CB2)**

The project should include expanded ferry service. **(Queens BP)**

(d) The possibility of bus service through the Queens-Midtown Tunnel should be explored. **(CB2)**

The project should provide express bus service. **(Queens BP)**

(e) Long Island Rail Road (LIRR) and East Side Access upgrades should be leveraged. **(CB2)**

Response:

There has been on-going consultation between the City, the Queens West Development Corporation, and MTA regarding the B61 and Q103 bus routes and the No. 7 subway line. It is expected that these planning efforts will continue as project implementation continues.

(a) A routing option for future extension of the Q103 bus was presented by the MTA. The route would extend the Q103 route east-west along Borden Avenue, looping it through the project sites southbound along 2nd Street to 54th Avenue, westbound toward the newly extended Center Boulevard, then northbound back towards Borden Avenue. This route extension may be developed as the project is built and demand for the route increases. However, according to the MTA, extension of the Q103 will require a significant expansion of service levels, and operating funds for this increase have not yet been identified.

(b) As described in the DEIS and this FEIS, NYCT plans to operate two additional peak hour trains in each direction of the No. 7 subway line to accommodate anticipated increase in future ridership. Based on the findings made in this FEIS and the actual growth in ridership realized from completed developments in the area, the MTA and NYCT will in the future evaluate potential station improvements for the No. 7 train station at Vernon Boulevard, subject to available funding and MTA's long-term capital plans.

(c) It is anticipated that ferry service to and from Site A will continue in the future and will be enhanced as part of a proposed East River commuter ferry network that will connect Queens West, Greenpoint, North Williamsburg, and South Williamsburg with East 34th St and Pier 11 in Lower Manhattan. The City continues to explore ways to make the fares more competitive.

- (d) Because the No. 7 line from the Vernon Boulevard-Jackson Avenue station provides one-stop direct service to midtown, the possibility of bus service from the project sites through the Queens-Midtown Tunnel is not being explored.
- (e) LIRR does not provide Manhattan-bound service at the Long Island City station, since this station is not on the Manhattan-bound route. As part of the East Side Access Project, the LIRR/MTA plans to construct a new Sunnyside Station beneath Queens Boulevard in the Sunnyside Yard rail complex. This station will provide direct service to Penn Station.

Comment 50: Special shuttle bus service should be provided between the project sites and the No. 7, E, and V subway lines. In addition, shuttle service should be provided for seniors and handicapped residents so that local shopping can be accessed. **(CB2, Queens BP)**

Response: See (a) in the response to Comment 49, above. Extension of the Q103 bus would connect the project sites and the No. 7 subway line.

The proposed project is anticipated to include local retail stores and community facility space at the project sites. In addition, the Access-a-Ride (AAR) service administered by New York City Transit (NYCT) would be available for project residents with disabilities who are unable to use public bus or subway service for some or all of their trips.

Comment 51: The project plan should include streetscape improvements on 50th and 51st Avenues from Vernon Boulevard to 2nd Street. **(CB2)**

Response: Streetscape improvements on 50th and 51st Avenues between Vernon Boulevard and 2nd Street have been incorporated into the proposed actions.

CHAPTER 19: NOISE

Comment 52: To mitigate noise impacts from the proposed actions, double-paned glass windows and air conditioning units must be provided on 51st Avenue. **(CB2)**

Response: As discussed in Chapter 22, "Mitigation," at existing residences where project impacts are predicted to occur, to mitigate noise impacts from the proposed project, the City of New York would make storm windows and/or window air conditioners available, at no cost to owners of existing residences on 51st Avenue between 2nd Street and Vernon Boulevard, where such measures are not already installed.

CHAPTER 20: CONSTRUCTION

Comment 53: In order to minimize the impact of vehicular traffic, construction vehicles should use 54th Avenue to access the sites. In addition, construction vehicles should be prohibited from using Vernon Boulevard. **(CB2)**

Response: The City will seek to minimize impacts from construction. As discussed in Chapter 20, "Construction," construction trucks would be required to use NYCDOT-designated truck routes to get to the project sites, and would then use local streets to access the construction sites. The turning radii and roadway widths along 54th Avenue would not be sufficient for construction trucks to be able to use this street as a primary access route into and out of the site. Vernon Boulevard is a NYCDOT-designated truck route and provides direct access to the project sites via Borden Avenue. During the AM peak hour of the peak construction period, only eight trucks (four in each direction) are expected to use Vernon Boulevard.

Comment 54: In order to minimize the impact of noise, construction hours should commence at 7 AM. No pre-7 AM work or lead-in preparation time should be permitted. **(CB2)**

Response: As discussed in Chapter 20, "Construction," the New York City Noise Control Code, as amended in December 2005 and effective July 1, 2007, limits construction (other than special circumstances as described below) to weekdays between the hours of 7 AM and 6 PM, and sets noise limits for certain specific pieces of construction equipment. Construction activities occurring after hours (weekdays between 6 PM and 7 AM and on weekends) may be permitted only to accommodate: (1) emergency conditions; (2) public safety; (3) construction projects by or on behalf of City agencies; (4) construction activities with minimal noise impacts; and (5) undue hardship resulting from unique site characteristics, unforeseen conditions, scheduling conflicts, and/or financial considerations. In such cases, the numbers of workers and pieces of equipment in operation would be limited to those needed to complete the particular authorized task. For any work occurring outside the regular weekday hours, an Alternative Noise Mitigation Plan permit would need to be obtained from NYCDEP in accordance with the revised New York City Noise Control Code, as per Section 24221. This document must be filed with NYCDEP, and the approved plan must be accessible to inspectors.

Comment 55: In order to minimize the impacts of noise and fumes, idling of trucks on streets should be prohibited. **(CB2)**

Response: As stated in Chapter 20, "Construction," several measures would be included in the construction contract documents to generally reduce emissions, and specifically to substantially reduce diesel particulate matter (DPM) emissions

from construction engines. One of these measures relates specifically to truck idling, as follows: with the exception of concrete trucks, truck-idling would be restricted to three minutes. Trucks are already prohibited from idling more than three minutes on local streets by New York City law.

Comment 56: Cars and equipment should be parked on empty parcels as development is phased. **(CB2)**

Response: As detailed in Chapter 20, “Construction,” of this FEIS, the majority of construction activities would be accommodated on-site, and construction trucks would be staged primarily within the development parcels or on newly completed streets adjacent to or south of active construction sites. Construction equipment would also be accommodated on-site.

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