

January 14, 2009

The Honorable Amanda M. Burden  
Chairperson  
New York City Planning Commission  
22 Reade Street  
New York, New York 10007

Re: Manhattan Community Board 7's Response to the Riverside Center Draft Scope of Work for a Supplemental Environmental Impact Statement

Dear Chairperson Burden,

Pursuant to Section 5.07 of the Rules of Procedure for City Environmental Quality Review, we are submitting these written comments on the Riverside Center's Draft Scope of Work for a Supplemental Environmental Impact Statement (SEIS). This letter is a summary of the deliberations of all of the committees of CB7.

We present first our general concerns and reservations about the Riverside Center proposal. We then provide specific comments on impacts, issues, methodology, and approach described in the Draft Scope of Work.

#### **GENERAL AND FUNDAMENTAL CONCERNS AND COMMENTS**

**THE PROPOSED DENSITY OF RIVERSIDE CENTER (SITES L, M AND N) EXCEEDS THE 1992 RESTRICTIVE DECLARATION DENSITY LIMITATIONS:** The 1992 Restrictive Declaration provided for a maximum of 2.37 million square feet to be built on sites L, M and N. The Extell proposal seeks a development of 3.1 million sq.ft., an increase of 730,000 sq.ft.

We understand that the 1992 Restrictive Declaration assumed that 1.7 million sq.ft. might be dedicated primarily to a television studio, a use which is neither viable nor desired in 2009. Clearly, this reconsideration of uses underlies the present ULURP application and SEIS. CB7 recognizes the need for such reconsideration. However, Extell's proposal for over 3 million sq.ft. raises serious questions about density for this site and challenges the 1992 restrictions on density for these southern sites and for the entire Riverside South development. We do recognize that the proposed square footage for sites L, M and N, when added to the completed and anticipated square footage for buildings on the parcels from 72<sup>nd</sup> - 61<sup>st</sup> Streets, falls within the underlying maximum zoning of approximately 8.5 million sq. ft. for Riverside South. We also understand that floor area can be transferred among sites within a General Large-Scale Development.

250 West 87<sup>th</sup> Street, New York, NY 10024  
*Phone:* (212) 362-4008 *Fax:* (212) 595-9317  
Web site: [nyc.gov/mcb7](http://nyc.gov/mcb7) e-mail address: [office@cb7.org](mailto:office@cb7.org)

Nevertheless, Manhattan Community Board 7 (CB7) believes that the hard-fought agreements limiting floor area to approximately 2.4 million sq. ft on L, M and N and limiting the floor area of the entire development to just under 8 million sq. ft. should be honored in 2009 as public approvals are sought for the last southern sites. We also believe, as described more fully below, that future development needs of the Upper West Side and of New York City should not be defined primarily by the maximizing of available square footage, without a comprehensive consideration of types of uses, infrastructure, transportation and adjacent development in the Mid and Upper West Side.

In addition to the Build and No Build Scenarios, the SEIS should include a Lower Density Build scenario of 2.4 million sq. ft. of residential, commercial, retail, and public school uses, while excluding the studio use. This additional scenario, reflecting the 1992 Restrictive Declaration limits, can include or not include the variants of hotel and cinema uses.

### **RESIDENTIAL USES AND RESTRICTIVE DECLARATION LIMITS**

Approximately 2,500 residential units are proposed on sites L, M, and N in the Draft Scope of Work. The 1992 Restrictive Declaration set a limit of 5,700 units dwelling units for the entire Riverside South project. At this point, 4,492 residential units have been or are anticipated to be built in Riverside South on sites other than L, M, and N. Adding an additional 2,500 units, as proposed, would bring the total number of residential units to 7,992, an increase of 2,292 units over the approved limit of 5,700 units.

We have serious reservations about the requested increase in residential units, as well as the requested increase in floor area. The Upper West Side has experienced a considerable increase in residential density in the last sixteen years, with additional projects under construction or contemplated. The 1992 Declaration set limits for the entire development stretching from 59<sup>th</sup> Street to 72<sup>nd</sup> Street. If this proposal for Riverside Center conformed to the residential limits set by the 1992 Restrictive Declaration, then 1,208 residential units for sites L, M and N would be the more appropriate number. As described below, this alternative should be included in the SEIS.

### **THE NEED FOR BELOW-MARKET AND AFFORDABLE HOUSING**

The 1992 Restrictive Declaration established a minimum of 12% affordable housing for the entire Riverside South project. As noted in this Draft Scope of Work (p.14), the “inclusion of affordable housing on-site was considered to provide a measure of relief to increased residential displacement pressures and could provide housing opportunities for those persons who would experience accelerated displacement pressures.” CB7 believes, and the 2005 New York Housing and Vacancy Survey supports the analysis, that the affordability of New York City housing has **decreased** since the original Riverside South project was approved. Numerous studies show that the mismatch between income and available affordable housing has **increased** in the last fifteen years. Any request for additional residential units over the 1992 Restrictive Declaration limits must rest upon that fact, and not solely on projections of hoped-for market demand. The minimum of 12% affordable housing does not meet today’s needs and demands.

As a matter of public policy frequently implemented in recent years, many proposed large residential developments include a mixture of affordable and market housing. CB7 believes that whatever the number of residential units requested and eventually approved, **there must be at least 20% that is permanently affordable in that number to be built on sites L, M and N.** We provide additional details below on the analysis that should be included in the SEIS.

### **USES PROPOSED FOR SITES L, M AND N AND NEIGHBORHOOD CHARACTER**

The Extell proposal includes 209,200 gross square feet (gsf) of above-grade retail (which could include 44,550 gsf for a cinema), and 239,959 gsf of hotel use. Uses below-grade are to include 169,050 gsf of automotive services and uses.

CB7 believes that the central business district starts south of 59<sup>th</sup> Street, and we believe that neither “suburban” nor “midtown” uses are appropriate for these parcels and for this development on the Upper West Side. We appreciate that the project no longer includes a big box retail use. Neighborhood character and neighborhood retail, appropriately defined in a changing economic climate and current socioeconomic trends, should be the standard for retail uses. Riverside South is now an area that is mostly devoid of retail, street activity and animation. The SEIS evaluation of the impacts of commercial and retail uses on the southern sites should include an analysis of the retail needs for the entire Riverside South project, as well as the loss of neighborhood retail between 72<sup>nd</sup> and 59<sup>th</sup> Streets.

We recognize that the project will not be completed until 2018 and that it is hard to anticipate the market, but this may be an opportunity to rectify some of the mistakes of past planning, to integrate commercial and retail development throughout the project for residents and for visitors and to create a sorely-needed neighborhood. We have no reflexive opposition to cinemas, or to hotels, but such uses work best with complementary uses and activities.

The proposal includes up to 97,000 gsf of community facility space (anticipated as an elementary school). The need for schools in CSD3 and in this community is serious and will intensify in the next decade. We present below specific comments on the need for a school, and we comment on the lack of additional community facilities now presented in the Draft Scope of Work.

The below-grade automotive uses raise additional serious questions as to need and appropriateness in this location. We believe that additional alternatives and more thorough analysis, including a definition of the automotive uses, should be included in this SEIS, and we provide additional specific comments below.

#### **OPEN SPACE THAT IS USABLE, ACCESSIBLE AND PUBLIC**

The Extell proposal for sites L, M and N includes a 3.8-acre privately owned, publicly accessible open space to be built among five mixed-use buildings of approximately 3.3 million sq. ft. CB7 notes that the goal of the Riverside South Master Plan and its park was that the development become an integrated part of the city. This proposed open space appears more private than public in its present design and raises questions about its relation and accessibility to the waterfront park to the west and north. Though we have great respect for the distinguished architects and designers of the space, they have described the open space as a “parvis”, a word usually denoting an open space in front of a church, a sanctuary, or a temple, rather than a park (“parc”). We provide detailed comments on analysis of the open space in the sections below – including requesting that the SEIS study the impact of the requested Riverside Center on Riverside South Park if the Miller Highway were buried, as contemplated by the 1992 Restrictive Declaration.

#### **PARKING**

The 1992 Restrictive Declaration provided for a total of 3,500 parking spaces across the entire Riverside South development from 59<sup>th</sup> to 72<sup>nd</sup> Streets. The Extell Organization states that a total of 2,611 parking spaces have been or will be built in Riverside South in the area from 72<sup>nd</sup> to 62<sup>nd</sup> Streets. Extell requests 1,800 parking spaces on Sites L, M and N. The 1992 Restrictive Declaration provided for a maximum of 743 parking spaces on L, M and N. Thus, Extell’s proposal thus adds a total of 1,057 additional parking spaces to the maximum number prescribed in the Restrictive Declaration. CB 7 has grave reservations

about adding additional parking spaces here and questions the rationale and methodology for this request, as detailed below.

**SPECIFIC COMMENTS AND CONCERNS** (page numbers refer to the Draft Scope of Work)

**1. AN ADDITIONAL NEW LOWER DENSITY BUILD SCENARIO SHOULD BE INCLUDED IN THE DRAFT SCOPE OF WORK (pp.10-13)**

This Build Scenario should include a maximum of 2.4 million sq. ft. for sites L, M and N of residential, commercial, retail, and public school uses, **while excluding the studio use**. This additional scenario, reflecting the 1992 Restrictive Declaration limits on FAR and density, can include or not include the variants of hotel and cinema uses, which were not part of the 1992 FEIS. This Lower Density Build Scenario can also include alternatives on the distribution of square feet dedicated to commercial and residential uses. At least one or more alternatives should include the analysis of a maximum of 1,208 residential units and a maximum of 743 parking spaces. This Lower Density Build Scenario should be analyzed in terms of all of the impacts that must be included in the SEIS. The inclusion of this Lower Density Scenario broadens "the range of issues and considerations to be evaluated in the SEIS" (p.10).

**2. PROJECT STUDY AREA SHOULD BE EXPANDED/LAND USE AND PUBLIC POLICY (pp.13-15)**

The Riverside South site is 74.6 acres, which includes the waterfront area along and into the Hudson River (reflecting former rail piers) and an upland area of 56.1 acres. We understand that the *CEQR Technical Manual* guidelines provide that the land use study area extend ½ mile from the project site boundaries, which includes in this case the land along and under the water (p.14, and Figure 7). CB 7 believes that the Primary Study area should extend or be modified to more realistically permit an analysis of actual land use impacts. The Study Area for this SEIS should extend to 72<sup>nd</sup> Street from Riverside Drive to Central Park West on the north, from 72<sup>nd</sup> to 59<sup>th</sup> Street along Central Park West on the east and continue through Columbus Circle down Eighth Avenue on the east to 50<sup>th</sup> Street; and on the west extend along 12<sup>th</sup> Avenue south to 50<sup>th</sup> Street. The Secondary Study Area should extend north to 79<sup>th</sup> Street. A study area that reflects these revised boundaries would be more accurate in terms of land use description and impacts.

**3. FUTURE ANALYSIS YEAR AND BASELINE CONDITIONS (pp.12-13)**

CB7 would like to see a detailed description of the proposed reporting mechanism for adverse impacts and mitigation implementation as buildings are built in the nine-year or longer construction period. Also, as stated above, an analysis of future baseline conditions should occur under an additional BUILD Scenario (2.4 million sq. ft., as described in #1 above).

Updating the baseline conditions and accounting for impacts from other developments (recent past, current and planned) is essential for a complete analysis. The "analysis approach" (p.11) is to start with the FEIS for the particular technical area and "assess whether changes in the analysis year and background conditions," new plans for L, M and N, and new proposed actions could change the adverse impacts disclosed in the FEIS. "Existing conditions will be updated as necessary and presented."

Thus, the SEIS' baseline for analysis must include conditions from these developments, at the very least:

1. the rest of Riverside South
2. TimeWarner Center
3. John Jay College expansion
4. rezoning of MCB7's southwest corner from manufacturing (e.g., Ginsberg site at 243 West 60<sup>th</sup> Street)
5. Lincoln Center – 65<sup>th</sup> Street redevelopment project

6. Lincoln Center later phases
7. Fordham (RSC SEIS with build year 2018 should consider Fordham Phase I to be complete and Phase II to be in construction in 2018)
8. as-of-right developments in the study area (e.g., WEA & 70<sup>th</sup> Street, Amsterdam and 66<sup>th</sup> Street)

All the possible uses/configurations of the 59<sup>th</sup> Street Marine Transfer Station should be examined.

#### **4. SOCIOECONOMIC CONDITIONS/HOUSING (pp.14-16)**

- The Study Area for this analysis should be revised to conform to the revised and expanded study area proposed in #2 above.
- The SEIS should include a study of the option of the affordable housing being permanent and being built physically interspersed with the market rate apartments.
- The SEIS should include analysis of other possible affordable housing set-asides (20% and 30%, in addition to 12%) in order to determine how those alternative set-asides would impact indirect residential displacement.
- To arrive at the number of affordable housing units implied by the various affordable housing set-aside percentages (12%, 20% and 30%), the denominator should include the maximum possible residential allotment (which assumes the scenario in which all of Building 5 -- other than retail -- is residential, rather than hotel).
- The SEIS should also include the difference in indirect residential displacement depending on the timing of affordable housing construction. Under the 1992 Restrictive Declaration, the affordable housing component is assumed to be built at the end of construction period for the market rate units. This timing potentially increases the indirect residential displacement impact. CB7 would like to see an analysis of alternatives where the affordable housing units are constructed (i) in concert with the market rate units, (ii) before the market rate units, and (iii) at the end of the construction of market rate units.
- The SEIS should include the possible indirect residential displacement of low, moderate, and middle income households. As detailed in Mayor Michael Bloomberg's PlaNYC 2030 and New Housing Marketplace Plan (NHMP), New York City must provide housing to a range of incomes. This range of incomes is based on the Area Median Income (AMI) of the New York Metro Area. According to the NHMP, Low Income is 0-80 percent of AMI, Moderate Income is 80-120 percent of AMI, and Middle Income is above 120 percent of AMI, and generally not exceeding 250 percent AMI. To ensure that Riverside Center advances the Mayor's goals (and ours) in terms of affordable housing, the Draft Scope of Work should mandate analysis of possible indirect residential displacement of Study Area households at 0% to 250% of AMI.

#### **5. COMMUNITY FACILITIES AND SERVICES (pp. 25-26); SCHOOLS.**

New enrollment in nearby public schools overwhelmingly consists of students who live in the residential units in Riverside South. It is likely that this trend will continue for the residential units on sites L, M and N. Recent experience has borne out the prediction of the 1992 FEIS that, unless mitigated, the construction of the residential units in Riverside South would overwhelm the neighboring public school. PS 199, the catchment zoned school for the northern portion of Riverside South, has seen its enrollment in K nearly triple from 2004-08, from 60 children to 160 children. The Parents Association obtained the residence address of each family, and determined that a large percentage of the increase (120 of 160, or three-quarters) came from Riverside South, and not all of the buildings are yet occupied. This impact

directly led to the need to move a high-functioning public middle school out of the PS 199 building, and to the need to adjust catchment boundaries for schools in Community School District 3 all the way to 110<sup>th</sup> Street.

**The Study Area Dimension - Elementary Schools.** Public elementary schools are required to accept any students who live within the boundaries of a catchment zone surrounding the school. The analysis of the impact of the addition of the proposed development should use three study areas that are linked to catchment zones rather than a simple radius from the development. The study areas should be:

- (i) The catchment zone for PS191, adjusted for changes to take effect in September 2010 based on the recent rezoning process in Community School District 3 (CSD3). Since the proposed development will reside within this school's catchment, this should be a single focus of assessment.
- (ii) The catchment zone for PS199, also adjusted for changes to take effect in September 2010. This school's historic overcrowding, and the impact of the development of other sections of RSS, should be used as both a benchmark and a source for additional overcrowding in future years.
- (iii) The entirety of CSD3 south of 110<sup>th</sup> Street.

The recent rezoning process in CSD3 definitively demonstrated that the impact of overcrowding in one catchment zone spills over to the other schools in CSD3. Catchment zones for schools as far north as 109<sup>th</sup> Street were affected by the need to remedy overcrowding in the southern portion of the District.

**Study Area Dimension - Middle Schools.** Unlike elementary schools, there is no zoned catchment middle school in CSD3. Rather, students compete for placement according to their preferences and various criteria in a District-wide "Middle School Choice" process. Assessing the impact of the proposed development on the closest neighboring middle school (Hudson Honors Middle School, in the PS 191 building), would yield skewed results, since there is no guarantee or way to predict at which school a resident of the proposed development would be accepted and attend. Accordingly, the only correct study area for assessing the impact of the proposed development on middle school enrollment is CSD3 in its entirety.

**Additional Residential Development Must Be Assessed as to School Need.** The SEIS must include both additional residential units that have been constructed or commenced since 1992, as well as those projects that have been announced or have been approved, but have not begun construction. Projected construction up to the Build Year of 2018 must be included in periodic updates and reporting as to impacts, as described elsewhere in the Draft Scope of Work. New residential development sites include the Fordham University campus, which is in the same school catchment zone as RSC. This approach is essential for an accurate assessment of the impact of the proposed development in context.

**Assessment Should Include Common Spaces.** Regardless of the metrics used by the New York City Department of Education (DoE), the SEIS should assess the impact of the proposed development on schools by taking into account the demands on common spaces such as cafeterias, gyms, science labs, art rooms, and playground and outdoor spaces. These are core components of a well-rounded education, and are surely to be required by the families expected to populate the proposed development, as well as be subject to pressure to conversion to classrooms for lack of space (as indeed has already happened at PS199).

**Alternative and Additional Methodology.** In addition to assessing the impact of residential development on schools using the metrics provided by CEQR and/or the DoE, the SEIS should study the

impact by computing the number of students added to PS 199's enrollment since 2000, and extrapolating a separate conversion factor to predict enrollment based on residential units constructed. The actual experience with another portion of the same overall development location should not be lost in the SEIS process, but rather we should benefit from both anticipated and actual experience.

The SEIS should include Alternatives that analyze a school being completed after two residential buildings are completed, after four residential buildings are completed, and at the contemplated Build Year of 2018. These alternatives for the Build Year for a school should be analyzed because of the obvious need for a new school in the immediate next years. The SEIS should include a financial analysis of the developer paying for the capital costs of building a school.

#### **CHILD CARE.**

- **Day Care, Pre-K and Head Start.** The SEIS assessment of the impact of the development on Day Care should be broadened to include its impact on Head Start, universal pre-K and other pre-K offerings in the same study areas as for Schools. These are all essential needs of working families both within and beyond the proposed development.

- **Afterschool.** The assessment of the impact of the proposed development should likewise include the effects of the additional school-aged population on after school offerings in the likely affected areas - being the same three study areas proposed for schools. Like day care, pre-K and Head Start, after school programs are an essential element of a school-aged child's experience and therefore of the success of the proposed program.

#### **LIBRARIES.**

The SEIS should evaluate the impact of the proposed development on the New York Public Library (NYPL) capacity in two ways.

- **Riverside Branch.** The addition of the proposed development population should be assessed against the existing facilities at the nearest branch, using the latest metric developed by the NYPL to determine when a new branch is required for an underserved community. The branch assessment should take into account the impact of the proposed development assuming alternatively that the branch will be open 5 days per week and 6 days per week, given the inconsistency of funding for the 6 day opening and the historical experience with such funding.

- **Major Research Branches.** The impact of the additional development should also be assessed in connection with the anticipated increase in usage of the Donnell Library (as and when re-opened), the Mid-Manhattan Library, the Library of Performing Arts, and the Library of Science and Engineering, since those specialty branches provide resources needed by middle and high school students not typically available at neighborhood branches.

#### **ADDITIONAL COMMUNITY FACILITIES.**

- The SEIS should include analysis of an alternative for potential professional/doctors' offices.
- The SEIS should include analysis of all types of community facilities that reflect the needs of a variety of demographic groups, including seniors.

#### **OPEN SPACE. (pp.19-20)**

- In calculating the Open Space ratios, the SEIS should exclude the Fordham Lincoln Center plaza from the computation of open space ratios. This is appropriate both because Fordham has proposed altering the nature and character of the "open space" on its site as part of its long-term redevelopment

program, and because of the unwelcoming nature of that plaza.

- The SEIS should exclude roadways and essential circulation areas proposed for sites L, M and N from the computation of open space ratios. This exclusion recognizes that space adjacent to entrances and access ways to large-scale developments does not effectively serve as either active or passive open space. It also takes into account the shift from an emphasis on “park land” to “open space,” whose uses are not analogous in all cases.
- The qualitative assessment required in the SEIS also commands a larger study area, including the impact upon and need for playgrounds and other child-friendly public park amenities needed for the addition of significant numbers of apartments whose size and configuration is expected to appeal to families with children. Therefore we recommend that the “active” and “passive” open space study area be expanded to a radius of not less than 1 mile (excluding the River beyond the waterfront along the Park).
- Extell’s presentation to the community highlighted that its design was motivated in part to continue the visual line of 60<sup>th</sup> Street westward, and to have it “anchor” the view along that street. A study area of only 400 feet along 60<sup>th</sup> Street for computing ratios of open space ignores the significance placed on that vista and space by the developer. The SEIS should expand assessment of the “passive” open space at least to Columbus Avenue on 60<sup>th</sup> Street.

**SHADOWS. (pp.20-21)**

**“Sun-Sensitive” Elements and Resources.** The Draft Scope of Work focuses on evaluating the impact of shadows only on “sun-sensitive” landscape elements, historic resources and natural resources, and this is too limited. Such an approach would eliminate from consideration the pervasive impact of the shadows expected to be generated throughout the year from extraordinarily tall buildings on the surrounding neighborhood.

Those shadows will affect residents and visitors to the neighborhood as they walk on the streets, use playgrounds and park land, attend public schools, and visit local attractions and places of note. The addition of morning shadows may also have an effect on users of Riverside Park South, particularly in the morning hours.

There should not be a limitation of shadows to “sun-sensitive” elements (or all areas in which people live, work, go to school, or occupy for recreation should be treated as “sun-sensitive”). Further, consider computing the length and duration of shadows cast by buildings of the scale and density proposed at their longest, shortest and median lengths throughout the year, and compare those with the site as originally proposed, and with the alternative of not building on the site, as well as of the Lower Density Build Scenario.

**Park Design and Waterfront/Park Access.** The Draft Scope does not address Park Design or Waterfront/Park Access directly. The plan for the overall development project was to integrate the new buildings with the existing neighborhood, and not to create a secluded “enclave” feel. The degree to which the open space on sites L, M and N are welcoming and inviting, both visually and aesthetically, will likely play a large role in determining whether this private open space adequately performs any of the functions of successful public park space, or whether it will be viewed as a private plaza welcoming only of those who reside in the developed area. The impact of the proposed plantings and built structures and fixtures planned for the open space between buildings on sites L, M and N should be qualitatively evaluated to consider the strength of the tie-in promised between the neighborhood and the Park.



Further, the relative height (vs. the street), arrangement and configuration of the open space between buildings should be assessed qualitatively to explore the extent to which the public will view the open space as available for their use. The study should perform this analysis including as alternatives the possibility that retail operations bordering the open space will use it for commercial activities (such as outdoor restaurants/cafes, outdoor displays, or private functions).

**URBAN DESIGN AND VISUAL RESOURCES. (p.22)**

- The study area for urban design and visual resources should extend approximately ½ mile from the project site, not ¼ mile.
- In assessing the urban design characteristics of the proposal, the Scope should also perform the same operation for the Lower Density Build Scenario, in which we can assume the heights and bulk of buildings might be reduced.
- Any Urban Design Analysis should take into account the heights of the proposed buildings, the requested waivers being requested, the use of glass as the major building material, street access and circulation and access to the waterfront park.

**TRAFFIC AND PARKING. (pp.26-30)**

**Traffic**

- Correct all intersection errors - should read: 11th Ave and 56<sup>th</sup>, 57<sup>th</sup> and 58<sup>th</sup> Streets; 10th Ave and 57<sup>th</sup> and 58<sup>th</sup> Streets; and 9<sup>th</sup> Ave and 57<sup>th</sup> Street.
- Add the following intersections: Riverside Blvd and 72<sup>nd</sup> Street; Freedom Place and 66<sup>th</sup> and 70<sup>th</sup> Streets; and Riverside Drive and 79<sup>th</sup> Street.
- The SEIS should include the current Department of Sanitation trucks that use 59<sup>th</sup> Street to go to the Marine Transfer Station and the projected truck traffic that will go to the MTA when it becomes a transfer station for Manhattan's commercial garbage under the Solid Waste Management Program.
- The SEIS should include a traffic analysis of the impact of all of the garages between 72<sup>nd</sup> and 59<sup>th</sup> Streets that have been built since 1992 and should include the first phase of the Fordham development, which is scheduled to open in 2014.

**Parking**

CB7 questions the Draft Scope of Work's inclusion of 1,800 parking spaces on sites L, M and N, which would, as described above, increase the number of parking spaces in the entire Riverside South development well above the limits set in the 1992 Restrictive Declaration.

- The SEIS should analyze how many new spaces will be utilized by the residential buildings, how many utilized for transient parking, and how many for long term parking.
- The SEIS should include a detailed study describing and analyzing the future need for public parking. An analysis should include the present usage of the Riverside South garages and an evaluation of the number of actual spaces now in use on the site for short and long-term parking.
- The SEIS should study limiting parking to the original 743 approved spaces.

**TRANSIT AND PEDESTRIANS. (pp.30-31)**

- Impacts of this project should be assessed for the 59<sup>th</sup> Street/Columbus Circle subway station, the 66<sup>th</sup> Street/ Lincoln Center subway station and the 72<sup>nd</sup> Street subway station at Broadway.
- Transit-oriented pedestrian counts should be conducted at Columbus Circle, 66<sup>th</sup> Street and Broadway, and 72<sup>nd</sup> Street and Broadway. Bus and subway counts are proposed only for rush hours. Counts must be taken at midday and other off-peak hours, as well.
- The Draft Scope of Work describes the possibility that accommodation is made for a light rail station, but no light rail is presently planned or likely to be built. The 42<sup>nd</sup> Street Light Rail Proposal is no longer under consideration.
- It is essential that room and accommodation be made for a future Metro-North Rail station. This service is presently planned, most likely to coincide with the East Side Access project, bringing LIRR trains into Grand Central. This would free up slots in Penn Station to allow Hudson Line trains access. Envisioned are stops at 61<sup>st</sup> Street, 125<sup>th</sup> Street, and perhaps one more. The SEIS should examine all MTA studies of these new Metro North Stations, including one contemplated at 61<sup>st</sup> Street, including the one contemplated at 61<sup>st</sup> Street, and the feasibility and funding possibilities for such stations.

**AIR QUALITY. (pp.31-34)**

- The Draft Scope analysis is based on current air quality standards, but it is likely that new emission standards will be in place in the near future. Analysis should be made on more stringent emission standards, not just current standards.
- The SEIS must include analysis of the air-quality implication of suggested alternatives of a below-grade cogeneration facility, as the Con Edison steam plant is a major consideration in the Draft Scope of Work's discussion of this analysis.
- The SEIS should consider a range of vehicle sizes in the air quality analysis.
- The SEIS should specify the type of venting that is proposed for the garages and analyze the impact of that venting.

**BELOW-GRADE USES. (p.6)**

- The Draft Scope of Work provides for 168,050 sq. ft. of automobile showrooms below grade. The SEIS should examine the number of auto showrooms that exist on or near Eleventh Avenue south of the site, and evaluate the need for additional showrooms at this site.
- The SEIS should determine the exact services offered at the auto showrooms, including service stations, and analyze the environmental impacts of these.
- The SEIS should include an analysis of alternatives to this use, including but not limited to public sports complexes and recreational areas, university-and hospital-related biotechnology uses, legitimate theatres, rentable rehearsal spaces, community spaces and others.

**WASTEWATER. (p.25)**

- This analysis should include anticipated development in the North River Treatment Plant's catchment area, not just the Study Area.

- The SEIS should include an analysis of the use of high level storm sewers for separated wastewater discharge that would reduce run-off and compare this with the use of a combined sewer overflow system.
- The SEIS should study on-site gray-water recycling as an alternative way to address issues of water supply and wastewater.
- The SEIS should analyze an on-site sewage treatment facility as an alternative way to address wastewater issues.

**SOLID WASTE AND SANITATION SERVICES. (p.25)**

- The SEIS should include an analysis of co-generation as an alternative be studied, with a cost comparison with the current out-of-state disposal system.
- The SEIS should specifically identify and analyze the impacts of the various alternative plans for the 59<sup>th</sup> Street Marine Transfer Station.
- The SEIS should specifically analyze a below-grade compaction utility as an alternative.

**ENERGY. (p.25)**

- The SEIS should study an on-site waste-to-energy facility (probably below-grade) and analyze the possibility of new Energy District as an alternative to address issues of solid waste and energy, which PlaNYC requires in any development over 300,000 sq. ft.
- SEIS should analyze a below-grade cogeneration plant as an alternative to address energy issues (electricity, heating, and cooling) as part of an Energy District for Riverside South/Center and possibly beyond.

**SUSTAINABILITY REQUIREMENTS.**

This development should conform to the highest standard of sustainability construction. The SEIS should include an analysis of the project using LEED platinum standards, the new United States Green Building Council's standards, and PlaNYC goals and principles. CB7 emphasizes that only the latest technology and equivalencies at the time of construction will be acceptable.

**COMPLETING THE HIGHWAY TUNNEL, ADDITIONAL PARK LAND AND MOVING THE HIGHWAY.**

This possibility was described in the FEIS, and the 1992 Restrictive Declaration contemplated that the Miller Highway would be buried throughout the site area prior to the completion of the permanent sections of Riverside Park South. In accordance with the Restrictive Declaration, Extell is completing one section of the tunnel for a possible future enclosed highway. There has been general discussion of the possibility of the developer being required to complete both sections of the tunnel for the potential future buried highway. The community, CB7 and the city have not yet engaged in full, specific, public discussion of this possibility, which would require a modification to the 1992 Restrictive Declaration. Several CB 7 committees have expressed the view that the SEIS should include the study of the developer taking on this obligation as part of its Riverside South obligations, which would likely significantly enhance the possibility of burying the highway in future years and thus creating far more desirable open park land available for Riverside Park South uses.

In addition, the SEIS should examine the effects of the proposed Riverside Center on the Riverside South Park with the Miller Highway buried. As noted, the Restrictive Declaration contemplated that the highway would be buried prior to construction of the permanent inland sections of Riverside South Park,

in which situation the inland sections of the park would become far more desirable (and likely far more used) park areas than the "Interim" sections built under the existing highway. The SEIS should study how the enormous new residential population of Riverside Center, as well as its other impacts, including commercial users, shadows, etc., would impact Riverside South Park in the buried-highway configuration.

**DEMOGRAPHIC DATA ANALYSIS.**

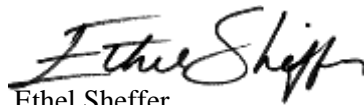
CB7 recommends and urges that all demographic and related information and statistics utilize data from the US Census and other major research sources that are more recent than the Census data of 2000, which is now mostly outdated.

Community Board 7 thanks you for the opportunity to comment on the SEIS Draft Scope of Work for this very significant project. We look forward to additional public comment and participation in this important process.

Very truly yours,



Helen Rosenthal  
Chairperson



Ethel Sheffer  
Co-Chairperson, Riverside South Task Force