

APPENDIX F
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Gale A. Brewer, Borough President

September 1, 2021

Recommendation on ULURP Application No. N210439ZRM
250 Water Street
by 250 Seaport District, LLC

PROPOSED ACTIONS

250 Seaport District, LLC (the “Applicant”) is seeking a number of zoning text amendments to the New York City Zoning Resolution (“ZR”), modifications, authorizations, certifications, and a special permit by the City Planning Commission (the “CPC”) to facilitate the redevelopment of Manhattan Block 98, Lot 1 in Lower Manhattan that is bounded by Water Street, Beekman Street, Pearl Street, and Peck Slip (“Zoning Lot A”). Zoning Lot A is located within the South Street Seaport Subdistrict of the Special Lower Manhattan District and the South Street Seaport Historic District in Manhattan Community District 1 (“CD1”).

The Proposed Actions would facilitate the development of Zoning Lot A into a new mixed-use residential, community facility, and commercial development containing 550,000 zoning square feet (the “Proposed Development”). The Applicant proposes to transfer floor area from the Seaport Development Rights Bank to Zoning Lot A, and modify the boundaries of the “Large-Scale General Development” (“LSGD”) to include Zoning Lot A and the intervening demapped streets (“Zoning Lot B”), distribute development rights from Pier 17 (“Zoning Lot C”) to Zoning Lot A, and modify bulk regulations to accommodate the proposed building envelope. Additionally, these actions would allow the service road on Pier 17 (the “Access Drive”) to be used for passenger pick-up and drop-off instead of only for loading and deliveries.

The Applicant is requesting approval the following actions:

- Zoning text amendments to the South Street Seaport Subdistrict regulations, including:
 - ZR Section 91-62 to modify the definition of “receiving lot” to include Zoning Lot A;
 - ZR Section 91-68 to allow the demapped portions of Fulton, Front, and Water Streets to be defined as a “zoning lot” for purposes of the ZR 12-10 definition of the LSGD; and
 - ZR Article IX, Chapter 1, Appendix A, Map 6 to designate Zoning Lot A as a receiving site.
- Modifications to the South Street Seaport/Pier 17 LSGD to update the LSGD site plan and zoning calculations, and to include two additional zoning lots: the Demapped Street Portion (Zoning Lot B) and the project site (Zoning Lot A);
- Modifications to the restrictive declaration to update the previously approved LSGD site plan and zoning calculations and to modify the Pier 17 Traffic Management Plan;

- A CPC special permit pursuant to ZR 74-743(a) to allow:
 - the distribution of floor area without regard for zoning lot lines or district boundaries; and
 - the location of buildings without regard to applicable height, setback, or street wall regulations.
- A CPC authorization pursuant to ZR 13-441 to modify ZR 13-241(c) to allow a 20-foot wide curb cut to be located on Pearl Street, a wide street. The new curb cut would serve as an entrance to an as-of-right accessory attended off-street parking facility with a maximum capacity of 108 spaces;
- A CPC authorization pursuant to ZR 62-822(b) to modify the requirements within the Pier 17 Waterfront Public Access Area (the “WPAA”) to allow for security bollards to be located within the upland connection of the WPAA and allow them as permitted obstructions within the required pedestrian circulation path;
- A CPC certification pursuant to ZR 62-12(c) that the proposed design changes to the WPAA would not increase the degree of non-compliance or would result in a greater level of compliance with the waterfront zoning regulations, as modified by the proposed authorization under ZR 62-822(b) and previously approved authorizations (N130056ZAM, N130057ZAM, and N170054ZAM, collectively the “WPAA Authorizations”); and
- A CPC certification pursuant to ZR 91-65 to transfer development rights to Zoning Lot A.

BACKGROUND

Area Context

The South Street Seaport neighborhood includes a range of land uses and building types. The block containing Schermerhorn Row includes ground-floor retail uses and other commercial uses as well as space for the existing South Street Seaport Museum. Other blocks include low-rise residential uses and ground-floor restaurant and retail uses, with other scattered uses including hotel uses and a Con Edison substation along South Street between Peck Slip and Dover Street. Across from Zoning Lot A are two schools: the Blue School across Water Street and P.S. 343 across Peck Slip. Along Fulton Street is the Fulton Market Building, with restaurant, retail, and entertainment uses.

The area along the waterfront contains the East River Esplanade and Piers 16 and 15 that are in use as recreational and cultural/entertainment spaces. Pier 16, which is leased by the City to the South Street Seaport Museum, is also used to dock historic ships and other vessels. Pier 15 has been reconstructed as publicly accessible open space and contains a pavilion with rooftop open space.

The larger nearby area includes portions of the Financial District, generally to the south and west of the Brooklyn Bridge and the Two Bridges neighborhood. The Financial District, historically the city’s primary commercial center with shopping and office uses, has recently undergone significant redevelopment with residential, retail, and entertainment uses. There is some modern infill construction, which generally includes residential and retail uses.

The inland area to the south of Fulton Street contains the traditional high-density center of the Financial District. This area includes large office towers along Water Street, South Street, and further inland. The area also contains several recently built residential towers and residential conversions.

The area north of Fulton Street and west of Zoning Lot A contains Southbridge Towers, a large housing cooperative built under the Mitchell-Lama housing program that was completed in 1969. Southbridge Towers are on a superblock between Gold and Pearl Streets and include approximately 1,641 residential units within four 27-story buildings and five low-rise buildings. In late 2014, by a margin of 10 votes, residents of Southbridge Towers voted to exit Mitchell-Lama, effectively terminating the below-market affordability of all units on-site. This portion of the neighborhood also contains the New York-Presbyterian/Lower Manhattan Hospital and facilities for Pace University, both of which are located along Spruce Street west of Gold Street, as well as 8 Spruce Street, a residential tower further to the northwest.

The area to the north of the Brooklyn Bridge in the Two Bridges neighborhood contains the New York City Housing Authority Governor Alfred E. Smith Houses. Completed in 1953, the complex contains approximately 1,931 residential units in 12 buildings that are between 15 and 17 stories tall, as well as open space and a public school (P.S. 126). This area also contains Murry Bergtraum High School, the Urban Assembly Maker Academy, and the Manhattan Early College School for Advertising, all located northwest of the Smith Houses across Pearl Street.

The surrounding area is well served by public transit. The Fulton Street Subway Station is six blocks to the northwest of Zoning Lot A and provides service for the A, C, J, Z, 2, 3, 4, and 5 trains, as well as transfers to the E, N, R, and W trains at the World Trade Center/Cortlandt Street Subway Station. The M15, M15-SBS, and the Free Downtown Connection buses have a bus stop one block to the west of Zoning Lot A. In addition, Zoning Lot A is eight blocks to the northeast of the Wall Street/Pier 11 ferry terminal, which has access to the Astoria, East River, Rockaway, Soundview, South Brooklyn, and Governors Island routes. Further down South Street is Whitehall Terminal which has access to the Staten Island Ferry.

According to Census data, from 2010–2020, Manhattan Community District 1 grew in population by 28.6%. The district's Black, white, Asian, and Latinx populations have increased 14.2%, 20.8%, 34.5%, and 42.6% respectively. The total number of housing units has increased 23%, while the vacancy rate has increased 20.4%.

Site Description

The Project Area is comprised of the LSGD. The existing LSGD is comprised of parts of Lots 8 and 10 and all of Lot 11 on Block 73 and part of Marginal Street. It currently includes the Pier 17 building, a three-story retail structure, the Tin Building, an approximately 60,000 square foot market structure on Pier 17, and is served by an access drive in Zoning Lot C, described below. Buildings within the LSGD currently comprise 302,074 square feet of zoning floor area.

Under the proposed modifications, the LSGD would consist of the Pier 17 Zoning Lot, the demapped portion of Fulton Street between South Street and Water Street, the demapped portion

of Water Street between Fulton Street and Beekman Street, the demapped portion of Front Street between Beekman Street and John Street (collectively the “Demapped Street Portions” or “Zoning Lot B”), and Zoning Lot A. As modified, the LSGD will have a total lot area of 336,601 square feet and be permitted a maximum floor area of 1,117,698.5 square feet. Buildings within the LSGD currently comprise 302,074 square feet of zoning floor area.

Zoning Lot A (Block 98, Lot 1)

Zoning Lot A, comprised of 250 Water Street and 304 Pearl Street, is owned by the Applicant and is located in Manhattan CD1 to the southwest of the Brooklyn Bridge in lower Manhattan. It is an irregular, full-block site with approximately 333.03 feet of frontage on Water Street, 108.24 feet of frontage on Beekman Street, 323.84 feet of frontage on Pearl Street, and 189.69 feet of frontage on Peck Slip. Zoning Lot A has a lot area of 48,057 square feet.

Zoning Lot A is located within a C6-2A zoning district, which is a medium-density district that permits a wide range of residential, community facility, and commercial uses. The maximum FAR permitted for residential use is 6.02, 6.0 for commercial use, and 6.5 for community facility use. Residential portions of buildings in a C6-2A district are required to have a base height that is between 60 feet and 85 feet, and are allowed maximum overall building height of 120 feet. After the base height, a 10-foot setback is required from a wide street, and a 15-foot setback is required from a narrow street.

Zoning Lot A is currently used as a surface parking lot with a capacity of approximately 400 parking spaces and is served by a kiosk structure. It is located one block west of the Brooklyn Bridge. Zoning Lot A currently has a curb cut on Pearl Street that provides access to and from the parking lot, located approximately 60 feet east of Beekman Street.

Zoning Lot B (Demapped Street Portions)

Across South Street is the Demapped Street Portion (Zoning Lot B), which has a lot area of 60,570 square feet and is located within a C5-3 zoning district and a C6-2A zoning district. The Demapped Street Portion originally contained City-owned streets. Those streets were demapped in 1983 pursuant to C830356MMM (the “Map Change Resolution”) in order to accommodate a pedestrian plaza and spur economic development. All floor area generated by the demapped streets has been transferred to the Seaport Development Rights Bank. No floor area remains on the demapped street. Although demapped, the former streets within the Demapped Street Portion are considered “streets” for purposes of applying Zoning Resolution regulations, pursuant to ZR 91-62 and 91-68.

The Demapped Street Portion also contains an existing Use Group 6, open-air eating and drinking establishment (the “Garden Bar”). The existing Garden Bar is approximately 72.50 feet by 20.50 feet, and includes seating near the corner of Fulton Street and Front Street.

Zoning Lot C (Pier 17 Zoning Lot)

Pier 17, which is located within a C4-6 zoning district, has a lot area of 227,974 square feet. Underlying zoning regulations permit a maximum floor area of 775,111.6 square feet (3.4 FAR). Approximately 302,074 square feet of floor area (1.33 FAR) are currently being used on Pier 17.

Pier 17 includes public open space and a mixed-use building comprising retail, restaurant, entertainment, and office uses as well as a multipurpose rooftop space with areas for public access, concerts, and other events. Pier 17 underwent a redevelopment pursuant to the 2013 actions, which were modified by the 2016 modifications.

The “Tin Building” is an approximately 60,000 square foot market structure on Pier 17, being developed by SSSLP pursuant to the 2016 modifications, and is slated to open in late 2021 or early 2022. The Tin Building will feature a culinary marketplace offering fresh and prepared foods. Surrounding the Tin Building to the southwest, southeast, and northwest is the Access Drive.

The Access Drive has a one-way entrance on South Street opposite Fulton Street and a one-way exit back to South Street as a prolongation of Beekman Street. Pursuant to the restrictive declaration, the access drive may only be used for loading and deliveries to Pier 17 and the Tin Building.

The existing New Market Building on Pier 17, adjacent to the Tin Building, is currently being demolished by the City. The site is currently owned by the NYC Department of Small Business Services and is expected to be redeveloped into a commercial and community facility building.

On May 5, 2021, the Landmarks Preservation Commission (“LPC”), by a 6-2 vote, granted a Certificate of Appropriateness (LPC application No. 21-03235; certificate No. 21-03235) for the proposed design of the residential tower at 250 Water Street. The Certificate expires on May 4, 2027.

Project Description

The LSGD is comprised of three zoning lots: Zoning Lot A, the Demapped Street Portion (Zoning Lot B, which includes an open-air eating and drinking establishment), and the Pier 17 Zoning Lot (Zoning Lot C). Zoning Lot A would be developed into a new, mixed-use building.

Zoning Lot A - 250 Water Street

The Proposed Development would be developed into a mixed-use building containing 550,000 square feet of zoning floor area (the “Building”). The Building would include approximately 376,300 square feet of residential floor area, 153,000 square feet of office floor area, 15,900 square feet of retail, and 4,800 square feet for community facility use.

The Building would include approximately 75,260 square feet – 20% of the total residential floor area – as “affordable” floor area at an average of 40% of the area median income (“AMI”). The Building would consist of a 74.33-foot tall, five-story base with office, community facility, and retail uses. Above the base, the Proposed Development would set back 10 feet from Beekman Street, five feet from Peck Slip, and 15 feet from Water Street. The residential portion of the building (the “Residential Portion”) would rise above the base and reach a total height of up to 324 feet. The Building would comply with flood zone regulations of Article VI, Chapter 4 of the Zoning Resolution, and may incorporate resiliency measures and zoning deductions available pursuant to the Zoning for Coastal Flood Resiliency text amendment.

The Proposed Development would include a 108-space, below-grade as-of-right accessory parking facility. Vehicles would enter the parking facility using a curb cut on Pearl Street and exit using a curb cut on Beekman Street. Vehicles would be able to access the lower level for parking facilities by elevators. There would be 10 reservoir spaces on the ground floor. As required by ZR 13-26, the exit to the parking garage on Beekman Street would be equipped with stop signs and speed bumps to slow exiting vehicles. Parking would be primarily for residents and tenants, with a small percentage potentially available to the public depending on the final building program.

To service the retail and office uses of the Proposed Development, two loading berths would be located on Pearl Street. The Proposed Development would also include 187 bicycle parking spaces.

Zoning Lot B - Demapped Street Portion

Located within Zoning Lot B is the Garden Bar, an existing Use Group 6, open-air eating and drinking establishment. The Garden Bar is approximately 72.50 feet by 20.50 feet, and includes seating near the corner of Fulton Street and Front Street.

Zoning Lot C - Pier 17

Zoning Lot C would be modified to allow for the following changes:

- Fixed and retractable bollards are proposed within the Pier 17 Zoning Lot along South Street in front of the Tin Building and Pier 17;
- Three guard booths, with an aggregate area of 105 square feet, are proposed to be adjacent to the access drive. One booth would be located west of the Tin Building and within the portion of the Esplanade surrounded by the access drive. The second booth would be located at the top of the access drive loop. The third booth would be provided to the east of the Tin Building outside of the portion of the Esplanade surrounded by the access drive;
- The building on Pier 17 would add a skylight, which is a permitted obstruction;
- The curb boundaries of the access drive would be realigned to accommodate a Con Edison gas meter for the Tin Building while also maintaining a continuous 10-foot clear pedestrian path along the northern side of the Tin Building; and
- The Traffic Management Plan for the access drive at Pier 17 would be modified to allow for passenger pick-up and drop-off instead of service for loading and deliveries only.

COMMUNITY BOARD RECOMMENDATION

Manhattan Community Board 1 (“CB1”) held a public hearing for the 250 Water Street application on June 14, 2021. On July 27, 2021 at its Full Board meeting, CB1 voted to recommend disapproval of the application unless the Applicant met certain conditions. Thirty-one board members voted in favor of disapproval, 2 members voted in opposition, 1 abstained, and 1 recused.

CB1 recommended denial of the application and outlined their comments on the application, including:

- The Proposed Development would undermine years of carefully crafted zoning regulations meant to guide the orderly growth of the Seaport through modifications proposed by Howard Hughes Corporation which reconfigure the rules to advance a private, profit-driven agenda;
- Given that the 1972 Seaport Transfer Mechanism was created to maintain the very unique low-scale character of this 11-block historic district, where the average building is four to five stories in height, by creating a mechanism to move such development rights to sites *outside* the Seaport Historic District, CB1 opposes the proposed zoning text amendment to make 250 Water Street into a receiving site;
- The Applicant has not committed in writing that they will contribute to the Seaport Museum's endowment or the pledged John Street expansion as a result of this proposal;
- This proposal is not in line with the guiding principles developed by the Seaport Working Group, particularly as it relates to building heights and density;
- The Applicant has not specified whether or not the transfer of development rights from Pier 17 would require an open bidding process;
- The Howard Hughes Corporation would control a greater portion of the South Street Seaport area, and would therefore have greater power over how the Seaport evolves; and
- The proposal to expand the LSGD and incorporate the demapped portions of Fulton Street to allow for the transfer of development rights from Pier 17 to 250 Water Street skirt the long-standing Seaport Transfer Mechanism.

BOROUGH PRESIDENT'S COMMENTS

The South Street Seaport Historic District is a testament to the City's preservation efforts throughout the decades. From its historic cobblestone streets to its Greek Revival buildings, the protection and maintenance of this landmarked area is vital in conserving the history of the nation's first major port and the history of New York City's trade, commerce, and architecture. This application is not just for a new development. It is also a proposal to preserve and revitalize the Historic District and the South Street Seaport Museum – an anchor for the district. In addition, this proposal would bring new affordable housing units to the area.

250 Water Street is one of the last remaining developable lots in the area and is the largest vacant site within a historic district in New York City. The site is a non-contributing site that is currently being used as a parking lot. As written in my testimony presented to the Landmarks Preservation Commission (LPC) on two separate occasions, developing this site would be in line with the 1969 South Street Seaport Museum's Master Plan for the neighborhood. That Master Plan called for the preservation of low-density historic buildings closer to the waterfront and the development of taller buildings further inland. For this particular site, the Master Plan predicted a building with more density that would serve as a transition toward the low masonry buildings closer to the waterfront. The updated project design shows a singular tower, which has already been approved by the LPC for a Certificate of Appropriateness. I reiterate my approval with LPC's determination that the building's design, fenestration, materials, color, and detailing of the building pairs well with pre-existing historic structures in the area.

I am aware that the issues important to the Seaport area are pertinent to this application, notably historic preservation, economic development, and environmental resiliency. My office began

engaging the Seaport community as early as 2014, with the formation of the Seaport Working Group. That group was re-established in 2018 as the Seaport Advisory Group. Participants included elected officials, members of City agencies, Community Board 1, and other vital stakeholders. The South Street Seaport Museum in particular has been a key player and advocate of historic preservation of the Historic District. Seaport residents have all benefitted from the Museum's active and ongoing work, and this project is a one-of-a-kind opportunity to continue aiding the Museum's preservation programs and educational outreach. If we care about preservation, then we must ensure that institutions like the Seaport Museum remain in operation for many years to come. The Applicant has demonstrated that they understand the value of retaining and supporting the museum. However, I remain concerned that at this time, the financial mechanism for approval and delivery of that funding has not yet been established. I am aware that negotiations are continuing over approval of the \$50 million to establish an endowment for the museum, but I await the conclusion of these discussions before I support this application.

I remain concerned that the Applicant has yet to address the ongoing environmental concerns of the Peck Slip School and the Blue School, and Southbridge Towers. The 250 Water Street parking lot sits above a 19th-century thermometer factory and has tested positive for underground contaminants, such as mercury and petroleum. On June 24, 2019, the New York State Department of Environmental Control (NYSDEC) admitted the project into the Brownfield Cleanup Program (BCP). Throughout 2020 and 2021, residents and parents submitted numerous public comments regarding the Remedial Investigation Work Plan. My office helped to negotiate an agreement under which an environmental engineer has been providing analysis of the design and implementation of the clean-up for the community, and this support must continue. I urge that the Applicant maintain transparent and open communication with that contracted environmental consultant, Excel Environmental Resources, Inc. (Excel), and that contaminants and hazardous materials be removed or maintained at safe levels in consideration of the two schools and several day care centers in the vicinity of the site.

A second concern voiced by teachers and parents of the Peck Slip School and the Blue School, as well as residents of Southbridge Towers, pertains to future construction work on the Project Site. Traffic, excavation, pile driving, placement of fill and soil, and other disruptive construction activities must fully protect existing air quality and water and electrical transmission lines and minimize vibration and noise. Regulations for engine emissions, construction waste reduction, and water and sewage infrastructure must be in effect and communicated to both construction companies as well as neighborhood residents and businesses. The Applicants must conduct outreach to all surrounding property owners, residents, and schools with detailed information concerning future and continuing construction and potential impacts, and respond to the questions and concerns of these owners and residents. Like many other projects occurring in the borough of Manhattan, a community construction liaison must be made available 24/7 from pre-construction through the project's completion to serve as a direct community contact via a hotline and email address to be posted prominently on the construction site and social media.

I emphasize that this opportunity to develop a non-contributing site as one of the last remaining sites in the South Street Seaport Historic District is momentous. Bringing new residents into the neighborhood – including the opportunity for more affordable units – the project supports the

economic revitalization of the area, which is sorely needed after the devastating impacts of COVID-19. Furthermore, the project is an opportunity to sustain efforts of the South Street Seaport Museum, which furthers ongoing preservation projects in the community.

250 Water Street is a project that both celebrates the past and effectively plans for the future of the South Street Seaport neighborhood. But the Seaport area will not be successful or honor New York City's history unless the South Street Seaport Museum is able to secure the funding for an endowment.

BOROUGH PRESIDENT'S RECOMMENDATION

Therefore, the Manhattan Borough President recommends that the Applicant ULURP Application No. N210439ZRM agree to the following:

1. Present a legal mechanism that will ensure the Seaport Museum obtains its \$50 million in funding. This mechanism should be in place before the ULURP application receives final approval;
2. Maintain transparent and open communication with the contracted environmental consultant, Excel Environmental Resources, Inc. (Excel), and contaminants and hazardous materials are removed or maintained at safe levels during and after the period of construction;
3. Traffic, excavation, pile driving, placement of fill and soil, and other disruptive construction activities must fully protect air quality and existing water and electrical transmission lines and minimize vibration and noise; and
4. Conduct outreach to all surrounding property owners, residents, and schools with detailed information concerning future and continuing construction and potential impacts and respond to the questions and concerns of these owners and residents.
5. Allocate the space in the Trans-Lux Building to the Fulton Stall Market and/or other greenmarkets that feature locally grown goods and products.



Gale A. Brewer
Manhattan Borough President



**Testimony of New York State Assemblymember Yuh-Line Niou
to the City Planning Commission Regarding the Draft Environmental
Impact Statement (DEIS) for 250 Water Street/89 South Street - South
Street Seaport Historic District**

*Assemblymember Niou represents the 65th Assembly District which includes
Battery Park City, Chinatown, the Financial District, the Lower East Side, and the
South Street Seaport.*

My name is Amy Vera, representing the office of Assemblymember Yuh-Line Niou. Assemblymember Niou is at Albany for an extraordinary session and wanted to share this testimony to the City Planning Commission today.

My name is Yuh-Line Niou, the New York State Assemblymember representing Lower Manhattan, including the South Street Seaport Historic District.

Many of us here, including myself, have testified at the previous hearings with the Landmarks Preservation Commission and other agencies in opposition to the applicant's proposal and have returned today to once again, oppose the revised proposal and highlight the continued disregard of our community throughout this process.

I am proud to represent the South Street Seaport Historic District. There is simply no place like it in New York. Our 11 blocks represent the city's humble early beginnings as brick buildings along a beautiful stretch of water. In New York, more than in almost any other city, our architecture tells the story of where we have been, and who we would become. That is why it is so important we protect this community treasure.

In recognition of that treasured history, Manhattan Community Board 1, elected officials, community groups and local developers joined together to rezone the area to a specific zoning restriction, C6-2A. The intention for this zoning was to preserve its magic for future generations. In this case, a key part of that preservation came through restrictions limiting building heights to 120 feet and floor area ratios.

That language is clear, which makes this proposal unacceptable and absurd. The building's height, even with its alterations, far exceed what would be deemed acceptable under a fair interpretation of these restrictions. Equally concerning is that the building's footprint merely shifts density to the edge of the district. The current proposal feels more of a sleight of hand than a serious attempt to incorporate community feedback and local restrictions. This proposal should not have gotten this far in the ULURP process in the first place.

To be clear, the historic preservation zoning regulations put in place do not represent a burden on developers. Numerous developers have completed projects within the zoning guidelines. At no point has this developer ever proposed a building project that adheres to the height limitations of the Historic District or with an appropriate usage of air rights. To proceed with this project would punish every developer who has worked collaboratively with our community within the guidelines we have set forth.

Furthermore, the City has elected to continue the ULURP process while a Brownfield Cleanup Project is ongoing at the site. Lower Manhattan is already a "built" environment and would require a complex plan to perform the remediation within a densely populated area surrounded by numerous schools, landmarked low-scale residential buildings, commercial space with substantial tourism, and a large residential building complex steps away.

250 Water Street is highly polluted with contaminants such as elemental mercury, PCBs, metals, pesticides, volatile organic compounds, petroleum and tar-related products, chlorinated solvents, and per- and polyfluoroalkyl substances (PFAS). It is estimated that one million cubic feet of clean and dirty soil would need to be excavated across the entire site. The school children, nearby residents, and the general public are currently not at risk of being exposed to those contaminants because of the asphalt parking lot covering the site. However, once the asphalt is removed for remediation and development, there is a significant risk of exposure and harm.

Apart from potential public exposure to hazardous substances, it is clear the Brownfield remediation would impose significant other environmental impacts on the community relating to noise, vibration, dust, odors, construction traffic, and other impacts in addition to those resulting from the building construction itself. The DEIS fails to address and analyze these issues sufficiently as the Brownfield Project is not yet complete. I believe the CPC must fully analyze and make considerations on proper mitigation from these issues, but this cannot be done until the Brownfield Project has progressed significantly. As a result, the CPC must reject the DEIS and work towards a solution and timeline that can incorporate vital information and mitigation measures from both projects if the intention is to perform these projects simultaneously against our community's wishes.

I stand strong with our community and urge the CPC to see the truly devastating ramifications of this project. This project has never fit the clear historic preservation goals of our community, and has failed to address the needed environmental benefits, affordable housing needs, and density issues that our community needs. It additionally

fails to address the environmental impacts set forth by the building's construction and the Brownfield Clean-Up Project. The greed of developers must not come before the safety of the community who will have to endure the consequences of their actions.

COMMUNITY BOARD

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	2 Opposed	1 Abstained	1 Recused

RE: 250 Water St ULURP Application

WHEREAS: A series of ULURP and non-ULURP actions to facilitate the development of a new, 324-foot tall, 550,000 ZSF, mixed-use building with approximately 376,300 ZSF of residential use, 4,800 ZSF of community facility use, 153,000 ZSF of commercial/office and 15,900 ZSF of retail being sought by a private applicant, 250 Seaport District LLC, at 250 Water Street (Block 98, Lot 1) in the South Street Seaport Special District, within the Lower Manhattan Special District, Community District 1, Manhattan; and

WHEREAS: In December 2020 and March 2021, CB1 adopted resolutions urging the Landmarks Preservation Commission (LPC) to reject the application for the 250 Water Street proposed development. On May 4, 2021, LPC voted to approve HHC’s third 250 Water Street design as appropriate for the Seaport Historic District; and

WHEREAS: The application package (M130053BZSM; N210439ZRM; N210446ZCM; N210441ZAM; M210442LDM; N210443LDM; N210445ZAM;N210440ZCM; C210438ZSM) was certified as complete by the City Planning Commission (CPC) at its May 17, 2021, meeting, triggering the start of the Uniform Land Use Review Procedure, the public review process known as ULURP; and

WHEREAS: The Howard Hughes Corporation (HHC)’s application for its privately owned 250 Water Street site seeks major changes to the Seaport zoning and the City’s de-mapped public streets; and

WHEREAS: CB1 played a major role in putting into place the existing C6-2A Seaport zoning in 2003 when it sponsored a ULURP action to change the zoning and won overwhelming support for this zoning from the community, Seaport property owners, the South Street Seaport Museum, the Downtown Alliance, the CPC, and all local and Citywide elected officials; and

WHEREAS: The current zoning caps the height of new buildings at 120’ and is meant to maintain the low scale size of the buildings that populate the Seaport Historic District, which average 4-5 stories in height and make it such a unique part of NYC; and

WHEREAS: CB1 has adopted multiple resolutions indicating it would support the construction of a new building at 250 Water Street that complies with the existing zoning and is extremely troubled by the proposed HHC building that would be roughly three times taller than what is permitted by zoning in this low scale district; and

WHEREAS: In 2014, the Seaport Working Group outlined as one of its eight guiding principles Building Heights and Views, encouraging “the transfer of development rights to incentivize lower buildings and public open space in the immediate vicinity of the South Street Seaport Historic District in conformance with the design objectives of the 1998 Urban Renewal Plan Area;” and

WHEREAS: This proposal involves expanding the existing Pier17 Large Scale General Development area (LSGD), using the de-mapped City streets around the Seaport’s Fulton Plaza core to provide a physical connection between the 250 Water Street development site and the Pier 17/ Tin Building sites. This one action provides the link to unused development rights at the Pier17/Tin Building waterfront necessary for achieving the desired density at 250 Water Street; and

WHEREAS: HHC’s proposal to expand the LSGD has been designed as a way to circumvent at least two problems: it connects the 250 Water Street site physically to the Pier 17 site, which attempts to address adjacency for development rights transfer; and it uses the expanded LSGD as a vehicle for redistributing unused development rights within the LSGD bounds, thus avoiding having to deal with the issues of granting and receiving sites of the 1972 Seaport Transfer Mechanism specifically designed to control how development rights are transferred throughout the Seaport area; and

WHEREAS: The Brooklyn Bridge Southeast Urban Renewal Plan (BBSE-URP) has been in effect since 1968. Alongside ongoing public involvement in preservation efforts, it has provided some guidance and controls over the development that has taken place in the South Street Seaport area since then. It will expire in 2068; and

WHEREAS: This timing is relevant to an application that NYC Small Business Services (SBS) will be filing shortly to extend the Seaport Lease (HHC interests) for another 99 years until 2120; and

WHEREAS: Unless significant changes are incorporated, the extension of HHC’s amended 2013 Marketplace Lease beyond its final current expiration date of 2072, in conjunction with its 250 Water Street proposed expansion of the Pier 17 LSGD, will place a major portion of the South Street Seaport Historic District in the hands of a sole private developer with little counter-balance in place from competitors, or from City agencies that should be protecting the Seaport’s public assets; and

WHEREAS: From the Rouse Corporation to General Growth Properties, the City has established a history of relying on private developers in the South Street Seaport area, only to result in a pattern of failure; and

WHEREAS: CB1 has great concerns over how EDC has historically managed City assets in Lower Manhattan. There have been missed opportunities to generate affordable housing and provide community facilities and amenities with the disposition of various properties; including 49-51 Chambers Street, 346 Broadway and 137 Centre Street; and

WHEREAS: In December 2019, CB1 voted on a resolution regarding a proposed SBS/Economic Development Corporation (EDC) concession agreement via the NYC Franchise and Concession Review Committee (FCRC) for demapped pedestrian streets in the Historic South Street Seaport district, where EDC represented to CB1 that the funds would be restricted so that they cannot be spent outside of the Historic South Street Seaport district and that, in coordination with the Manhattan Borough President's Office and CB1, the revenue would be used to contribute back to the character of the South Street Seaport, specifically for improving maritime history, boat maintenance, etc. To date, no funds generated by this concession agreement have been used for such purposes, and the Seaport Museum has represented that they have not yet received any funding via this agreement; and

WHEREAS: Regarding the transfer of development rights from Pier 17, the applicant has represented that an open procurement process is not required; and that since the development rights are within HHC's leasehold, HHC is entitled to exclusive use of them. However, a January 2020 letter from EDC to the New York City Comptroller's office states that: "If the City were to consent to the transfer of development rights from Pier 17 and the Tin Building sites, the development rights would first need to be alienated from HHC's leasehold through negotiation, and then disposed of through a public procurement process;" and

WHEREAS: When asked to comment on this discrepancy, EDC reported that "upon further review by City Law Department and EDC, it was determined that a competitive process would not be warranted because most of the development rights associated with Pier 17 are included in HHC's lease and therefore would not be available for use by others until 2072," and that

WHEREAS: Since HHC's first activities in the South Street Seaport, CB1 has made repeated requests for the developer to provide a master plan for its properties throughout the entirety of the South Street Seaport area. It puts the community at an inherent disadvantage to review segmented, piecemeal applications in a vacuum without the contextual understanding of broader plans for the area. This is exacerbated by the fact that the community has not received sufficient information, nor had sufficient time for review or meaningful discussion regarding the pending Seaport Disposition ULURP/Marketplace lease renewal which directly impacts the areas currently under consideration; and

WHEREAS: Last year, a private developer expressed interest in purchasing city-owned development rights and the plan was presented to the Manhattan Borough President and local Council Member by CB1, but there was no interest or follow-up from the City; and

WHEREAS: HHC had initially stated that the South Street Seaport Museum would receive a \$50 million endowment as a result of the proposed 250 Water Street development. HHC proposes to purchase from the City unused development rights from Pier 17, the proceeds of which the City would then transfer as funding to the Museum. After the LPC review and corresponding reduction in total square footage, it is unlikely- if not impossible- for \$50 million to be generated from the disposition of unused development rights by the applicant for the 250 Water Street project. There is no plan for how the additional funds will be sourced and there are no contractual agreements in place to guarantee that the Museum will receive any funding, let alone funding at the levels represented as part of this proposal. Further, there is no guarantee that the Museum will be able to complete the John Street expansion as a result of this proposal; and

WHEREAS: CB1 held a public hearing on this application during the June 14, 2021 Land Use, Zoning & Economic Development Committee meeting with 64 speakers (67% in support, 30% in opposition and 3% undecided). CB1 also collected over 90 written comments on this application (73% opposed, 26% in favor and 1% undecided). Additionally, CB1 has received one petition in opposition which has gathered 1,004 signatures, and a second petition in opposition with 9,840 signatures; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 fully opposes this extremely complex and convoluted package of zoning actions intended to upzone this site to allow for the proposed oversized building at 250 Water Street, based on the issues outlined above and for the following additional reasons:

- The proposed development would undermine years of carefully crafted zoning regulations meant to guide the orderly growth of the Seaport through modifications proposed by HHC which reconfigure the rules to advance a private, profit-driven agenda.
- Given that the 1972 Seaport Transfer Mechanism was created to maintain the very unique low-scale character of this 11-block historic district, where the average building is four to five stories in height, by creating a mechanism to move such development rights to sites *outside* the Seaport Historic District, CB1 opposes the proposed zoning text amendment to make 250 Water Street into a receiving site. This runs completely counter to the intention of the existing Seaport Transfer Mechanism and to the community's long-standing and well-documented desire to maintain this unique part of Lower Manhattan. Further, allowing such a radical change creates a dangerous precedent for other Seaport property owners who may wish to follow suit.
- There is critical concern over the fact that there is nothing in writing to guarantee the Seaport Museum's endowment (at \$50 million or any other level) or the pledged John Street expansion as a result of this proposal. CB1 has identified in our April 2021 resolution a series of workable, alternative ways to generate income for the Seaport

Museum that can be done without the approval of an inappropriate building in the South Street Seaport Historic District, and continues to lobby for additional needed affordable housing in Lower Manhattan and in numbers far greater than what is contemplated at 250 Water Street at 5 WTC and at other sites.

- Our comments are at best incomplete at this time, and at worst subject to massive change, as we have not received full information, nor had time for review or meaningful discussion regarding the Disposition of Seaport Properties ULURP and the proposed amended Marketplace lease. We are also still in the process of discussing the DEIS for 250 Water Street, and the 250 Water Street Brownfield Cleanup Program Remedial Action Work plan that was only released to the public on June 25, 2021. These applications are being rushed through the review and approval process at the benefit of HHC, and the City should postpone review of all of these related applications until CB1 and the community have full information on all HHC, EDC and SBS Seaport applications that City Planning is aware of so we have a full understanding and sufficient opportunity to review.
- This proposal is not in line with the guiding principles developed by the Seaport Working Group, particularly as it relates to building heights and density.
- CB1 is disturbed by the discrepancy and lack of transparency surrounding whether or not the transfer of development rights from Pier 17 would require an open bidding process, and we object to the City's opaque processes surrounding this question as well as the conflicting explanations we have received. This suggests that the applicant and the City have created a "work around" to sell the purported public assets known as "air rights" to the applicant in a single-source transaction without an RFP to solicit competitive bids.
- CB1 rejects these actions which give HHC even more control of the South Street Seaport area, and maintains that a single profit-driven developer will exert outsized power over how the Seaport evolves.
- CB1 believes that the proposed actions to expand the LSGD and incorporate the de-mapped portions of Fulton Street to allow for the transfer of development rights from Pier 17 to 250 Water Street is a particularly egregious means of skirting the long-standing 1972 Seaport Transfer Mechanism.
- CB1 strongly opposes the proposal to redefine de-mapped portions of Fulton, Front and Water Streets as a "zoning lot," which is being done solely to create a physical connection to the 250 Water St site and enable HHC to move development rights from Pier 17 to the 250 Water Street site. These de-mapped streets are City owned, are intended to serve the public interest, and should not be used as a tool to boost a private developer's profits. CB1 maintains that the City should continue to control use of these important streets as they indicated in 2019 with the FCRC plan to activate these streets and make them even more accessible with additional recreational, cultural and educational public events.
- CB1 views these major proposed zoning changes as an attempt by HHC to impose new controls over even more Seaport assets than are currently locked into its existing lease

arrangements with the City. CB1 believes that the expanded LSGD would set the stage not only for a vastly large and out-of-context building at 250 Water Street, but also has the potential for HHC to have future undue influence over the de-mapped portions of Fulton Street via its inclusion in the LSGD area.

- CB1 believes HHC's claim that transferring unused development rights from Pier 17 would save the waterfront from inappropriate overbuild is false and self-serving, and CB1 opposes the transfer of development rights from Pier 17, which is being done solely to generate additional square footage for the 250 Water Street site. The waterfront sites are City-owned, and the City has full control over what could and would get built there. In recent years, the City's direction, in line with full community backing, has been and continues to be towards opening the waterfront for full public access and water-dependent and water-enhancing uses. Furthermore, the NYC Parks Department has been given control of the marginal streets underneath the FDR Drive to the water's edge. By definition, parkland would need to be alienated by the NYS Legislature for "development" to take place there.
- CB 1 objects to the proposal to allow the service road on Pier 17 (the "Access Drive") to be utilized for passenger pickup and drop-off instead of only for loading and deliveries. Use of the Access Drive was the subject of discussion during the Pier 17 renovation project development and the Tin Building site merged into the project in 2015-16. After consideration of the pedestrian concerns, it was decided that only delivery vehicles within controlled access hours, and emergency vehicles would use the access drive, and a lay-over area along the marginal street area in front of the Tin Building would be available for other drop-offs. If anything has changed, it is that more pedestrians are now using the waterfront, and there is no justification to change the type of use or access hours.
- Since there is now active litigation to overturn the LPC Certificate of Appropriateness for this specific design, City Planning should strongly consider delaying any action on this until a final determination is made by the Courts. This is particularly relevant to the various actions sought regarding height and setback or street wall regulations to allow for construction of the LPC approved building.



The City of New York
Manhattan Community Board 1
Tammy Meltzer CHAIRPERSON | Lucian Reynolds DISTRICT MANAGER

New York City City Planning Commission
Public Hearing on 250 Water Street ULURP Application
Testimony by Tammy Meltzer, Chairperson
September 1, 2021

Good morning, I am Tammy Meltzer, Chair of Manhattan Community Board 1 (CB1). In July 2021 CB1 adopted a resolution regarding the 250 Water Street ULURP application (attached). We recommend referencing the resolution for the full scope and context of comment regarding this proposal.

CB1 is strongly opposed to the Howard Hughes Corporation (HHC)'s application for the privately owned 250 Water Street site as it seeks major changes to the long-standing Seaport zoning. It is an egregious departure from years of carefully crafted regulations meant to guide the orderly growth of the Seaport, and the HHC proposed modifications to reconfigure these rules are to advance a private, profit-driven agenda. In 2003, CB1 played a major role in implementing the current C6-2A Seaport zoning when it sponsored a ULURP action to change the zoning and won overwhelming support from the community, property owners, South Street Seaport Museum, Downtown Alliance, CPC, and all elected officials. This current zoning caps building heights for new buildings at 120' and is meant to maintain the low scale size of the buildings within the unique Seaport Historic District. CB1 has adopted multiple resolutions indicating it would support a new building at 250 Water Street that complies with the existing zoning and is extremely troubled by the proposed building that is roughly three times taller than what is currently permitted.

As the 1972 Seaport Transfer Mechanism was specifically designed to maintain the very unique low-scale character of this historic district by creating a plan to move such development rights outside the Seaport Historic District, CB1 opposes the proposed zoning text amendment to make 250 Water Street into a receiving site. The applicant's claim that there are no potential receiving sites outside the historic district is demonstrably false. CB1 presented one such developer and several sites to MBPO Brewer and CM Chin on March 13, 2020 which was never followed up.

CB1 strongly opposes the proposal to redefine de-mapped portions of Fulton, Front and Water Streets as a "zoning lot," which is being done solely to create a physical connection to the 250 Water Street site and enable HHC to move development rights from Pier 17 to 250 Water Street. CB1 believes that this is a particularly egregious means of skirting the long-standing Seaport Transfer Mechanism. These de-mapped streets are City owned, are intended to serve the public

interest, and should not be used as a tool to enhance a private developer's profits. Further, allowing such a radical change creates a dangerous precedent for other property owners city-wide, signaling that protected districts are available to be compromised through gerrymandering the zoning regulations.

There is critical concern and uncertainty with nothing in writing by the City to guarantee the Seaport Museum's endowment (at \$50 million or any other level), or the pledged John Street expansion as a result of this proposal. Already, EDC has not fulfilled its 2019 promise to the Seaport Museum with the funding stream it asked CB1 to support. In April 2021 CB1 identified by resolution numerous workable alternatives to generate income for the Museum without engaging in zoning gymnastics or the approval of an inappropriate building. We continue to lobby for additional needed affordable housing in Lower Manhattan, and in numbers four times greater at 5 WTC amongst other sites.

The timing of this application is extremely problematic. As of today, our comments are at best incomplete, and at worst subject to massive change, as we have not yet seen a copy of the proposed amended 99 year lease, and the third amendment to this lease dated 2020 was not released by EDC to CB1 until this past Monday. This has denied the public an opportunity for meaningful discussion regarding the future of the Seaport in consideration of all relevant applications.

Since HHC's first activities in the Seaport, CB1 has made repeated requests for the developer to provide a master plan for its properties throughout the entirety of the South Street Seaport area. The community is at an inherent disadvantage by being forced to review segmented, piecemeal applications in a vacuum without the contextual understanding of broader plans. The City should postpone review of all of these related applications until the community has full information and sufficient time to review all HHC, EDC and Small Business Services Seaport applications that City Planning is aware of.

From the Rouse Corporation to General Growth Properties, the City has an established history of relying on one private developer at a time in the South Street Seaport area, only to result in a pattern of failure. We reject these actions which give HHC even more control of the South Street Seaport area, and maintain that a single profit-driven developer will exert outsized power over how the Seaport evolves. We call upon you, our City Planning Commissioners, to take these points under careful consideration as you make a decision on this precedent-setting application which has major implications for our South Street Seaport historic district and beyond.

Thank you for the opportunity to speak today.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	2 Opposed	1 Abstained	1 Recused

RE: 250 Water St ULURP Application

WHEREAS: A series of ULURP and non-ULURP actions to facilitate the development of a new, 324-foot tall, 550,000 ZSF, mixed-use building with approximately 376,300 ZSF of residential use, 4,800 ZSF of community facility use, 153,000 ZSF of commercial/office and 15,900 ZSF of retail being sought by a private applicant, 250 Seaport District LLC, at 250 Water Street (Block 98, Lot 1) in the South Street Seaport Special District, within the Lower Manhattan Special District, Community District 1, Manhattan; and

WHEREAS: In December 2020 and March 2021, CB1 adopted resolutions urging the Landmarks Preservation Commission (LPC) to reject the application for the 250 Water Street proposed development. On May 4, 2021, LPC voted to approve HHC's third 250 Water Street design as appropriate for the Seaport Historic District; and

WHEREAS: The application package (M130053BZSM; N210439ZRM; N210446ZCM; N210441ZAM; M210442LDM; N210443LDM; N210445ZAM; N210440ZCM; C210438ZSM) was certified as complete by the City Planning Commission (CPC) at its May 17, 2021, meeting, triggering the start of the Uniform Land Use Review Procedure, the public review process known as ULURP; and

WHEREAS: The Howard Hughes Corporation (HHC)'s application for its privately owned 250 Water Street site seeks major changes to the Seaport zoning and the City's de-mapped public streets; and

WHEREAS: CB1 played a major role in putting into place the existing C6-2A Seaport zoning in 2003 when it sponsored a ULURP action to change the zoning and won overwhelming support for this zoning from the community, Seaport property owners, the South Street Seaport Museum, the Downtown Alliance, the CPC, and all local and Citywide elected officials; and

WHEREAS: The current zoning caps the height of new buildings at 120' and is meant to maintain the low scale size of the buildings that populate the Seaport Historic District, which average 4-5 stories in height and make it such a unique part of NYC; and

- WHEREAS: CB1 has adopted multiple resolutions indicating it would support the construction of a new building at 250 Water Street that complies with the existing zoning and is extremely troubled by the proposed HHC building that would be roughly three times taller than what is permitted by zoning in this low scale district; and
- WHEREAS: In 2014, the Seaport Working Group outlined as one of its eight guiding principles Building Heights and Views, encouraging “the transfer of development rights to incentivize lower buildings and public open space in the immediate vicinity of the South Street Seaport Historic District in conformance with the design objectives of the 1998 Urban Renewal Plan Area;” and
- WHEREAS: This proposal involves expanding the existing Pier17 Large Scale General Development area (LSGD), using the de-mapped City streets around the Seaport’s Fulton Plaza core to provide a physical connection between the 250 Water Street development site and the Pier 17/ Tin Building sites. This one action provides the link to unused development rights at the Pier17/Tin Building waterfront necessary for achieving the desired density at 250 Water Street; and
- WHEREAS: HHC’s proposal to expand the LSGD has been designed as a way to circumvent at least two problems: it connects the 250 Water Street site physically to the Pier 17 site, which attempts to address adjacency for development rights transfer; and it uses the expanded LSGD as a vehicle for redistributing unused development rights within the LSGD bounds, thus avoiding having to deal with the issues of granting and receiving sites of the 1972 Seaport Transfer Mechanism specifically designed to control how development rights are transferred throughout the Seaport area; and
- WHEREAS: The Brooklyn Bridge Southeast Urban Renewal Plan (BBSE-URP) has been in effect since 1968. Alongside ongoing public involvement in preservation efforts, it has provided some guidance and controls over the development that has taken place in the South Street Seaport area since then. It will expire in 2068; and
- WHEREAS: This timing is relevant to an application that NYC Small Business Services (SBS) will be filing shortly to extend the Seaport Lease (HHC interests) for another 99 years until 2120; and
- WHEREAS: Unless significant changes are incorporated, the extension of HHC’s amended 2013 Marketplace Lease beyond its final current expiration date of 2072, in conjunction with its 250 Water Street proposed expansion of the Pier 17 LSGD, will place a major portion of the South Street Seaport Historic District in the hands of a sole private developer with little counter-balance in place from competitors, or from City agencies that should be protecting the Seaport’s public assets; and
- WHEREAS: From the Rouse Corporation to General Growth Properties, the City has established a history of relying on private developers in the South Street Seaport area, only to result in a pattern of failure; and
- WHEREAS: CB1 has great concerns over how EDC has historically managed City assets in Lower Manhattan. There have been missed opportunities to generate affordable housing and provide community facilities and amenities with the disposition of

various properties; including 49-51 Chambers Street, 346 Broadway and 137 Centre Street; and

WHEREAS: In December 2019, CB1 voted on a resolution regarding a proposed SBS/Economic Development Corporation (EDC) concession agreement via the NYC Franchise and Concession Review Committee (FCRC) for demapped pedestrian streets in the Historic South Street Seaport district, where EDC represented to CB1 that the funds would be restricted so that they cannot be spent outside of the Historic South Street Seaport district and that, in coordination with the Manhattan Borough President's Office and CB1, the revenue would be used to contribute back to the character of the South Street Seaport, specifically for improving maritime history, boat maintenance, etc. To date, no funds generated by this concession agreement have been used for such purposes, and the Seaport Museum has represented that they have not yet received any funding via this agreement; and

WHEREAS: Regarding the transfer of development rights from Pier 17, the applicant has represented that an open procurement process is not required; and that since the development rights are within HHC's leasehold, HHC is entitled to exclusive use of them. However, a January 2020 letter from EDC to the New York City Comptroller's office states that: "If the City were to consent to the transfer of development rights from Pier 17 and the Tin Building sites, the development rights would first need to be alienated from HHC's leasehold through negotiation, and then disposed of through a public procurement process;" and

WHEREAS: When asked to comment on this discrepancy, EDC reported that "upon further review by City Law Department and EDC, it was determined that a competitive process would not be warranted because most of the development rights associated with Pier 17 are included in HHC's lease and therefore would not be available for use by others until 2072," and that

WHEREAS: Since HHC's first activities in the South Street Seaport, CB1 has made repeated requests for the developer to provide a master plan for its properties throughout the entirety of the South Street Seaport area. It puts the community at an inherent disadvantage to review segmented, piecemeal applications in a vacuum without the contextual understanding of broader plans for the area. This is exacerbated by the fact that the community has not received sufficient information, nor had sufficient time for review or meaningful discussion regarding the pending Seaport Disposition ULURP/Marketplace lease renewal which directly impacts the areas currently under consideration; and

WHEREAS: Last year, a private developer expressed interest in purchasing city-owned development rights and the plan was presented to the Manhattan Borough President and local Council Member by CB1, but there was no interest or follow-up from the City; and

WHEREAS: HHC had initially stated that the South Street Seaport Museum would receive a \$50 million endowment as a result of the proposed 250 Water Street development. HHC proposes to purchase from the City unused development rights from Pier 17, the proceeds of which the City would then transfer as funding to the Museum. After the LPC review and corresponding reduction in total square footage, it is

unlikely- if not impossible- for \$50 million to be generated from the disposition of unused development rights by the applicant for the 250 Water Street project. There is no plan for how the additional funds will be sourced and there are no contractual agreements in place to guarantee that the Museum will receive *any* funding, let alone funding at the levels represented as part of this proposal. Further, there is no guarantee that the Museum will be able to complete the John Street expansion as a result of this proposal; and

WHEREAS: CB1 held a public hearing on this application during the June 14, 2021 Land Use, Zoning & Economic Development Committee meeting with 64 speakers (67% in support, 30% in opposition and 3% undecided). CB1 also collected over 90 written comments on this application (73% opposed, 26% in favor and 1% undecided). Additionally, CB1 has received one petition in opposition which has gathered 1,004 signatures, and a second petition in opposition with 9,840 signatures; now

THEREFORE
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THAT: CB1 fully opposes this extremely complex and convoluted package of zoning actions intended to up-zone this site to allow for the proposed oversized building at 250 Water Street, based on the issues outlined above and for the following additional reasons:

- The proposed development would undermine years of carefully crafted zoning regulations meant to guide the orderly growth of the Seaport through modifications proposed by HHC which reconfigure the rules to advance a private, profit-driven agenda.
- Given that the 1972 Seaport Transfer Mechanism was created to maintain the very unique low-scale character of this 11-block historic district, where the average building is four to five stories in height, by creating a mechanism to move such development rights to sites *outside* the Seaport Historic District, CB1 opposes the proposed zoning text amendment to make 250 Water Street into a receiving site. This runs completely counter to the intention of the existing Seaport Transfer Mechanism and to the community's long-standing and well-documented desire to maintain this unique part of Lower Manhattan. Further, allowing such a radical change creates a dangerous precedent for other Seaport property owners who may wish to follow suit.
- There is critical concern over the fact that there is nothing in writing to guarantee the Seaport Museum's endowment (at \$50 million or any other level) or the pledged John Street expansion as a result of this proposal. CB1 has identified in our April 2021 resolution a series of workable, alternative ways to generate income for the Seaport Museum that can be done without the approval of an inappropriate building in the South Street Seaport Historic District and continues to lobby for additional needed affordable housing in Lower Manhattan and in numbers far greater than what is contemplated at 250 Water Street at 5 WTC and at other sites.
- Our comments are at best incomplete at this time, and at worst subject to massive change, as we have not received full information, nor had time for review or meaningful discussion regarding the Disposition of Seaport Properties ULURP and the proposed amended Marketplace lease. We are also still in the process of discussing the DEIS for

250 Water Street, and the 250 Water Street Brownfield Cleanup Program Remedial Action Work plan that was only released to the public on June 25, 2021. These applications are being rushed through the review and approval process at the benefit of HHC, and the City should postpone review of all of these related applications until CB1 and the community have full information on all HHC, EDC and SBS Seaport applications that City Planning is aware of, so we have a full understanding and sufficient opportunity to review.

- This proposal is not in line with the guiding principles developed by the Seaport Working Group, particularly as it relates to building heights and density.
- CB1 is disturbed by the discrepancy and lack of transparency surrounding whether or not the transfer of development rights from Pier 17 would require an open bidding process, and we object to the City's opaque processes surrounding this question as well as the conflicting explanations we have received. This suggests that the applicant and the City have created a "work around" to sell the purported public assets known as "air rights" to the applicant in a single-source transaction without an RFP to solicit competitive bids.
- CB1 rejects these actions which give HHC even more control of the South Street Seaport area and maintains that a single profit-driven developer will exert outsized power over how the Seaport evolves.
- CB1 believes that the proposed actions to expand the LSGD and incorporate the de-mapped portions of Fulton Street to allow for the transfer of development rights from Pier 17 to 250 Water Street is a particularly egregious means of skirting the long-standing 1972 Seaport Transfer Mechanism.
- CB1 strongly opposes the proposal to redefine de-mapped portions of Fulton, Front and Water Streets as a "zoning lot," which is being done solely to create a physical connection to the 250 Water St site and enable HHC to move development rights from Pier 17 to the 250 Water Street site. These de-mapped streets are City owned, are intended to serve the public interest, and should not be used as a tool to boost a private developer's profits. CB1 maintains that the City should continue to control use of these important streets as they indicated in 2019 with the FCRC plan to activate these streets and make them even more accessible with additional recreational, cultural and educational public events.
- CB1 views these major proposed zoning changes as an attempt by HHC to impose new controls over even more Seaport assets than are currently locked into its existing lease arrangements with the City. CB1 believes that the expanded LSGD would set the stage not only for a vastly large and out-of-context building at 250 Water Street, but also has the potential for HHC to have future undue influence over the de-mapped portions of Fulton Street via its inclusion in the LSGD area.
- CB1 believes HHC's claim that transferring unused development rights from Pier 17 would save the waterfront from inappropriate overbuild is false and self-serving, and CB1 opposes the transfer of development rights from Pier 17, which is being done solely to generate additional square footage for the 250 Water Street site. The waterfront sites are City-owned, and the City has full control over what could and would get built there. In recent years, the City's direction, in line with full community backing, has been and continues to be towards opening the waterfront for full public access and water-

dependent and water-enhancing uses. Furthermore, the NYC Parks Department has been given control of the marginal streets underneath the FDR Drive to the water's edge. By definition, parkland would need to be alienated by the NYS Legislature for "development" to take place there.

- CB 1 objects to the proposal to allow the service road on Pier 17 (the "Access Drive") to be utilized for passenger pickup and drop-off instead of only for loading and deliveries. Use of the Access Drive was the subject of discussion during the Pier 17 renovation project development and the Tin Building site merged into the project in 2015-16. After consideration of the pedestrian concerns, it was decided that only delivery vehicles within controlled access hours, and emergency vehicles would use the access drive, and a lay-over area along the marginal street area in front of the Tin Building would be available for other drop-offs. If anything has changed, it is that more pedestrians are now using the waterfront, and there is no justification to change the type of use or access hours.
- Since there is now active litigation to overturn the LPC Certificate of Appropriateness for this specific design, City Planning should strongly consider delaying any action on this until a final determination is made by the Courts. This is particularly relevant to the various actions sought regarding height and setback or street wall regulations to allow for construction of the LPC approved building.

BE IT
FURTHER
RESOLVED

THAT: CB1 strongly opposes the 250 Water Street ULURP application for all the reasons stated above.



The City of New York
Manhattan Community Board 1
Tammy Meltzer CHAIRPERSON | Lucian Reynolds DISTRICT MANAGER

New York City City Planning Commission
Public Hearing on 250 Water Street Draft Environmental Impact Statement (DEIS)
Testimony by Diana Switaj, Director of Planning and Land Use
September 1, 2021

In July 2021 Manhattan Community Board 1 (CB1) adopted a resolution strongly opposing the 250 Water Street ULURP application (attached). We recommend referencing the resolution for the full scope and context of comment regarding this proposal.

In July 2021, CB1 invited the applicant to present on the 250 Water St DEIS and collected feedback from the public. This testimony specifies CB1's comment on the DEIS for the 250 Water Street project, and those that were most prominent during our engagement with the community. Certain impacts may not be captured within the technical thresholds of CEQR analysis, but these impacts are real and have cascading impact throughout the community. The problems must be studied and addressed comprehensively, and we count on our City Planning Commissioners to understand these impacts and respond accordingly.

Construction

The community has expressed great concern over impacts from the construction of a project at this scale at 250 Water Street, as there are many vulnerable residents in the immediate vicinity including elderly and children. Specifically, there is widespread community concern over the impact on children in school during the environmental remediation and construction of this project. The applicant has indicated that construction is expected to take three years which will have major impacts for children learning at the Peck Slip School and Blue Schools, which are immediately adjacent to the project site. Additionally, the Peck Slip School uses their rooftop and the Peck Slip Playstreet as recreational areas which will be extremely vulnerable during construction. The applicant has stated that the intention is for the Peck Slip Playstreet to remain open during construction of 250 Water Street, but that will require intensive mitigation measures.

It is imperative for the applicant to work with the school communities as soon as possible to make commitments to specific mitigation strategies. The applicant should study similar cases of major construction next to school buildings, such as PS234 and PS51, to better understand what worked well and what did not, and should utilize current best practices. The applicant should also work with schools to develop a specific plan to ensure that school families, and children in particular, understand what is happening during construction.

The South Street Seaport area has experienced an influx of young couples, families and children in the recent past. COVID drove many families out of the City, and this is a precarious time as the community attempts to stabilize. CB1 has concerns that if adequate mitigation measures are not identified and implemented, it will become another factor that drives families out of our community.

CB1 requests to see specific plans as to how trucks taking contaminated soil away from the site will be staged, and requests that staging is done within the site in a protected area to minimize potential exposure and negative environmental impacts.

Shadows

The DEIS has identified that the open spaces of Southbridge Towers are expected to experience significant adverse impacts as a result of this project, requiring mitigation measures such as replacing plantings and maintenance. The applicant has stated that mitigation measures regarding private open spaces are implemented through a Restrictive Declaration. CB1 requests that the applicant reach out to the Board and/or ownership of Southbridge Towers as soon as possible to work out a mitigation plan for the open spaces at Southbridge Towers so that it can be memorialized within the project's Restrictive Declaration.

Though not identified within the DEIS as having a significant adverse shadow impact, CB1 is concerned about the impact to local playgrounds and the Peck Slip Play Street. The Peck Slip community fought hard to establish the Peck Slip Play Street because of such limited recreational opportunities. The Play Street is not identified as a formal playground as part of the DEIS, but it will experience massive impacts as a result of this project and should be studied and mitigated accordingly.

Sustainability and Resiliency

CB1 has concerns over the purported sustainability and resiliency of the building. While the applicant has outlined many potential sustainability/resiliency measures, such as landscaped roofs or high-albedo roofs, submeters for large energy users and apartments to track and optimize electricity usage, regenerative braking on elevators to conserve electricity, lighting controls to ensure efficient usage, sustainable design guidelines for tenant buildouts, meeting or exceeding city and LEED requirements for stormwater retention along with reuse for irrigation, MEPs have been designed to accommodate fully electric systems for commercial/office spaces, with the ability to convert for residential spaces- all of those potential measures are described as those that "could" be included in the project. The applicant has portrayed that, aside from meeting legal requirements, many sustainability and resiliency measures will be worked out through the

design process, and certain building requirements will determine the level of efficiency and what level of environmental innovation can be achieved. Otherwise, that sustainability and environmental measures can be retrofitted into the project at some point in the future. CB1 is disappointed by this unclear plan, and encourages the applicant to prioritize the level of environmental innovation that will be incorporated into this project.

Specific measures, such as using the building sub-levels as stormwater retention space, building to a passive house standard, or incorporating green roofing, have been suggested since the early stages of this project. CB1 is disappointed that the applicant has chosen to use the sub-level space as personal and commercial vehicular parking, which we believe is counterintuitive to the mission towards greater sustainability. We again encourage the applicant to prioritize environmental innovation as part of this project and revisit the potential for the ideas raised in the past.

Transportation

CB1 is concerned about larger traffic impacts that may not be captured by the DEIS, or would not be addressed by the “spot mitigation” proposed in the DEIS. Lower Manhattan is already a highly dense area with uniquely narrow streets. The area already experiences a good deal of congestion, exacerbated by the nearby access to the Brooklyn Bridge. There are likely to be residual impacts to Fulton St, John St, South St, and other nearby streets, as well as impacts from opening the Pier 17 service drive for for-hire vehicle passenger drop-offs that may not be captured during the environmental review process. CB1 requests that the applicant continue to analyze traffic impacts, and additional potential mitigation measures, including for any traffic impacts within the DEIS that have been documented thus far to remain unmitigated.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 27, 2021

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	12 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	2 Opposed	1 Abstained	1 Recused

RE: 250 Water St ULURP Application

WHEREAS: A series of ULURP and non-ULURP actions to facilitate the development of a new, 324-foot tall, 550,000 ZSF, mixed-use building with approximately 376,300 ZSF of residential use, 4,800 ZSF of community facility use, 153,000 ZSF of commercial/office and 15,900 ZSF of retail being sought by a private applicant, 250 Seaport District LLC, at 250 Water Street (Block 98, Lot 1) in the South Street Seaport Special District, within the Lower Manhattan Special District, Community District 1, Manhattan; and

WHEREAS: In December 2020 and March 2021, CB1 adopted resolutions urging the Landmarks Preservation Commission (LPC) to reject the application for the 250 Water Street proposed development. On May 4, 2021, LPC voted to approve HHC's third 250 Water Street design as appropriate for the Seaport Historic District; and

WHEREAS: The application package (M130053BZSM; N210439ZRM; N210446ZCM; N210441ZAM; M210442LDM; N210443LDM; N210445ZAM; N210440ZCM; C210438ZSM) was certified as complete by the City Planning Commission (CPC) at its May 17, 2021, meeting, triggering the start of the Uniform Land Use Review Procedure, the public review process known as ULURP; and

WHEREAS: The Howard Hughes Corporation (HHC)'s application for its privately owned 250 Water Street site seeks major changes to the Seaport zoning and the City's de-mapped public streets; and

WHEREAS: CB1 played a major role in putting into place the existing C6-2A Seaport zoning in 2003 when it sponsored a ULURP action to change the zoning and won overwhelming support for this zoning from the community, Seaport property owners, the South Street Seaport Museum, the Downtown Alliance, the CPC, and all local and Citywide elected officials; and

WHEREAS: The current zoning caps the height of new buildings at 120' and is meant to maintain the low scale size of the buildings that populate the Seaport Historic District, which average 4-5 stories in height and make it such a unique part of NYC; and

- WHEREAS: CB1 has adopted multiple resolutions indicating it would support the construction of a new building at 250 Water Street that complies with the existing zoning and is extremely troubled by the proposed HHC building that would be roughly three times taller than what is permitted by zoning in this low scale district; and
- WHEREAS: In 2014, the Seaport Working Group outlined as one of its eight guiding principles Building Heights and Views, encouraging “the transfer of development rights to incentivize lower buildings and public open space in the immediate vicinity of the South Street Seaport Historic District in conformance with the design objectives of the 1998 Urban Renewal Plan Area;” and
- WHEREAS: This proposal involves expanding the existing Pier17 Large Scale General Development area (LSGD), using the de-mapped City streets around the Seaport’s Fulton Plaza core to provide a physical connection between the 250 Water Street development site and the Pier 17/ Tin Building sites. This one action provides the link to unused development rights at the Pier17/Tin Building waterfront necessary for achieving the desired density at 250 Water Street; and
- WHEREAS: HHC’s proposal to expand the LSGD has been designed as a way to circumvent at least two problems: it connects the 250 Water Street site physically to the Pier 17 site, which attempts to address adjacency for development rights transfer; and it uses the expanded LSGD as a vehicle for redistributing unused development rights within the LSGD bounds, thus avoiding having to deal with the issues of granting and receiving sites of the 1972 Seaport Transfer Mechanism specifically designed to control how development rights are transferred throughout the Seaport area; and
- WHEREAS: The Brooklyn Bridge Southeast Urban Renewal Plan (BBSE-URP) has been in effect since 1968. Alongside ongoing public involvement in preservation efforts, it has provided some guidance and controls over the development that has taken place in the South Street Seaport area since then. It will expire in 2068; and
- WHEREAS: This timing is relevant to an application that NYC Small Business Services (SBS) will be filing shortly to extend the Seaport Lease (HHC interests) for another 99 years until 2120; and
- WHEREAS: Unless significant changes are incorporated, the extension of HHC’s amended 2013 Marketplace Lease beyond its final current expiration date of 2072, in conjunction with its 250 Water Street proposed expansion of the Pier 17 LSGD, will place a major portion of the South Street Seaport Historic District in the hands of a sole private developer with little counter-balance in place from competitors, or from City agencies that should be protecting the Seaport’s public assets; and
- WHEREAS: From the Rouse Corporation to General Growth Properties, the City has established a history of relying on private developers in the South Street Seaport area, only to result in a pattern of failure; and
- WHEREAS: CB1 has great concerns over how EDC has historically managed City assets in Lower Manhattan. There have been missed opportunities to generate affordable housing and provide community facilities and amenities with the disposition of

various properties; including 49-51 Chambers Street, 346 Broadway and 137 Centre Street; and

WHEREAS: In December 2019, CB1 voted on a resolution regarding a proposed SBS/Economic Development Corporation (EDC) concession agreement via the NYC Franchise and Concession Review Committee (FCRC) for demapped pedestrian streets in the Historic South Street Seaport district, where EDC represented to CB1 that the funds would be restricted so that they cannot be spent outside of the Historic South Street Seaport district and that, in coordination with the Manhattan Borough President's Office and CB1, the revenue would be used to contribute back to the character of the South Street Seaport, specifically for improving maritime history, boat maintenance, etc. To date, no funds generated by this concession agreement have been used for such purposes, and the Seaport Museum has represented that they have not yet received any funding via this agreement; and

WHEREAS: Regarding the transfer of development rights from Pier 17, the applicant has represented that an open procurement process is not required; and that since the development rights are within HHC's leasehold, HHC is entitled to exclusive use of them. However, a January 2020 letter from EDC to the New York City Comptroller's office states that: "If the City were to consent to the transfer of development rights from Pier 17 and the Tin Building sites, the development rights would first need to be alienated from HHC's leasehold through negotiation, and then disposed of through a public procurement process;" and

WHEREAS: When asked to comment on this discrepancy, EDC reported that "upon further review by City Law Department and EDC, it was determined that a competitive process would not be warranted because most of the development rights associated with Pier 17 are included in HHC's lease and therefore would not be available for use by others until 2072," and that

WHEREAS: Since HHC's first activities in the South Street Seaport, CB1 has made repeated requests for the developer to provide a master plan for its properties throughout the entirety of the South Street Seaport area. It puts the community at an inherent disadvantage to review segmented, piecemeal applications in a vacuum without the contextual understanding of broader plans for the area. This is exacerbated by the fact that the community has not received sufficient information, nor had sufficient time for review or meaningful discussion regarding the pending Seaport Disposition ULURP/Marketplace lease renewal which directly impacts the areas currently under consideration; and

WHEREAS: Last year, a private developer expressed interest in purchasing city-owned development rights and the plan was presented to the Manhattan Borough President and local Council Member by CB1, but there was no interest or follow-up from the City; and

WHEREAS: HHC had initially stated that the South Street Seaport Museum would receive a \$50 million endowment as a result of the proposed 250 Water Street development. HHC proposes to purchase from the City unused development rights from Pier 17, the proceeds of which the City would then transfer as funding to the Museum. After the LPC review and corresponding reduction in total square footage, it is

unlikely- if not impossible- for \$50 million to be generated from the disposition of unused development rights by the applicant for the 250 Water Street project. There is no plan for how the additional funds will be sourced and there are no contractual agreements in place to guarantee that the Museum will receive *any* funding, let alone funding at the levels represented as part of this proposal. Further, there is no guarantee that the Museum will be able to complete the John Street expansion as a result of this proposal; and

WHEREAS: CB1 held a public hearing on this application during the June 14, 2021 Land Use, Zoning & Economic Development Committee meeting with 64 speakers (67% in support, 30% in opposition and 3% undecided). CB1 also collected over 90 written comments on this application (73% opposed, 26% in favor and 1% undecided). Additionally, CB1 has received one petition in opposition which has gathered 1,004 signatures, and a second petition in opposition with 9,840 signatures; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 fully opposes this extremely complex and convoluted package of zoning actions intended to up-zone this site to allow for the proposed oversized building at 250 Water Street, based on the issues outlined above and for the following additional reasons:

- The proposed development would undermine years of carefully crafted zoning regulations meant to guide the orderly growth of the Seaport through modifications proposed by HHC which reconfigure the rules to advance a private, profit-driven agenda.
- Given that the 1972 Seaport Transfer Mechanism was created to maintain the very unique low-scale character of this 11-block historic district, where the average building is four to five stories in height, by creating a mechanism to move such development rights to sites *outside* the Seaport Historic District, CB1 opposes the proposed zoning text amendment to make 250 Water Street into a receiving site. This runs completely counter to the intention of the existing Seaport Transfer Mechanism and to the community's long-standing and well-documented desire to maintain this unique part of Lower Manhattan. Further, allowing such a radical change creates a dangerous precedent for other Seaport property owners who may wish to follow suit.
- There is critical concern over the fact that there is nothing in writing to guarantee the Seaport Museum's endowment (at \$50 million or any other level) or the pledged John Street expansion as a result of this proposal. CB1 has identified in our April 2021 resolution a series of workable, alternative ways to generate income for the Seaport Museum that can be done without the approval of an inappropriate building in the South Street Seaport Historic District and continues to lobby for additional needed affordable housing in Lower Manhattan and in numbers far greater than what is contemplated at 250 Water Street at 5 WTC and at other sites.
- Our comments are at best incomplete at this time, and at worst subject to massive change, as we have not received full information, nor had time for review or meaningful discussion regarding the Disposition of Seaport Properties ULURP and the proposed amended Marketplace lease. We are also still in the process of discussing the DEIS for

250 Water Street, and the 250 Water Street Brownfield Cleanup Program Remedial Action Work plan that was only released to the public on June 25, 2021. These applications are being rushed through the review and approval process at the benefit of HHC, and the City should postpone review of all of these related applications until CB1 and the community have full information on all HHC, EDC and SBS Seaport applications that City Planning is aware of, so we have a full understanding and sufficient opportunity to review.

- This proposal is not in line with the guiding principles developed by the Seaport Working Group, particularly as it relates to building heights and density.
- CB1 is disturbed by the discrepancy and lack of transparency surrounding whether or not the transfer of development rights from Pier 17 would require an open bidding process, and we object to the City's opaque processes surrounding this question as well as the conflicting explanations we have received. This suggests that the applicant and the City have created a "work around" to sell the purported public assets known as "air rights" to the applicant in a single-source transaction without an RFP to solicit competitive bids.
- CB1 rejects these actions which give HHC even more control of the South Street Seaport area and maintains that a single profit-driven developer will exert outsized power over how the Seaport evolves.
- CB1 believes that the proposed actions to expand the LSGD and incorporate the de-mapped portions of Fulton Street to allow for the transfer of development rights from Pier 17 to 250 Water Street is a particularly egregious means of skirting the long-standing 1972 Seaport Transfer Mechanism.
- CB1 strongly opposes the proposal to redefine de-mapped portions of Fulton, Front and Water Streets as a "zoning lot," which is being done solely to create a physical connection to the 250 Water St site and enable HHC to move development rights from Pier 17 to the 250 Water Street site. These de-mapped streets are City owned, are intended to serve the public interest, and should not be used as a tool to boost a private developer's profits. CB1 maintains that the City should continue to control use of these important streets as they indicated in 2019 with the FCRC plan to activate these streets and make them even more accessible with additional recreational, cultural and educational public events.
- CB1 views these major proposed zoning changes as an attempt by HHC to impose new controls over even more Seaport assets than are currently locked into its existing lease arrangements with the City. CB1 believes that the expanded LSGD would set the stage not only for a vastly large and out-of-context building at 250 Water Street, but also has the potential for HHC to have future undue influence over the de-mapped portions of Fulton Street via its inclusion in the LSGD area.
- CB1 believes HHC's claim that transferring unused development rights from Pier 17 would save the waterfront from inappropriate overbuild is false and self-serving, and CB1 opposes the transfer of development rights from Pier 17, which is being done solely to generate additional square footage for the 250 Water Street site. The waterfront sites are City-owned, and the City has full control over what could and would get built there. In recent years, the City's direction, in line with full community backing, has been and continues to be towards opening the waterfront for full public access and water-

dependent and water-enhancing uses. Furthermore, the NYC Parks Department has been given control of the marginal streets underneath the FDR Drive to the water's edge. By definition, parkland would need to be alienated by the NYS Legislature for "development" to take place there.

- CB 1 objects to the proposal to allow the service road on Pier 17 (the "Access Drive") to be utilized for passenger pickup and drop-off instead of only for loading and deliveries. Use of the Access Drive was the subject of discussion during the Pier 17 renovation project development and the Tin Building site merged into the project in 2015-16. After consideration of the pedestrian concerns, it was decided that only delivery vehicles within controlled access hours, and emergency vehicles would use the access drive, and a lay-over area along the marginal street area in front of the Tin Building would be available for other drop-offs. If anything has changed, it is that more pedestrians are now using the waterfront, and there is no justification to change the type of use or access hours.
- Since there is now active litigation to overturn the LPC Certificate of Appropriateness for this specific design, City Planning should strongly consider delaying any action on this until a final determination is made by the Courts. This is particularly relevant to the various actions sought regarding height and setback or street wall regulations to allow for construction of the LPC approved building.

BE IT
FURTHER
RESOLVED

THAT: CB1 strongly opposes the 250 Water Street ULURP application for all the reasons stated above.

ORGANIZATIONS



**WRITTEN TESTIMONY FROM THE ASSOCIATION FOR A BETTER NEW YORK
SUBMITTED TO THE CITY PLANNING COMMISSION REGARDING THE 250 WATER STREET PROPOSAL**

September 1, 2021

Thank you for the opportunity to submit testimony on behalf of the Association for a Better New York (ABNY). My name is Melva M. Miller, and I am the Chief Executive Officer of ABNY. At ABNY, it is our mission to foster dialogue and connections between the public and private sectors to make New York City a better place to live, work, and visit for all.

ABNY strongly supports the proposal to develop a mixed-use building at 250 Water Street in Lower Manhattan's Seaport neighborhood. This proposal will transform the full-block parking lot at 250 Water Street into a productive mixed-use development that is consistent with the character of the neighborhood.

The proposal from the Howard Hughes Corporation (HHC) offers a vital and timely opportunity to jobs, economic development, and affordable housing to the Seaport and Lower Manhattan, when it is most urgently needed in the context of the City's ongoing economic recovery from the COVID-19 pandemic.

The plan will generate a substantial additional investment by HHC in the Seaport of \$850 million; create more than 1,000 construction jobs and more than 1,500 permanent jobs in the commercial, retail, and nonprofit sectors and, importantly, add new patrons to support local businesses and merchants.

Moreover, across New York City there is an urgent need for housing, and this project will bring roughly 270 total apartments with 70+ affordable units at 40 percent AMI, roughly \$45,000 for a family of four.

The community engagement aspect of development is extremely important to ABNY, and this proposal is the result of a robust stakeholder engagement and public review process—one that resulted in project refinements, including lowering the height of the building, increasing pedestrian access to the waterfront, and maximizing community benefits.

As such, the plan has the strong support of local City Council member Margaret Chin and Manhattan Borough President Gale Brewer and counts a host of local residents, local business owners, preservationists, pro-housing advocates, cultural nonprofits, and civic groups among its backers.

The project also will make possible significant funding for the imperiled South Street Seaport Museum, a beloved anchor of the Historic District, allowing it to restore and reopen its historic buildings and plan for future. This helps further demonstrate that the applicant has proven to be a good neighbor to the community, providing programming and support of local civic groups and making substantial investments in restoration and refurbishment in the Historic District, all of which have been recognized with the project's approval by the NYC Landmarks Preservation Commission.

In order to spur economic development, to add residential housing near transit and good jobs, to create permanent, deeply affordable housing, and to generate funding for the Seaport Museum, ABNY urges the City Planning Commission to support the land use actions necessary to make this development possible.

Thank you so much for your consideration.

From: [FIDi Families](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] In Support of 250 Water Street
Date: Tuesday, August 31, 2021 2:13:25 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@cyber.nyc.gov as an attachment (Click the More button, then forward as attachment).

Hello,

I would like to add my name to the list of supporters of the clean up and establishment of a mixed use building at 250 Water Street. The project is necessary; in order to clean up the toxins below ground and provide jobs and income to the Seaport neighborhood. As a long time resident and parent of children who attended Peck Slip, I believe it is critical that the area is cleaned up of any toxins. Though there may be noise associated with the building of a mixed use building at 250 Water Street, the team at HHC has made it clear that they will work with the community and attempt to be as least disruptive as possible. In addition, NYC is constantly “under construction” and noise from building project is an expected part of living in NYC. Building next to an apartment building, a school, a business, etc is to be expected in a city that is constantly changing.

The safety of the residents, school-bound kids and customers of Seaport businesses will be a top priority, based on all of the feedback provided by HHC at their town hall meetings and as addressed at a variety of CB1 and NYC based meetings.

Our neighborhood is evolving into a much-loved neighborhood and any sort of enhancement that HHC can provide is welcomed by myself and so many other residents and local business owners, who may not have the time or ability to voice their approval. But, I can attest to the fact that many locals are very excited about the prospect of the clean up of 250 Water and the development of the parking lot into a beautiful mixed-use building. I will also share that many local residents, people who live within walking distance of 250 Water Street are excited about the positive economic impact that the development will have on their Lower Manhattan landscape. Whether that is turning an unsightly parking lot into a beautiful structure or supporting the Seaport Museum or providing jobs to countless NYC residents. It will improve the neighborhood and bring more foot traffic and customers to the local businesses.

As a local resident and someone who has witnessed the transformation of the Seaport, I look forward to the future development of 250 Water. I also greatly appreciate the community building efforts of HHC and their willingness to revise the proposed structure, height and timeline. The team at HHC, lead by Saul Scherl, have demonstrated unprecedented transparency and community engagement. Big corporations don’t always feel the need to engage with the community and in this case, are under no obligation to support the local schools, non-profits and local business entities. And, yet - HHC continues to do so and it is very appreciated by the school kids that have thrived, non-profits that receive financial and on-the-ground support and NYC-based businesses in Lower Manhattan and beyond. There are many reasons to support the efforts to clean up and develop a mixed-used building at 250 Water Street. Creating a safe and healthy neighborhood for all to enjoy, is just one reason. Therefore, I’m happy to offer my support and represent many many others from Lower Manhattan, who feel the same and support the efforts of HHC to improve the Seaport.

Thank you,
Denise Courter
Parent-Business Owner-Homeowner

Denise Courter
C: 917-513-0011
Founder of [FiDi Families](#)
Follow on [Instagram](#)
Like on [Facebook](#)
Follow on [Twitter](#)



From: [FiDi Families](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 250 Water Street
Date: Monday, September 13, 2021 1:11:01 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@cyber.nyc.gov as an attachment (Click the More button, then forward as attachment).

Hello,

As a supporter of the revitalization of the historic Seaport District, I would like to go on record, that I support the 250 Water Street project and appreciate the contextual design. Although the building is not located directly on the shoreline, the applicant should consider studying the potential effects of increased wind speeds on pedestrians.

Thank you,
Denise Courter

Denise Courter
C: 917-513-0011
Founder of [FiDi Families](#)
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www.FiDiFamilies.com



Sons of the Revolution in the State of New York

Fraunces Tavern® Museum

Testimony of Sons of the RevolutionSM in the State of New York, Inc.,
owner and operator of Fraunces Tavern® Museum

for September 1, 2021 City Planning Commission Public Hearing concerning 250
Water Street development

My name is Scott Dwyer, I am representing Sons of the Revolution in the State of New York
who own and operate Fraunces Tavern Museum in Lower Manhattan, a short walk from
the South Street Seaport, on a historic site dating to 1719 and a museum which opened in
1907.

We strongly support the Howard Hughes Corporation proposal to develop a mixed-use
building at 250 Water Street that will, among many other things, replace an unsightly
parking lot at 250 Water Street and make possible significant funding for the imperiled
South Street Seaport Museum, an essential component and anchor of the Historic District—
allowing it to restore and reopen its historic buildings and plan for future expansion. After
a lengthy stakeholder engagement process, the current design, approved by the NYC
Landmarks Preservation Commission, will transform the lot and enhance the neighborhood
and the Historic District. We urge this body to support the land use actions necessary to
make this development possible.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 6, 2021 10:40:16 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **J Sandy Eames**
Zip: **10003**

I represent:

- **A local community group or organization**

Details for “I Represent”: **Seaport Coalition**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Additional Comments:

To: NYC - City Planning Commission (CPC) / Dept of City Planning (DCP) Sept. 1, 2021
City Planning Commission Public Hearing South Street Seaport Historic District - HHC-250
Water application CPC: 2021M0224 ULURP and non-ULURP related actions (C210438(A))
Amended Aug 2, 2021; Related Applications CPC: 21DCP084M CEQR - Environmental
Impact Statement (EIS) SBS: 210444PPM Disposition of city-owned Seaport properties –
HHC Lease Extension to 2120 LPC: 21-03235 Certificate of Appropriateness Thank you for
letting me testify. I am opposed to the proposed development at 250 Water Street. My reasons
include: 1. The zoning for this lot is 120 feet. The proposed development is over three times
this height. a. This will result in substantial damage to the unique South Street Seaport historic
district by its excessive height and bulk. b. The heavy piling needed to support such a
substantial building will cause severe potential damage and disruption to adjacent schools and
other historic buildings. c. Community Board 1 has strongly opposed this development due to

its inappropriate size and design. d. Please ask the developer to comply with the current zoning height! Some modern brownstones would be very welcome!

2. Damage to Landmarks Preservation.

a. The way a community benefit, aka a “bribe”, to provide an endowment to the South Street Seaport Museum has been accepted by the LPC to support approval is not only against their procedures, but also sets up a very dangerous precedent that potentially puts all other landmarked districts in NYC at similar risk.

b. A developer need only find a willing community organization in other landmark districts so be able to get approval for other oversized developments.

3. Reduced and Unclear Benefit to the South Street Seaport Museum

a. The way the “benefit” to the South Street Seaport Museum is structured, there is no guarantee that they will receive any of the original \$50M that was promised to them for their support of this development. They are likely to see only a fraction of this amount.

b. There are other ways the museum can be funded without doing such severe damage to a historic district. CB1 has already unanimously supported an alternative funding plan. As an example, a developer offered to buy air rights over the pier 17 complex in March 2020 worth \$34M for use outside the historic district. This could have been used to support the SSSM. Yet our elected officials ignored this offer. This sale would have been welcomed by all stakeholders, except for Howard Hughes. Please reject this monstrous development!

Yours truly, Mr. J. Sandy Eames 303 Mercer Street, #A402, New York, NY 10003 (212) 982 3059



--- Submission - online via City Planning website- CPC Comments Form ---
To: NYC - City Planning Commission (CPC) / Dept of City Planning (DCP)

From: Joanne Gorman,
Joanneg95@gmail.com
on behalf of *Friends of South Street Seaport*

Re: Sept. 1 2021 CPC Public Hearing
South Street Seaport Historic District - **HHC-250 Water application**
CPC: 2021M0224 ULURP and non-ULURP related actions
(C210438(A)) Amended Aug 2, 2021; LPC-CoA related

Related Applications

CPC: 21DCP084M CEQR - Environmental Impact Statement (EIS)

SBS: 210444PPM Disposition of city-owned Seaport properties
- HHC Lease Extension to 2120

LPC: 21-03235 Certificate of Appropriateness

From: NYC Planning - Zoning Application Portal [Aug 17, 2021]

250 Water Street

Applicant Team: 250 Seaport District, LLC (Primary Applicant)

Project Brief:

A series of ULURP and non-ULURP actions to facilitate the development of a new, approximately 600,000 ZSF, mixed-use building with up to approximately 345,000 ZSF of residential use, being sought by a private applicant, 250 Seaport District LLC, at 250 Water Street (Block 98, Lot 1) in the South Street Seaport Special District [zoning overlay], within the Lower Manhattan Special District, Community District 1, Manhattan.

Introduction:

This testimony is in **opposition** to the application (2021M0224/ C210438), presented by the Howard Hughes Corp. (HHC) to the NYC City Planning Commission (CPC) at a review session held on May 17, 2021 that outlines land use actions that HHC needs in order to advance a proposed tower development at the HHC-owned 250 Water St lot. The site lies within the South Street Seaport Historic District.

The application was certified as complete by CPC at its May 17, 2021 meeting, triggering the start of the Uniform Land Use Review Procedure - the public review process known as ULURP. This followed on the NYC Landmarks Preservation Commission's approval on May 4, 2021 of HHC's 3rd design (**324 ft tower**) as appropriate for the 250 Water lot; the LPC issued a Certificate of Appropriateness on May 13, 2021.

* * *

The setup and the setting

The Howard Hughes Corp.’s (HHC)’s application for its privately owned 250 Water St site, as considered in the CPC actions below now advancing through ULURP, would undermine years of city planning meant to guide the orderly growth of the city, and city preservation meant to protect the public assets that make it unique and special to its inhabitants and visitors alike. HHC’s proposed land use modifications would reconfigure planning rules to incorporate and manipulate public assets to advance a sole developer’s private, profit-driven agenda.

HHC homed in on one of the city’s protected places, and saw city-owned air rights meant to be used to preserve Seaport assets, and public streets specifically de-mapped for public benefit and use as tools for another purpose. It saw support for a financially strapped Seaport Museum and other “community benefits” as a means of providing “political cover”.

HHC initially dangled a \$50MM “contribution” as bait - money that was never going to be an actual donation out of its pockets. It was a deceptive move to manipulate city agencies, local elected officials and the community at large to acquiesce to a tower that plants a skyscraper foothold where it doesn’t belong.

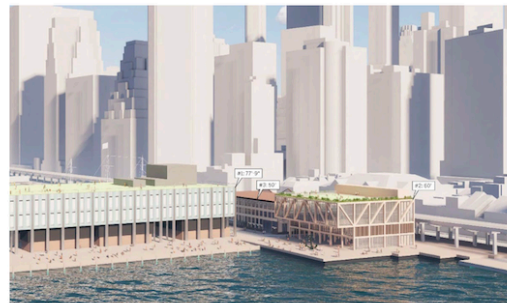
EXHIBIT 1

Slide 49 from HHC internal ‘NY Region 2020 Budget Presentation October 2019’

Mixed Use / 250 Water Street

Key Issues / Challenges

- Height and building size very controversial
 - Emphasize linkage of air rights transfer to Seaport Museum’s survival, low rise building on New Market site and additional City/community benefits
- Need to build support through structured community engagement process
 - Provide political “cover”
- EDC insisting on RFP for new market site and excess development rights, but we would have compelling advantage
- 250 Water environmental concerns (Brownfield Cleanup Program) and clean up methods/protection



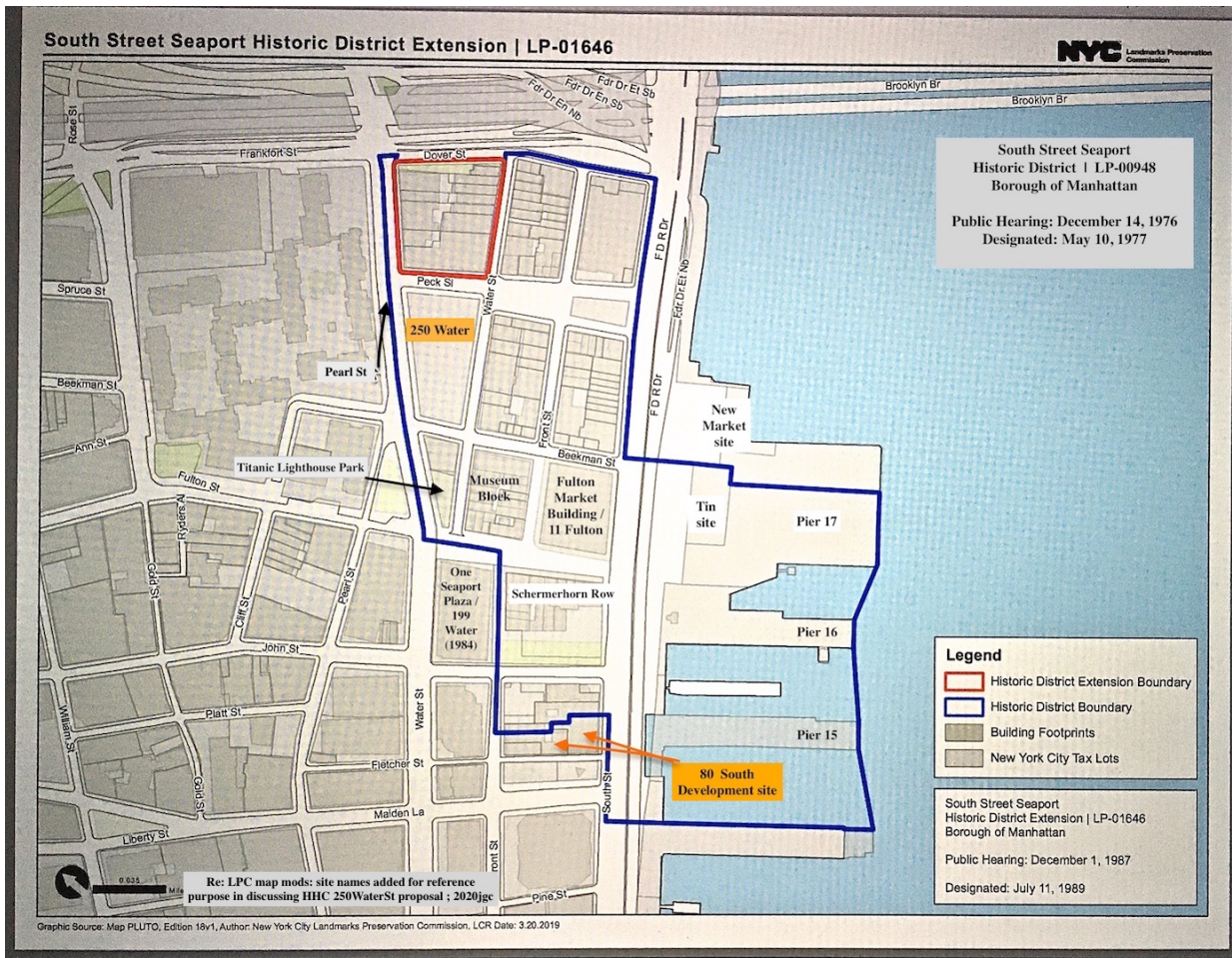
HHC - 80 South St Development Site

HHC had the opportunity in 2014-16 to build a super-tall skyscraper as-of right along the East River waterfront adjacent to, but just outside of, the historic Seaport - at its former 80 South St Development Site (refer map, below).

Rather than build, HHC flipped the 80 South development site in 2016 at a significant profit. A little over 2 years later - June 2018 - after first checking in with the NYC Landmarks Preservation Commission a few months earlier - HHC bought the 250 Water St lot, a site that lies within the protected bounds of the Seaport Historic District.

EXHIBIT 2

South Street Seaport Historic District (1977, blue) with Block 106 extension (1989, red);
 High-lighted: HHC - 250 Water site within the Historic District;
 HHC - 80 South Development site (2014-16), just outside the Historic District



HHC wanted a skyscraper. It just didn't want its neighbors to be skyscrapers.

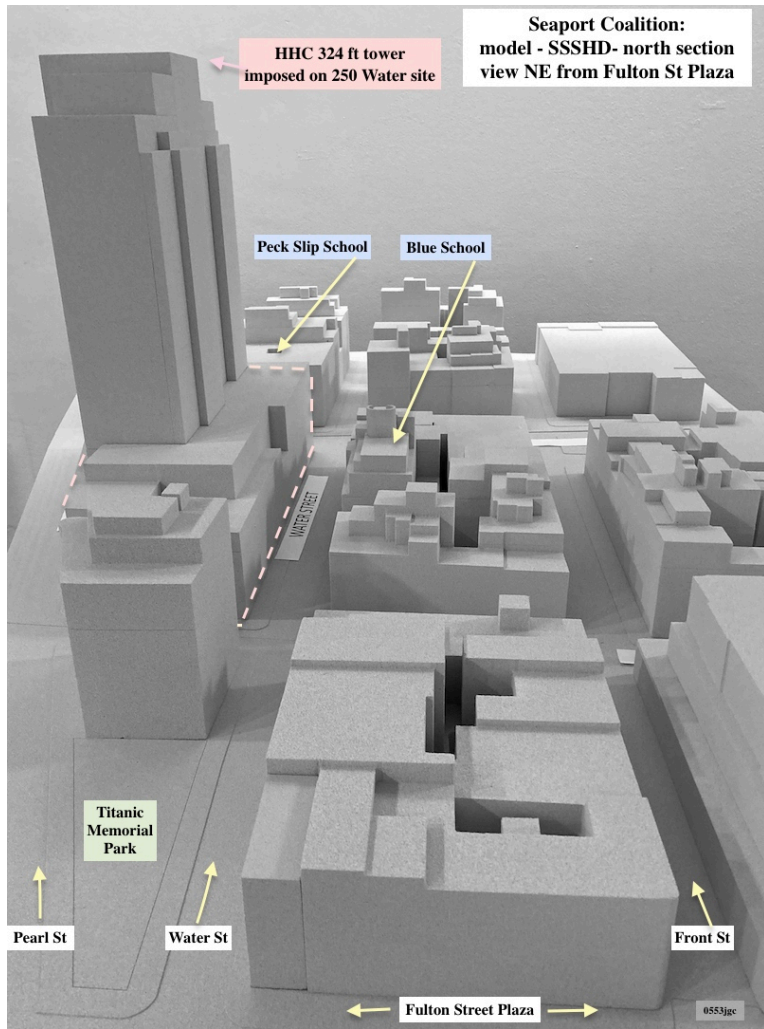
On May 4, 2021, the NYC Landmarks Preservation Commission approved HHC's 324 foot tower as "appropriate" to the 18th-19th setting of the South Street Seaport Historic District (vote: 6 for, 2 opposed, 3 recused)

On May 16, 2021, the Seaport Coalition filed a legal action against the NYC Landmarks Preservation Commission challenging the LPC decision.

EXHIBIT 3

Seaport Coalition: model of the South Street Seaport Historic District – north section, with HHC's proposed 324 foot tower superimposed over the 250 Water site.

View north from Fulton Street Plaza



Proposed 250 Water actions - Some Considerations¹:

Large Scale General Development (LSGD)

EXHIBIT 4

HHC – proposed expanded Pier 17 LSGD, across city-owned de-mapped streets



HHC planners have devised a scheme that blatantly exploits public assets for its own private benefit.

The application actions reveal a developer creating new ground rules - contriving an LSGD framework that reinterprets the meaning of street, adjacency, and common ownership, and then using the reworked LSGD mechanism to move city-owned air rights from city-owned property at the Pier 17/ Tin site over public streets to its privately-owned HHC 250 Water site.

The HHC proposed expanded Pier17 LSGD would not only set the stage for an out-of-scale building at 250 Water. It would also increase HHC’s dominance over yet more of the Seaport area by subsuming city de-mapped streets under the LSGD, in effect exerting increasing private control over them (“party in interest” if not actual ownership) for the duration of HHC’s lease.

This HHC reinventing of transfer rules also raises concerns around a fair and public process:

- Will it be purposefully skewed in the zoning amendments to advance HHC’s proposed project?
- Does it avoid a public procurement process, and eliminate fair competition for public air rights?
- Would this expanded LSGD pave the way for yet another HHC expanded version to incorporate the waterfront New Market site, and the unfettered movement of additional public air rights by HHC down the line?
- Would it be viewed as a new path to advance other developers’ interests?

¹ Link to CPC certification ULURP docs: Zoning Application Portal under the “Public Documents” tab: <https://zap.planning.nyc.gov/projects/2021M0224>

The potential for the city to become embroiled in litigation on the legality of the scheme being proposed is strong.

BBSE-URP

The Brooklyn Bridge Southeast Urban Renewal Plan (BBSE-URP) has been in effect since 1968. It has provided some guidance and controls over the development that has taken place in the South Street Seaport area since then. But it will expire in 2068, removing a public level of control even as a private developer's control is expanding.

This timing is relevant to an application that NYC Small Business Services filed (210444PPM), and City Planning certified on July 28, 2021, to extend the HHC Seaport Lease out to 2120.

Extension of the Howard Hughes Corp's amended 2013 Marketplace Lease beyond a final expiration date of 2072 (SBS application 210444PPM) - in conjunction with its 250 Water proposed expansion of the Pier17/Tin LSGD - would place a major portion of the South Street Seaport Historic District in the hands of a sole private developer - with little counter-balance in place from competitors or in evidence to date from the city agencies that should be protecting the Seaport's public assets.

A single profit-driven developer would exert outsized power over how a major portion of the Seaport evolves.

Paving the way for 250 Water

--- HHC's expanding control over the Seaport's city-owned physical assets.

Since 2017, HHC has exercised lease options on spaces around the area of the de-mapped streets that the NYC Economic Development Corp. (EDC) manages on behalf of the city. These prime spaces are located in the Schermerhorn Row Block on the south side of Fulton Plaza and the Museum Block on the north side. They were formerly under the South Street Seaport Museum's control.

They added to the original base of properties under HHC's amended 2013 Marketplace Lease that originally centered on Pier 17 - which was expanded in 2016 to incorporate the Tin Building - and the Fulton Stall Market Block (iPic theater location).

This incorporation of additional Seaport properties under HHC's leasehold occurred in small, barely noticeable increments, before the public - other than HHC, EDC, SSSM - could learn of the transactions through required public recordings. In 2020, HHC exercised an option over 133 Beekman St (the "Trans-Lux" site) between Water and Front Sts, diagonally across Beekman St from the southeast corner of the 250 Water site. Refer map, Exhibit 5 below - HHC Leasehold Interests.

In addition to the leasehold interests, HHC has a Joint Maintenance Agreement with EDC involving the de-mapped streets. Refer map, Exhibit 6 below showing the Joint Maintenance Area

EXHIBIT 5

South Street Seaport Historic District - HHC Leasehold Interests - (7-2021)

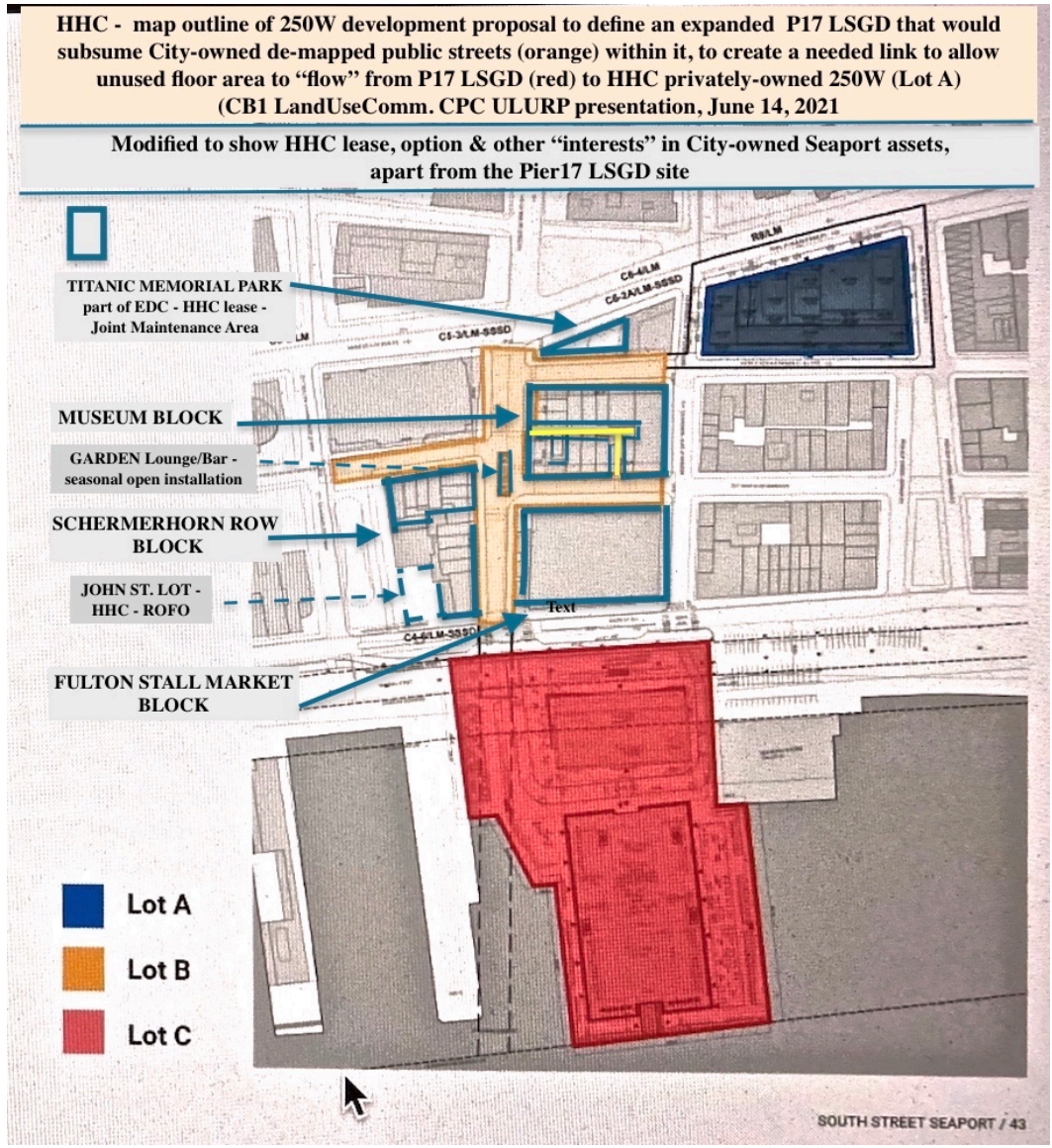
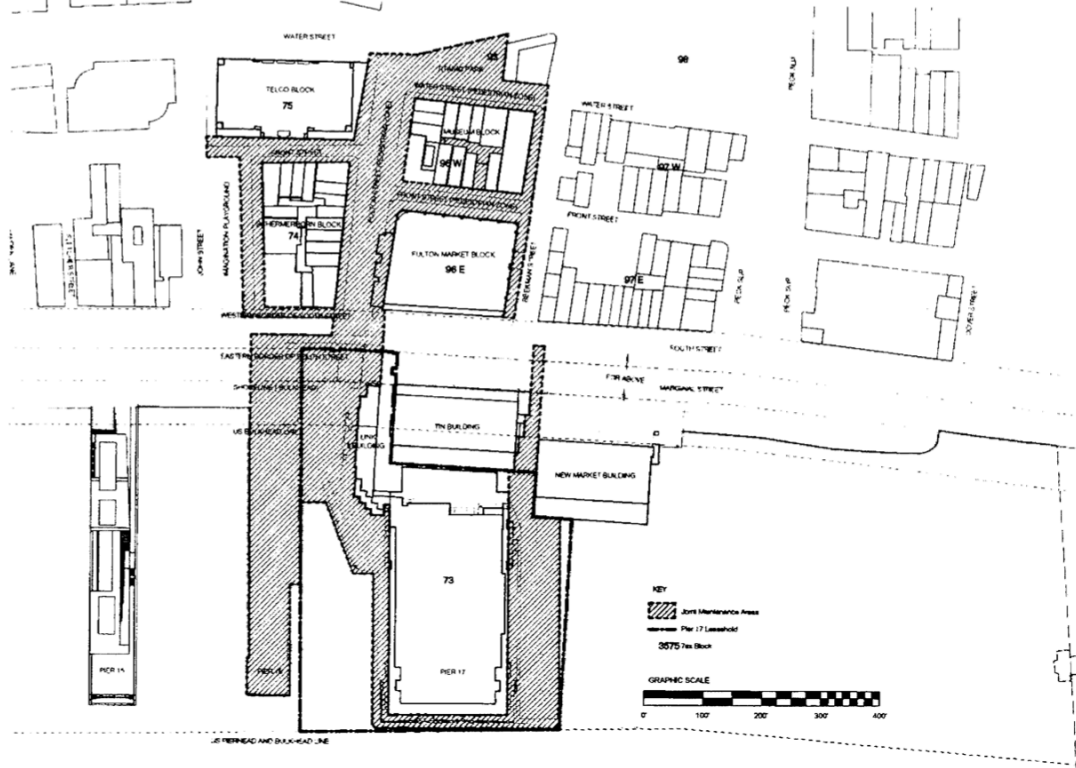


EXHIBIT 6

South Street Seaport Historic District – EDC, HHC – Joint Maintenance Area

SOUTH STREET SEAPORT // EXHIBIT F - JOINT MAINTENANCE AREA



Paving the way for 250 Water

--- City connections.

In January 2018 – months before HHC bought the 250 Water site – HHC representatives were reaching out to city agencies, beginning with the NYC Landmarks Preservation Commission (LPC).

Before, in between, and after HHC's Stakeholder Engagement Workshops of Sept 26, 2019, Nov 12, 2019, March 3, 2020 (to supposedly gauge community support for its planned development of 250 Water), and intensifying through 2020 leading up to and following on the Jan 5 2021 LPC hearing on HHC's 1st design proposal, there are multiple city inter-agency meetings with LPC, CPC/DCP, EDC, Office of the Deputy Mayor (ODM) , HPD, Inter-governmental Affairs, City legal, as well as with the Seaport Museum, the Manh. Borough President, the City Council Member- District 1.

HHC has team employees working on the 250 Water plans who had previously held key positions in the very city agencies that HHC now had applications before – a prior legal counsel for LPC - now playing an active role as HHC counsel on the LPC application; a prior counsel at the Dept of City Planning now playing an active role as HHC counsel on the land use actions.

HHC had access, as an applicant, that the general public would not be afforded.

* * *

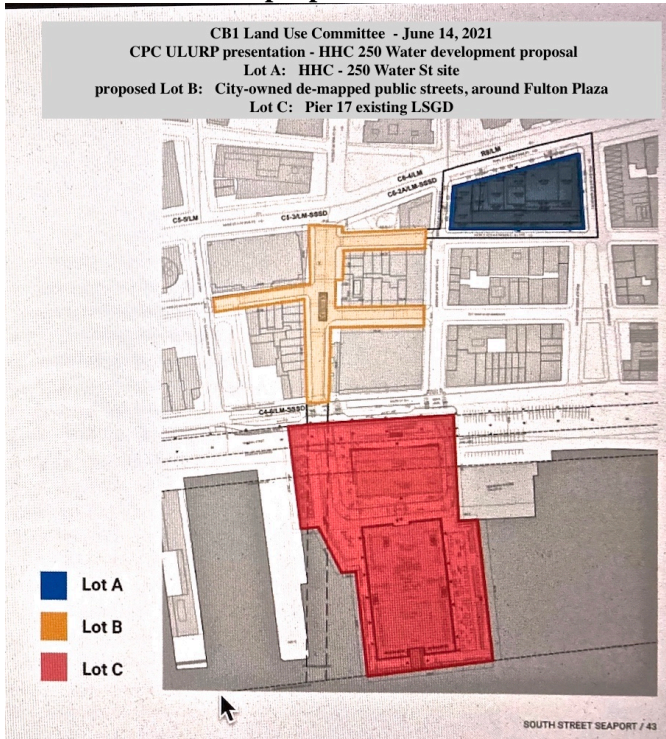
Some action specifics

Zoning Text Amendment - ULURP No. N210439ZRM

(Note: non-ULURP action; changes to text of Zoning Resolution (ZR); referred to CB1 for review)

- Zoning text amendments to the South Street Seaport Subdistrict regulations, including:
 - . ZR Section **91-62** to modify the definition of “**receiving lot**” to include Zoning Lot A; [Lot A = 250 Water St, Exhibit 7 map-blue area below; BBSE-URP reference no. #2]

EXHIBIT 7 HHC’s proposed LSGD



Comments:

- HHC’s Zoning Lot A – 250 Water - was **not** defined as a Receiving Site in the *1972 Seaport Transfer Mechanism*.
- The 1977 South Street Seaport Historic District Designation specifically **included** the 250 Water lot in the Seaport Historic District.
- In 2003, City Planning rezoned a 10-block section of the northern part of the Seaport Historic District to C6-2A contextual zoning, with maximum height limit of 120 feet; the area **includes** the 250 Water lot.

This rezoning received wide support from City Planning, Community Board 1, local elected officials, community and civic organizations.

HHC knew exactly what it was purchasing.

- . ZR Section **91-68** - to allow the **demapped** portions of Fulton, Front, and Water Streets to be defined as a “zoning lot” for purposes of the ZR Section 12-10 definition of “large-scale general development;”

Comment:

The de-mapped streets are city-owned, public streets. They were de-mapped for public benefit - not for private redefinition and exploitation. In light of HHC past actions, their proposed incorporation into an expanded LSGD area that will be privately controlled through an existing (out to 2072) and potential long-term leasing arrangement (out to **2120**) will promote a sense entitlement over time, if not outright ownership claim.

A simple example involving the de-mapped streets provides fair warning as to how things can evolve.

There was a lot of back and forth between NYCEDC and SSSLP/HHC from 2016 forward, to - in HHC- Adam Meister’s words -resolve “usage and management” “of the Former Streets”. [the de-mapped streets that HHC refers to as Lot B in the map above].

In the 250 Water application, HHC refers several times to its partner Chase’s “Garden Bar” that for several years now has occupied space right in the middle of de-mapped Fulton Street.

The bar was set up as a “temporary”, seasonal installation that HHC/Chase was morphing into a winterized, permanent structure in 2019 until it was brought to EDC’s attention. When EDC questioned HHC on improperly ‘signing as owner’ on a permit, HHC’s reply is interesting to say the least:²

‘Clearly, for the purposes of the simple, printed application forms for various permits, Tenant [HHC], as a holder of the **long-term leasehold interest** in the Premises, is the “owner”...’ [emphasis added]

In 2019, issues regarding the Garden Bar and Right-of-Way emergency access were apparent catalysts behind a now formalized concession agreement that defines the terms of use for the de-mapped area going forward for both HHC and others.

* * *

- . ZR Article **IX, Chapter 1, Appendix A**, Map 6 to designate Zoning Lot A as a receiving site.
[tied to new Lot A ‘receiving lot’- see above]

² Letter from SSSLP/HHC-Grant Herlitz to NYC: SBS, Law Dept, EDC-general counsel, May 19, 2016, 2nd to last para.

Zoning Certification - ULURP No. N210440ZCM, ZR: 91-65

(Note: **non-ULURP action**; referred to CB1 for review)

- A certification pursuant to ZR Section 91-65 to transfer development rights to Zoning **Lot A**. [=250 Water site]
- Under Zoning definitions:

A **transfer of development rights (TDR)** allows for the transfer of unused development rights from one zoning lot to another in limited circumstances, usually to promote the preservation of historic buildings, open space or unique cultural resources.

A transfer may be made by CPC special permit from the zoning lot containing the designated landmark to an adjacent zoning lot or one that is directly across a street or, for a corner lot, another corner lot on the same intersection.

Comments: The definition is pretty clear.

Additionally, the *1972 Transfer Mechanism* specifically provided for how transfers were to function within the South Street Seaport Subdistrict (the zoning overlay).

250 Water was not identified as a receiving site. And the Pier 17 / Tin site was never including as a granting site. The mechanism's purpose was to save the originally designated granting sites from potential demolition.

The proposed transfer goes against the intent of the original mechanism set up to protect the district: to sell air rights for use outside the district to support public – not private - benefits within the district.

HHC's claim that transferring unused floor area (unused development rights) from the Pier17/Tin sites would save the waterfront from inappropriate overbuild is self-serving.

The sites are city-owned, and the city has full control over what could and would get built there. In recent years, the city's direction, in line with full community backing, has been and continues to be towards opening up the waterfront for full public access, and uses appropriate to and supporting water locations. Coastal Resiliency planning is also moving away from building in flood prone areas that don't require water access, and could potentially put vulnerable residents in jeopardy.

HHC's **expanded LSGD** attempts to get around some problems it has with existing rules: 250 Water is not a designated receiving site and Pier17/Tin is not granting site for air rights transfers. The two sites are not adjacent. And a public bidding process on the sale of air rights it needs would introduce an unpredictable factor.

So the LSGD seems to be the method that the HHC planners recently came up with to:

- Connect the 250 Water site physically to the Pier17/Tin site to satisfy adjacency – of course, providing the city goes along with use of the de-mapped streets for this purpose
- Allow the redistribution of unused development rights within the LSGD bounds, thus avoiding having to deal with the issues of granting and receiving sites of the *1972 Transfer Mechanism*
- Avoid a public procurement process.

The latest approach, however, has its own problems. The LSGD incorporates assets that HHC does not have ownership over - i.e. the de-mapped city streets. The City would have to go along with this, but such an approach would make City Planning complicit in what appears as basically a land use scheme to support one specific developer's goals; and it would be undermining what City Planning should be working towards – planning orderly and fair development of the city.

There is another issue that lies right below the surface of HHC's latest air rights transfer plan.

The sale of City-owned real property requires the ULURP public review process for its disposition. Air rights represent real property interests.

Not having a public process for sale of the city-owned unused floor area (aka air rights), if that is indeed part of the HHC plan, would raise a big red flag.

* * *

Zoning Special Permit - ULURP No. M130053BZSM, ZR: 74-743

(Note: **ULURP action; may modify use, bulk or parking regulations**)

- A special permit by the City Planning Commission (the "CPC") pursuant to ZR Section 74-743(a) to allow:
 - the distribution of floor area without regard for zoning lot lines or district boundaries; and
 - the location of buildings without regard to applicable height, setback, or street wall regulations.

Refer: Issues tied to expanded LSGD- see above **N210440ZCM**

* * *

Zoning Authorization - ULURP No. N210445ZAM, ZR: 62-822b

(Note: **non-ULURP action**; referred to CB1 for review)

- An authorization by the CPC pursuant to ZR Section 62-822(b) to modify the requirements within the Pier 17 Waterfront Public Access Area (the "WPAA") to allow for security bollards to be located within the upland connection of the WPAA and treated as permitted obstructions within the required pedestrian circulation path.

Refer: Pier 17 Traffic Management Plan- access drive consideration, below

* * *

Other general considerations:

RE: Modifications to the Restrictive Declaration to modify the Pier 17 Traffic Management Plan. “Additionally, these actions will allow the service road on Pier 17 (the “Access Drive”) to be utilized for **passenger pickup and drop-off instead of only for loading and deliveries** as well as increase pedestrian safety measures within the Pier 17 Zoning Lot. “

Comment: Use of the access road was the subject of discussion during the Pier17 Renovation Project development and the Tin site merge into the project back in 2015-16. After consideration of the pedestrian concerns, it was settled that only delivery vehicles within controlled access hours, and emergency vehicles would use the access drive on a routine basis, and a layover area along the marginal street area in front of the Tin would be available for other drop-offs.

If anything has changed, it is that more pedestrians are now using the waterfront, and there is no justification to change the type of use or access hours.

* * *

Other City agency Considerations:

There are open questions regarding other city agencies' involvement with the land use actions under consideration by CPC/DCP :

1 NYCEDC:

- 1.1 How would the process of redistributing unused floor from the current Pier17/Tin LSGD area to the 250 Water St Development site under an expanded LSGD differ from the 1972 Transfer process in execution, and what role would EDC, CPC or other city agencies have in it ?
- 1.2 Would such unused development rights still have to be alienated from HHC's lease?
- 1.3 Would redistribution under an expanded LSGD eliminate a public procurement process in favor of a sole developer's private purchase ?
- 1.4 How would unused floor area not involved in a public bidding process be valued ?
- 1.5 What is EDC's involvement in relation to the HHC promise of funding for the Seaport Museum?
- 1.6 Is EDC negotiating new options with HHC on additional Seaport public assets, out of public view, with yet another HHC expanded LSGD on the horizon?
(refer Exhibit 8a, which references an option on the New Market site, and Exhibit 8B-related HHC image on New Market air rights)

2 NYC Small Business Services (SBS):

- How would an expanded LSGD incorporating city-owned properties affect what HHC currently pays under its lease arrangements?

3) Dept. of Housing Preservation and Development (DHPD)

- What are the terms and guarantee regarding the affordable housing units being promoted by HHC?

4) South St Seaport Museum (SSSM) - Non-ULURP Actions, but inter-locked to 250 Water through funding connected to the 250 Water site's need to purchase city-owned air rights.

- What are the terms and guarantee relating to the amount and timing of SSSM support?

* * *

EXHIBIT 8a
HHC and EDC weigh in on what to say regarding Option on New Market site and related air rights; 6.2019

From: Adam Meister <Adam.Meister@██████████>
 Sent: Monday, June 3, 2019 11:35 AM
 To: Winthrop Hoyt; Christian Ficara; Cristina Carlson
 Cc: Stephanie Baez; Saul Scherl
 Subject: RE: Connecting w EDC

[EXTERNAL EMAIL]

Win – Following up on our earlier conversation, below is the statement we gave the NYT regarding the air rights. This doesn't say anything about the option. It is our understanding that EDC is (or at least should be) ok with this. I see that you are discussing in the AM, so please keep us posted.

During the year, we purchased the parking lot at 250 Water Street in the Seaport District, a well-located development site of more than one acre with approximately 290,000 square feet of as-of-right development rights. We are working closely with the City and Seaport District stakeholders to determine how best to realize the full potential of this site, together with the 415,000 square feet of excess development rights from Pier 17, and an additional 212,000 square feet of development rights from the New Market site, subject to governmental approvals.

Thanks

From: Winthrop Hoyt
 Sent: Monday, June 3, 2019 5:15 PM
 To: Christian Ficara ; Cristina Carlson
 Cc: Stephanie Baez ; Adam Meister
 Subject: RE: Connecting w EDC
 This email originated from an external server. Use caution.

Adam (copied) and I spoke; we're working to see if there's something that we can say about the air rights from the New Market building that we can both support.

Best,
 Win

From: Christian Ficara <cficara@edc.nyc>
 Sent: Monday, June 3, 2019 3:45 PM
 To: Cristina Carlson <Cristina.Carlson@██████████>
 Cc: Winthrop Hoyt <whoyt@edc.nyc>; Stephanie Baez <sbaez@edc.nyc>
 Subject: Connecting w EDC

Hi Cristina,
 Thanks for taking the time to speak just now. As discussed, I'm looping in Win from our project team. If you can connect us with the HHC team members re messaging on negotiations for air rights at 250 Water that would be great.

EXHIBIT 8b
HHC and EDC: Another expanded LSGD scheme in process
 - Option on New Market site and related air rights ?



#



--- Submission - online via City Planning website – CPC Comment Form ---
Attn: NYC City Planning Commission (CPC) / NYC Dept. of City Planning (DCP)

From: Joanne Gorman,
Joanneg95@gmail.com
On behalf of Friends of South Street Seaport

Re: Sept 1, 2021 Public Hearing
South Street Seaport Historic District - **HHC-250 Water application**
CEQR No. **21DCP084M - Draft Environmental Impact Statement (DEIS)**

Related applications

CPC: 2021M0224 ULURP and non-ULURP related actions
(C210438(A)) ULURP amended Aug 2, 2021; LPC-CofA updates
SBS: 210444PPM Disposition of city-owned Seaport properties -
HHC Lease Extension to 2120
LPC: 21-03235 Certificate of Appropriateness

These comments relate to the required environmental impact review for the Howard Hughes Corp. (HHC) proposed development at 250 Water that was determined to have significant negative impacts on the environment. Many aspects are covered in related ULURP testimony and are not repeated here.

The comments follow on the *Notice of Completion [NOC] of the Draft Environmental Impact Statement (DEIS) - 250 Water Street*, CEQR No. 21DCP084M, May 17, 2021¹, inclusive of the *Technical Memorandum*² of Aug 17 2021 which references the amended 250 Water ULURP (C210438(A) ZSM) that incorporated modifications tied to the May 4, 2021 Landmarks Preservation Commission HHC approved design of a 324 ft tower at the 250 Water site.

Land Use, Zoning, and Public Policy

p.8 (NOC) “A detailed assessment determined that the Proposed Project would not result in significant adverse impacts on land use, zoning, or public policy.”

As the Proposed Project has direct bearing on and relevance to the roles of City Planning and other city agencies in a very controversial proposal that will directly impact land use, zoning, and public policy, I strongly disagree with the above statement.

¹ Notice of Completion of the DEIS – 250 Water Street; May 17, 2021

<https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/250-water-street/noc-deis.pdf>

² **Technical Memorandum 001 – 250 Water St; Aug 17 2021; CEQR No. 21DCP084M**; ULURP Nos. C210438ZSM, C210439ZRM, N210441ZAM, M130053(B)ZSM, C210445ZAM, C210438(A)ZSM

<https://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/250-water-street/tech-memo-001.pdf>



In terms of environmental impact, little has changed over the intervening months since the Dec. 17 2020 CPC hearing on the *Draft Scope of Work* for the DEIS.

HHC's latest design does little to address the significant adverse impacts that this project poses to the environment.

With regard to public policy - in seeking to bend zoning and exploit public assets to its own purpose, HHC would, if successful, undermine the role of city planning, and promote distrust in our city agencies in general. By waving the banner of affordable housing and dangling a deceptive 'contribution' of funding for community benefits, it gets 'political cover' and a pass on rules it doesn't want to abide by.

The tower that HHC / 250 Seaport District, LLC now proposes to build on the 250 Water site would rise to a height of **324 ft**, almost 3x the 120 ft height allowed under the C6-2A contextual zoning of the **South Street Seaport Historic District**.

The proposed project lies within an 18th and 19th C landscape of low-scale buildings - a scale that was recognized as a defining quality in the *1977 South Street Seaport Historic District Designation Report*.

250 Water lies within a 10-block area that was purposefully down-zoned in 2003 after considered planning and concurrence by city agencies, Community Board 1, civic groups, elected officials, business leaders, preservation and community representatives.

It is a unique setting that the Howard Hughes Corp wants to capitalize on by building a skyscraper that doesn't belong there. To accomplish this, HHC is going to great lengths to get around zoning and public asset framework put in place to protect the Seaport from just such development.

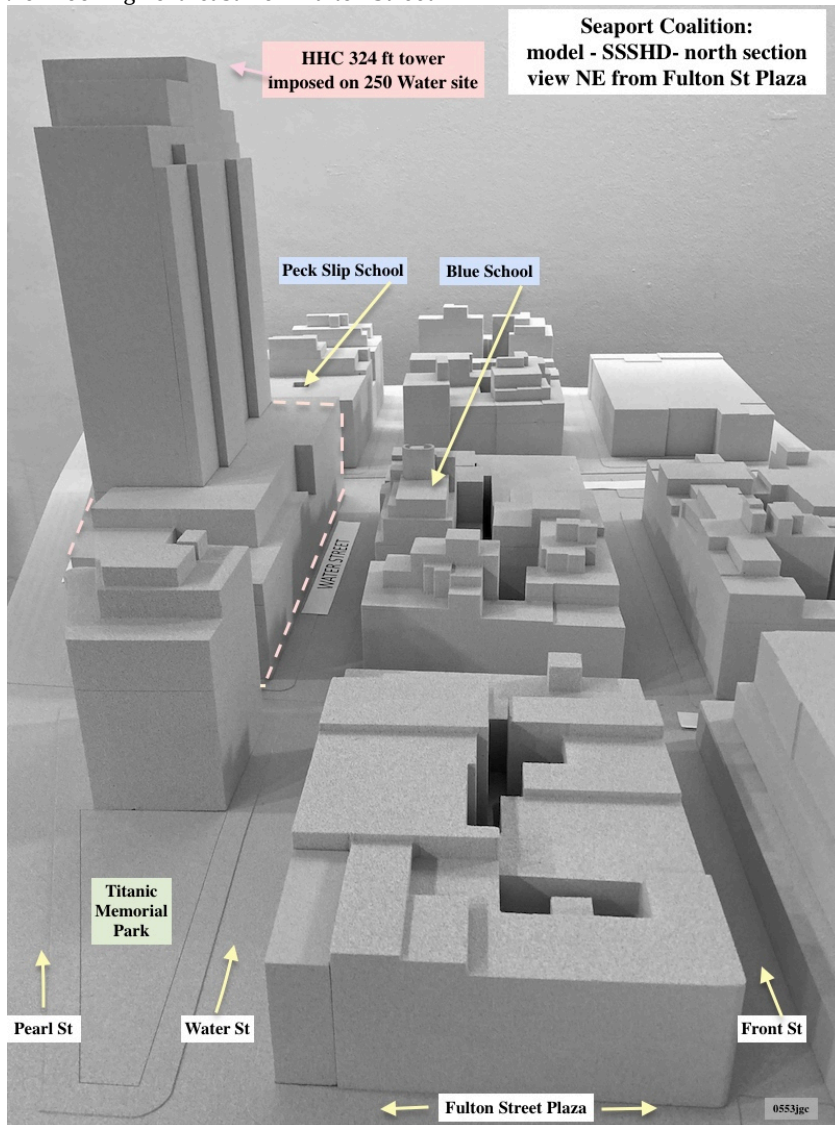
It would require changes to planning regulations and guidelines put in place over many years of careful consideration for this special city, state, and national historic area - including zoning and landmark concerns - all to serve a single developer's interests.

In the DEIS Notice of Completion (NOC), under G-Probable Impacts of the Proposed Project / Land Use, Zoning, and Public Policy, there is a statement that redefines the meaning of comparable scale and respectful development. p. 8 NOC:

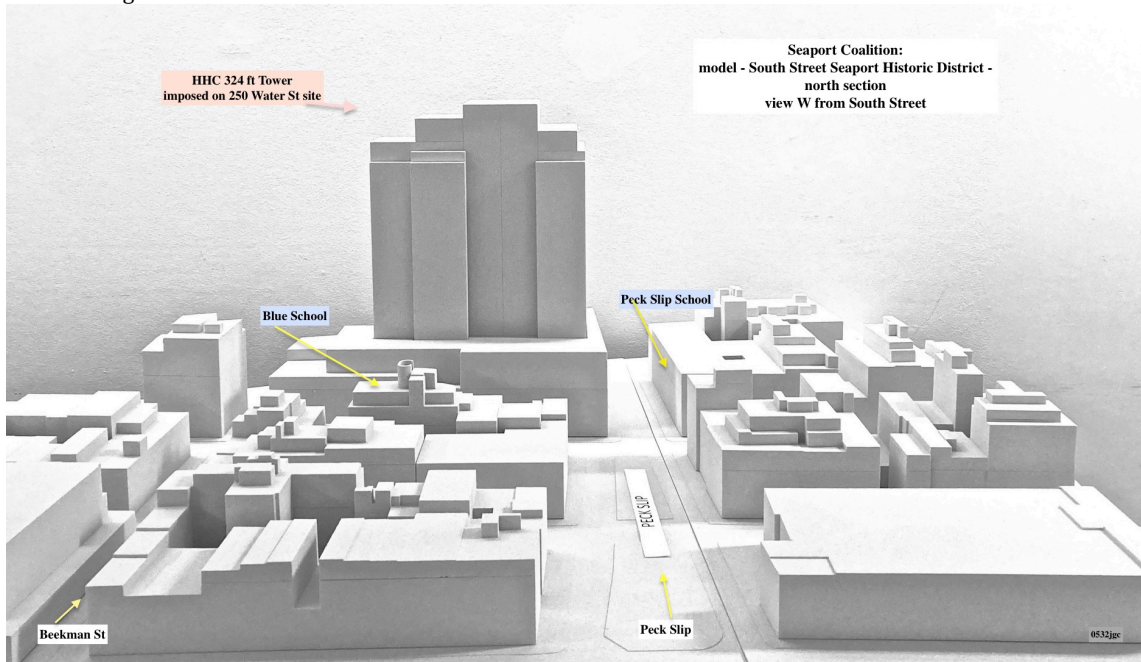
“... the proposed building would be of a comparable scale to other buildings in the study area while being respectful of smaller scale buildings nearby.”

Model of the South Street Seaport Historic District with the proposed “LPC contextually appropriate” 250 Water tower (324 ft) superimposed on the 250 Water site that lies within the Seaport’s protected bounds

View looking northeast from Fulton Street



View looking west from South Street



p.7 (NOC) Future Without the Proposed Project

Not wanting to open the door to possibilities it didn't want anyone to envision, the Howard Hughes Corp. chose not to present even one of any number of designs that would respect the Seaport's scale.

The Seaport has many examples of new buildings from the 20th and 21st centuries that meld in with their historic neighbors. They are clearly identifiable as new, yet they exist in balance with the old, and do so while staying within the contextual zoning height limit, and maintaining a scale and character that neither dominates nor destroys the feel of what draws individuals to the Seaport.

It is also important to note that any new building on the site could introduce mixed-uses containing both market-rate & affordable housing, retail, office & community spaces.

It would include construction jobs, permanent full and part-time jobs post-development, foot traffic to the neighborhood; it could include a mix of residents and appropriate new retail opportunities.

A building within the existing zoning envelope of 120 ft in no way precludes any of the above,

--- AND it would not come at the cost of undermining an historic district, undermining planning by manipulating zoning rules, and exploiting our public assets.

Reasonable Economic Return

At the time of the historic district's rezoning to C6-2A with a 120ft height limit, a 2002-3 NYC EDC Study was undertaken. It concluded that a building built within the 120' height limit could provide a reasonable return on investment.

And yet, there is no attempt to analyze the current economic environment that might prove that an as-of-right build may be even more appropriate today, where a glut of high-end residential units are being held back from the market, and the office work environment post-covid is undergoing a real change, with many individuals looking to continue working remotely, at least part of the time.

* * *

The DEIS review categories and comments

1. **Land Use, Zoning and Public Policy** (additions to NOC comments above) – EIS descriptive text³: The proposed actions would alter existing land uses and zoning by allowing an increase in development on the development site beyond that currently permitted under existing zoning. In addition, the effects of the proposed actions may not be compatible with one or more of the public policies that are applicable to portions of the study area.

The Seaport Historic District is recognized worldwide for the historic and cultural contribution it makes to our heritage. It brings value to surrounding areas, and is an economic draw for visitors.

It is important to ensure that policies put in place to protect the Seaport are not undermined. Allowing an out-of-scale tower to set root within the district's bounds to loom over, dominate and confuse the district's purpose would be the first, but not the last attempt at other destructive land and air grabs, within and outside the Seaport.

There is a name for allowing a developer to effectively buy its way into zoning changes to further its own self-interests under the ruse of providing community benefits, and it is not 'planning'.

2. **Socioeconomic Conditions** – The proposed actions are not expected to result in the direct displacement of residents or businesses. However, the proposed actions would introduce approximately 338 new dwelling units and approximately 247,846 gsf of new commercial uses that would result in a substantial population increase.

p. 8 NOC: "...the incomes of the project population would be similar to and **less than** the study area's existing average household income." [emphasis added]

This statement begs the question: What is the source of this data and what study area was actually considered, because the statement makes no sense.

The proposed building would have luxury condos, which would rival the wealthy FIDI area to the south and west in household income, and likely exceed it in most instances. The site has NYCHA housing directly to the north above the Brooklyn Bridge, moderate to middle income at Southbridge Towers (SBT) to its immediate west across Pearl St, low-income supportive housing at St Margaret's House, also across Pearl St next to SBT.

The threat of luxury tower developments on surrounding middle and low-income housing and the businesses supporting them is a reality we have seen in many upscale developments.

Indirect residential displacement is a real after effect of luxury intrusion on middle and low-income areas– property values go up, but so do property taxes. The costs of living rise as an area starts catering to a new, wealthier, mobile clientele where one home is just one of many, and connections to a single place are fleeting.

³ The EIS descriptive text, after the category heading, is from the DCP Nov 16, 2020-*Positive Declaration*

The loss of existing low and middle-income families with long-standing and well-integrated roots in the community does not necessarily happen all at once, and because the impact is not immediately felt, it does not get the consideration it deserves.

Small businesses along Front St inside the Seaport, and along Fulton St outside -may be faced with competing upscale retail in a new luxury tower - where rents are set at a price to pay luxury housing bills.

3. **Open Space** – The proposed actions may have an indirect effect on open space resources due to increased demand for use of publicly accessible spaces by the potential net increase of approximately 645 new residents and 1,107 new workers.

As noted in the DEIS – the impact on Open Space is not mitigated by the 324 ft approved tower. This is not limited to Southbridge Towers.

The influx of new residents and workers will definitely affect the limited open spaces in the area.

And open space will be seriously impacted for an extended period during a lengthy construction period.

In addition to the Brownfield remediation actions, the subsequent best-estimate 3+ year construction period (projected 2026 Cof O) required to build the proposed 324 ft. tower on the 250 Water St site will have major, direct impact on the limited, open spaces in and around the Seaport – due to noise, vibration, dust, massive construction equipment, street closings and associated traffic issues.

Anyone who was around for the Pier 17 pile driving knows the damage noise can do, extending several blocks from its originating site. The following open spaces will be effectively closed down to the public during much, if not all, of the day during active construction:

- Titanic Park seating
- Pearl St Playground
- Pearl St public seating
- Beekman de-mapped street public seating
- Fishbridge Gardens
- Fishbridge Dog Run
- Peck Slip.

4. **Shadows** – The proposed actions would allow an increase in development density and greater building heights within the project area. Shadows cast by the new development proposed could affect publicly accessible open spaces and sunlight-sensitive architectural resources in the area.

As noted in the DEIS – this impact is not mitigated by the 324 ft approved tower, with SBT seriously impacted.

From actual, visual experience, the following areas will be directly impacted, some for extended periods of time:

- Pearl St Playground
- Pearl St-west side at Fulton St & at de-mapped Beekman St –gardens and public seating
- Tree Canopies: along Pearl St – from Fulton St up to Dover St, along de-mapped Beekman St

(between St Margaret's House- SBT);
DeLury Sq Park
SBT- de-mapped Cliff St – tree canopies, plantings; main interior plaza; Frankfort/Gold plaza with swings; de-mapped Spruce St (between SBT & 100 Gold St (city-owned)
Smith Houses - tree canopy & open green spaces, play areas
Spruce St School (Gehry)-upper east outdoor play area
Peck Slip School – roof playground; Blue School
Peck Slip Park (Water to South Sts)
Seaport District: impact on residents in nearby low-lying buildings

5. Historic and Cultural Resources – The project area lies within a designated historic district. The proposed actions may directly or indirectly affect designated historic landmarks and/or buildings that may be eligible for designation. In addition, the proposed actions may result in additional in-ground disturbance and therefore has the potential to affect archaeological resources that may be present.

A looming tower in the middle of the northern section of the historic district along Pearl St - what is its clear western boundary - will disrupt a clearly defined line for the district, separating the block between Peck Slip and Dover St along the Brooklyn Bridge above the tower from the portion to the south from Beekman to Fulton Sts. It will impose a jarring change in scale on the Seaport.

6. Urban Design and Visual Resources – The proposed actions and subsequent development would result in physical changes within the project area beyond the bulk and form currently permitted as-of-right; therefore, these changes could affect a pedestrian's experience of public space and may alter the urban design character and visual resources of the surrounding area.

A tower would confuse the Historic District geographic boundaries, and affect:

- Pedestrian experience - walking north from Fulton St and south from Brooklyn Bridge along Pearl St
- View from Brooklyn Bridge pedestrian path
- Views from within the district – dominated by a tower from Peck Slip Park
- View of the open sky - a natural part of the Seaport experience

7. Natural Resources – The proposed actions may have the potential to result in significant adverse natural resource impacts, if a natural resource is on or near the site of a project, to either directly or indirectly, cause a disturbance of that resource.

Impacts that are barely touched on:

- Effect below ground: on surrounding landfill, Seaport area water table; 100-Year floodplain concerns
- Effect of a 250 Water St massive walled-off tower foundation, and ground and below grade flood proofing on the surrounding land filled spaces
- Potential redirection of water to surrounding properties
- Above ground: direct sunlight, overall light.

8. Hazardous Materials – The proposed actions would result in additional in-ground disturbance, which, given the historical on-and off-site uses and conditions, has the potential to result in hazardous materials impacts.

Refer: Brownfield Cleanup Program

9. Water and Sewer Infrastructure – The proposed actions would result in a net increase of building space within the project area which could place additional demands on infrastructure, including water supply and storm water management. Per pg16 – an analysis of sewer impacts will be included in EIS.

[Note: I disagree with the following draft scope statement (p. 8): “As per the EAS, three technical areas have been screened out based on the guidance of the *CEQR Technical Manual* and do not require further analysis in the EIS. These are community facilities, solid waste & sanitation services, and energy.

I am including comments below relating specifically to waste & sanitation services that I consider require further action. They are not specifically tied to HHC’s development, but HHC’s development will contribute to an existing problem.

Newtown Creek Wastewater Treatment Plant (NCWWTP) – latest expansion was completed in 2009.

It is already hitting maximum capacity during light rains, triggering increased Combined Sewer Overflow (CSO) events into the East River.

Despite the NCWWTP expansion noted above, Combined Sewer Overflows (CSOs) all along Manhattan’s waterfront still contribute to the lack of compliance with the Federal Clean Waters Act– occurring even on light rainfall days, only to be amplified by increasing events due to resiliency issues: rising sea levels, storm surge, more extreme flooding along coastal shorelines.

The State demanded that CSO events be prevented by 2013. The city is still not in compliance, and instead is constantly playing catch-up due to new development.

The EIS for the proposed 250 Water St project should be part of a process to provide up-to-date data on the cumulative impacts to infrastructure resources and city services of both recent and planned developments. This would include updated data for both water & sewer – and for both NCWWTP capacity and its tie in to increased CSO events.

Some recently completed developments:

- Brooklyn: Williamsburg - Domino Factory Buildings; Greenpoint – new buildings along waterfront;
- Manhattan: 56 Fulton St, 118 Fulton St.

Some projects underway:

- Manhattan: 102-110 John St - through to Platt St.; 130 William St

Some planned projects - spanning the 250 Water St proposed project period:

- Manhattan: 4 Planned towers above Two Bridges; Pace University - sell off of Gold St. building for development
new Manhattan Jail

Resilient below ground features that aid in flood control, and help provide backup support to the existing city infrastructure should be promoted in any new development.

10. Transportation – The proposed actions would result in an increase in the number of vehicular trips and increase ridership on mass transit facilities. The proposed actions would also affect pedestrian movements in the area due to the increased number of residents and workers expected to be introduced to the area.

As noted in the DEIS – this impact is not mitigated. The proposed traffic changes don't seem likely to do much if any good even to correct the existing problem, no less what a tower will introduce.

During peak hours, the Brooklyn Bridge ramps are already a traffic headache.

In these days of growing Internet ordering, compounded by current Covid-19 stay-at-home requests, additional deliveries are an absolute. A proposed luxury tower off Pearl St right below the Bridge ramps will add to existing traffic bottlenecks in the area of the Bridge; the same holds for the new retail and commercial spaces in the proposed tower.

250 Water Parking Considerations:

- pg3-C. Draft scope states that the current surface parking lot has “approximately **400** spaces”. How will the loss of this parking affect the side streets; where will the cars park? The DEIS response is inadequate. Saying they will find places elsewhere is not a constructive response.

11. **Air Quality** – Increased demand for heating, ventilating, and air conditioning (HVAC) and additional vehicular traffic introduced by the proposed actions may affect air quality.

Refer: Brownfield Cleanup for remediation period; need the Construction Plan.

13. **Noise** – The proposed actions would increase the volume of traffic in the area, which could result in additional traffic related noise and may have the potential to result in mobile and/or stationary source noise impacts.

Construction:

- The noise from pile driving needed to support a huge tower is unnerving. It will affect the mental well being of healthy as well as compromised individuals; also our companion animals.
- The vibrations will shake the fragile historic buildings around it, as well as neighboring residential buildings, and city infrastructure (nearby NYC Cliff St Substation- off Fulton St), with possible attendant damage and outages.
- Monitoring won't help if the damage is already done.

14. **Public Health** – The proposed actions could potentially result in unmitigated significant adverse impacts in technical areas related to public health.

- There are vulnerable populations throughout the immediate project vicinity: 2 schools housing young students; St. Margaret's House – housing elderly and disabled residents who don't have the luxury of escaping to another location; NY Presbyterian-Downtown Hospital; Pace Univ.
- Even after Covid lockdown is lifted, more people are likely to be staying in the area and working from home.

15. **Neighborhood Character** – The proposed actions have the potential to alter certain constituent elements of the project area’s neighborhood character, including land use patterns, socioeconomic conditions, traffic, and noise levels.

Previous comments already speak to many aspects that contribute to neighborhood character.

From an historical context, the HHC project would add out-of scale height and residential density to the historic Seaport that has no bearing on the land use patterns and living conditions of a 19th C Historic District.

16. **Construction** – The proposed actions would increase the allowable density resulting in new development that involves activities which may result in construction-related impacts.

(Draft Scope, pg5 – 5 yr construction, [start 2022 after ULURP 2021 certification]; occupancy 2026)

The referenced 3+ -year construction period will have major impact on:

- Adjacent schools – Blue School, Peck Slip
- Use of Pearl St as entrance to the Seaport along Peck Slip and Beekman St, and exit from within the Seaport north of Fulton Plaza
- Residents, businesses & restaurants within the Seaport along Peck Slip, Water, Front Sts
- Overall resident and general public use of Pearl St as pathway north & south
- Access to hotel & other businesses on north-east side of Pearl St.

Extreme engineering practices would likely be needed to support a 324 ft tower (and to avoid the issues that the slanting Fortis building is now facing at 151 Maiden Lane)

- due to landfill, high water table, depth needed to insure a solid foundation

Heavy, massive equipment - cranes, pile drivers would also be needed

A comprehensive Safety Plan would be a given - to protect residents, visitors, workers, businesses.

Plans need to insure that damages to important facilities – water, sewer pipes, cables etc. – are addressed quickly.

* * *

Resiliency

250 Water lies within the FEMA 100-year flood plain. It is within the city’s Coastal Zone which is the focus of widespread planning to guide resilient, water-related uses along the waterfront.

The site is on landfill, with a high water table –which would force enormous engineering practices to come into play to ensure that a building of the height proposed is on a stable foundation at this location. (The slanting Fortis Building, under now halted construction, at Maiden Lane is an example of what can go wrong.)

It defies common sense at this time of growing awareness of the potential impact of climate change and sea level rise for a building of the size and density proposed, to be built at this location. It would bring a significant number of residents to an area located over landfill within the current 100-year flood plain that in Oct 2019 experienced major damage and disruption of basic services from Hurricane Sandy. And while the luxury condo owners would have ample resources to relocate elsewhere to ride out any storm, this would not be an option readily available to residents of affordable rental units, who like all the public housing residents north



of the Brooklyn Bridge - if past experience is an indicator - would likely be left to fend for themselves.

* * *

Alternatives:

No action: Contextual 120 ft mixed use development.

A reasonable design, under existing guidelines, drawn up by an impartial designer, should be made a requirement in future proposals for any project introducing this magnitude of change both to the environment and to the city planning actions required to make it a reality.

EIS Summary Chapters
Draft Scope - Unavoidable Adverse Impact

Were CPC to advance HHC’s proposal and permit overriding the zoning height limit of 120ft, allowing public air rights transfer to further this private development inside the Historic District, and dismissing all other red flags that jump out in the environmental review and ULURP process, it would:

- a) Sanction a building that forever undermines the scale and context of the historic district
- b) Open the door to continuing erosion of the Seaport by setting a precedent for future development.

The damage is avoidable - by simply not allowing such projects as proposed here.

For all the reasons contained herein, and in the related ULURP testimony, the City Planning Commission should stop this project before wasting any more city resources, and send a clear message that the 2003 zoning amendment limiting height to 120 ft provides clear guidance for the advancement and success of any future proposal for development within the historic district.

As of May 16, 2021, there is an active legal challenge to the LPC May 4, 2021 approval of the 250 Water development.

It would be irresponsible to allow this proposal to advance at this time.

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From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Friday, August 27, 2021 11:07:13 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Mitchell Grubler**
Zip: **10012**

I represent:

- **A local community group or organization**

Details for "I Represent": **Bowery Alliance of Neighbors**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

The Bowery Alliance of Neighbors joins with the Seaport Coalition and Community Board 1 in opposing the 250 Water Street ULURP application. We endorse a development at 250 Water Street that conforms to the existing zoning and the Seaport Working Group's guidelines and principles, including the financial plan to save the South Street Seaport Museum. We support inclusion of true affordable housing within the 120-foot allowable limit at 250 Water Street and 100% affordable housing on public land at 5 World Trade Center. The use of public air rights should benefit the public, not just the Howard Hughes Corporation and its investors. Corporate profit should not come at the expense of public interest. We oppose the Howard Hughes Corporation plans for 250 Water Street zoning relief actions.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 6, 2021 7:25:13 AM
Attachments: [Five Principles.pdf](#)

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **susan harder**
Zip: **11937-1603**

I represent:

- **A local community group or organization**

Details for "I Represent": **International Dark Sky Association, NY**

My Comments:

Vote: I am **other**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

Please observe recommendations for outdoor lighting that conform to the Illuminating Engineering Society and the International Dark Sky Association. Use Zero Uplight fixtures: do not exceed recommended light levels to conserve energy; utilize shut off controls for lighting that is no longer needed; limit light trespass to adjacent properties and waterways by requiring a lighting plan executed by a Lighting Certified Lighting Designer. Be a good neighbor.

LIGHT TO PROTECT THE NIGHT

Five Principles for Responsible Outdoor Lighting



Illuminating
ENGINEERING SOCIETY



USEFUL



ALL LIGHT SHOULD HAVE A CLEAR PURPOSE

Before installing or replacing a light, determine if light is needed. Consider how the use of light will impact the area, including wildlife and the environment. Consider using reflective paints or self-luminous markers for signs, curbs, and steps to reduce the need for permanently installed outdoor lighting.

TARGETED



LIGHT SHOULD BE DIRECTED ONLY TO WHERE NEEDED

Use shielding and careful aiming to target the direction of the light beam so that it points downward and does not spill beyond where it is needed.

LOW LIGHT LEVELS



LIGHT SHOULD BE NO BRIGHTER THAN NECESSARY

Use the lowest light level required. Be mindful of surface conditions as some surfaces may reflect more light into the night sky than intended.

CONTROLLED



LIGHT SHOULD BE USED ONLY WHEN IT IS USEFUL

Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.

COLOR



USE WARMER COLOR LIGHTS WHERE POSSIBLE

Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 2:30:31 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Emily Hellstrom**
Zip: **10012**

I represent:

- **A local community group or organization**

Details for "I Represent": **Peck Slip PTA and Children First**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
Yes

Additional Comments:

My name is Emily Hellstrom and I am the PTA Co-President of the Peck Slip School and a founding member of Children First a grass roots organization representing over 800 hundred parents and families with children who attend school directly adjacent to 250 Water Street as well as other area schools. It is difficult to overstate the devastating impacts this oversized tower would have on the surrounding area. It is also The hubris of the Howard Hughes Corporation. Today you will hear and have already heard from the public why this proposal should not happen given its impact on the important and imperiled Historic District, the detrimental environmental conditions which will directly affect hundreds of children, and the strange gerrymandered way that they are trying to shoehorn air rights to build a tower that will loom over the entire seaport. But today I would like to speak to you about the importance of the integrity of our government processes. It is difficult to spend time today to testify when the

public has seen the 100s of thousands of dollars that this developer has spent on lobbyists, lawyers, PR people and money that has been thrown at this application. We have been told by many people in favor of this project that it's "in the bag", that it's a "done deal". In fact, on Monday, September 17th, 2018, I was invited to a meeting with Saul Scherl from the Howard Hughes at the Peck Slip School along with Principal Maggie Siena, Megan Malvern and Lois Sanchez the head of school operations, where Mr. Scherl asked us quite directly what we wanted in the way of a community benefit for the school in exchange for our complicit acceptance of this behemoth tower. A "carve the horse up before it's dead" style gathering. Wisely, our principal stated that we did not need to be bribed. What we want is for our children to be able to learn in an environment free of dust and noise and the play-street outside our building to remain in full use to enable all our children to have recess outside. It is illustrative of how this multinational billionaire-run corporation operates. Threaten the local schools, scare local small business and lease holders, throw money at nearby non-profits to lock in their favorable testimony and grab the museum and hold them hostage. Our money can buy whatever we want. Our FOIL findings show multiple monthly meetings with elected officials leading up to this ULURP application, setting up a situation that looks like the developer has more access to our public officials than we, the voting public. We have seen ULURP after ULURP where developers make promises of community hand-outs that disappear like whispers in the wind. Stack that on top of the lie upon lie that THIS particular developer has made to our community and PROMPTLY BROKEN. Community Board 1 thoughtfully weighed in on this application and it was roundly rejected. And yet this process marches on, seemingly ignoring the public voice. Is it any wonder that people are skeptical? They have had enough of backroom deals and corporate handouts for real estate developers who overpay and then claim they cannot make a profit unless the city breaks the rules for them. I believe that this City should operate differently. New York voters want our city to operate differently. Corruption does not need to take place in an official illegal capacity to have the same deleterious effect. Of course the South Street Seaport Museum is important, and if we value that, our City should step up to the plate and show that we value it by saving it through the means that was set up to save it. As Gale Brewer mentioned, this application MAY help the Museum, But at what expense? Our children's health? Our historic district? Our belief in the public process? On behalf of the hundreds of families and children I represent, I implore the City Planning Commission to please use this opportunity to tell the Howard Hughes Corporation that they purchased a parcel of land with known zoning structures in place and known land use regulations in place. Please send a strong message today that everyone needs to play by the rules.

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Five Principles for Responsible Outdoor Lighting



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Use controls such as timers or motion detectors to ensure that light is available when it is needed, dimmed when possible, and turned off when not needed.

COLOR



USE WARMER COLOR LIGHTS WHERE POSSIBLE

Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 2:14:56 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Karen Imas**
Zip: **11375**

I represent:

- **A local community group or organization**

Details for "I Represent": **Waterfront Alliance, Inc.**

My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
Yes

Additional Comments:

The Waterfront Alliance unequivocally supports the Howard Hughes Corporation proposal to develop a mixed-use building at 250 Water Street that creates affordable housing in Lower Manhattan's Seaport neighborhood, and generates much-needed funding for the Seaport Museum through the sale of air rights. It is important to recognize the wide support that this project has garnered, including the Landmarks Preservation Commission which found the project appropriate. If this project is not approved the result will be a mix of market rate residential and commercial uses that will not be able to provide affordable housing, support for the Seaport Museum and other community benefits. Not approving this project will have implications for the revitalization of parts of New York City's waterfront areas. The project has received widespread political support, is supported by leading urban planners, housing advocates, community partners, and is endorsed by the New York Daily News, the New York

Post and The New York Times editorial board. HHC has conducted extensive outreach to the local community through the Seaport Stakeholder Planning Workshops which we have participated in. HHC's commitment to making the redevelopment of 250 Water Street part of an overall plan for districtwide improvements is clear. The Waterfront Alliance is committed to sustainability and to mitigating the effects of climate change. We are therefore pleased that 250 Water Street Project will meet or exceed regulatory requirements for resiliency and sustainability and will be certified LEED Silver, at a minimum. We are pleased that Howard Hughes is committed to building resiliently and sustainably throughout the Seaport: Pier 17 is now above the 100-year floodplain and the reconstructed Tin Building has been relocated and built up six feet higher, also above the 100-year floodplain. This sets a standard for development which we believe is needed throughout the City and is reflected in the standards of the Waterfront Alliance's nationally recognized Waterfront Edge Design Guidelines Program (WEDG®). Both structures are LEED certified. Importantly, we believe this project will provide significant and needed funds to the South Street Seaport Museum. The South Street Seaport Museum would receive sustainable funding as well as a new resilient building in order to operate as a world-class institution. And the plan will allow the Museum its first ever reliable, recurring income stream helping to put it on sound footing and fulfill its true potential. Waterfront Alliance feels strongly that South Street Seaport Museum is a critical and important part of the City's past and future, and yet the museum is at a crossroads. The museum interprets the history of the City through its entry point – the New York harbor estuary. This history is representative of America's complex history. It must be interpreted at the waterfront with the historic assets of the museum especially in light of the profound questions about who we are and what we are as a nation. There is no other location in the City where the interpretation and story-telling about the New York harbor estuary can take place in such a profound and meaningful way. Following over 50 years of attempts to plan for a sustainable Seaport and the fiscally disastrous effects of COVID on our cultural institutions, the time is now to realize these goals. We believe this is the right project at the right time for the Seaport, Lower Manhattan and New York City. We urge CPC to support the land use actions necessary to make this development possible.

September 13, 2021

GEORGE M.
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Marisa Lago, Chair
City Planning Commission
120 Broadway
New York, NY 10271

RE: ULURP # N210439ZRM,
M130053BZSM, C210438AZSM,
C210438ZSM 250 Water Street Large-Scale
General Development Plan Findings

Dear Ms. Lago:

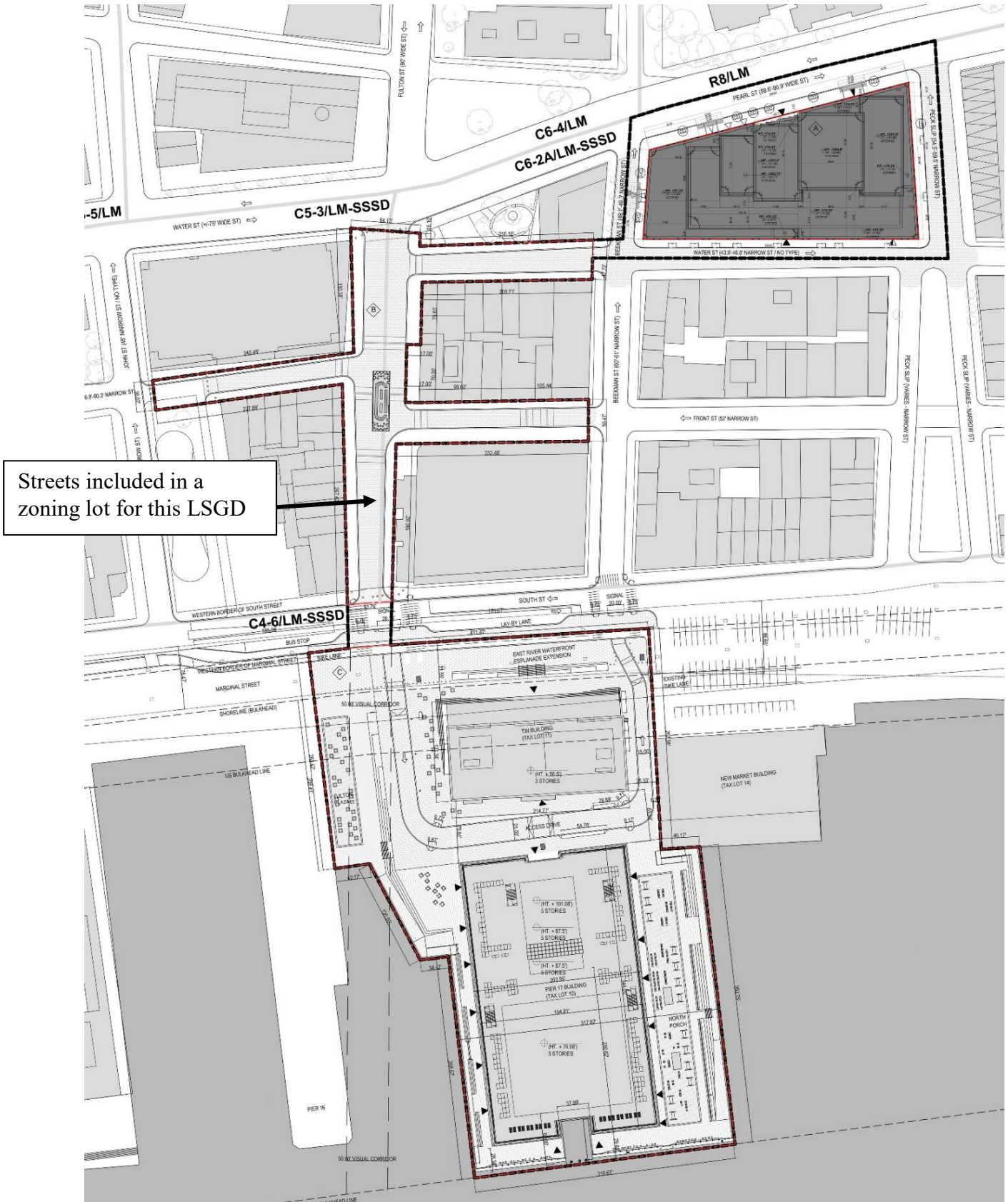
On the behalf of the South Street Seaport Coalition, Inc., I have prepared this evaluation of the Applicant's discussion of Conditions and Findings for the proposed amendments to the Large-Scale General Development Plan for 250 Water Street, Pier 17, the Tin Building, and the demapped streets in between.

The Large-Scale General Development Plan

The Applicant proposes using a zoning mechanism called a Large-Scale General Development (LSGD) Plan, which allows floor area to be distributed within the plan area irrespective of zoning lot lines. As proposed, the LSGD will allow floor area to be moved from Pier 17 to 250 Water Street. A Large-Scale General Development Plan already exists, which covers Pier 17 and the Tin Building (Block 73, lots 10 and 11). The Applicant proposes to extend the LSGD plan to include 250 Water (Block 98, lot 1) and portions of Water, Pearl and Front Streets that are designated as Pedestrian Ways on Map 6 (91-A6). These pedestrian ways are explicitly defined as #Streets# in ZR 91-62.

Under current zoning, a LSGD must be made up of one or more zoning lots. The LSGD plan can cross a street or an intersection, but that street never becomes a part of the LSGD, as public streets are never parts of zoning lots. The exclusion of streets from zoning lots is fundamental to the Zoning Resolution: streets define the boundaries of blocks and zoning lots are found within blocks. By including streets, the proposed LSGD plan is clearly contrary to current law.

The following image shows the proposed new boundaries of the LSGD plan. The demapped streets are not only defined as streets, but they look like streets and most of them have never been assigned a block and lot number:



Detail of the proposed amended LSGD Plan from the application

The application proposes to address this illegal condition by changing the zoning text as follows:

In addition, the designated pedestrian ways referenced in paragraphs (a), (b) and (c) of this Section [portions of Water, Pearl and Front Streets shown in the LSGD plan] may be considered a single #zoning lot# for purposes of the definition of #large-scale general development# in Section 12-10.

This one sentence of zoning text proposes a radical zoning solution that the Commission should reject.

The proposed expanded LSGD is both bad zoning and the site does not qualify to be considered an LSGD

If nothing else, this zoning text change is bad zoning. Streets, with limited exceptions for private roads, define the boundaries of blocks and zoning lots but they cannot be zoning lots. The proposal requires a fundamental change to how we think of streets and zoning lots. While this text would only apply to this subdistrict, new special district zoning text often finds its way to other parts of the Zoning Resolution over time. The Commission should not consider blurring the line between streets and zoning lots. They are always different, and they should remain so.

Second, to qualify as an LSGD, the definition requires that an LSGD must have “been or is to be used, #developed# or #enlarged# as a unit:” (12-10) The Zoning Handbook explains that the LSGD “can include existing buildings, provided that they form an integral part of the development.” There is nothing about Pier 17 and the Tin Building that create an integral part of the proposed development at 250 Water. The Applicant has given no evidence to the contrary, other than stating that since they are purported to be in common fee ownership, they qualify. The zoning lot east of South Street that contains Pier 17 will remain largely unchanged and is not integral to the mixed use development proposed at 250 Water. The purpose of expanding the LSGD is simply to move floor area from Block 73 to Block 98, which does not make the existing buildings integral to the new one.

Third, not only is the development at Pier 17 not integral to the development at 250 Water, neither are the pedestrian ways. These pedestrian ways are integral to the existing development on Blocks 74, 95, and 96, blocks that are NOT a part of the LSGD, and which form the historic core of the South Street Seaport. The pedestrian ways provide the only access to several buildings on these blocks. The Commission is reminded that these streets, which are absolutely integral to the buildings of the historic core, do NOT abut 250 Water or Pier 17. They provide no direct access to either site, both of which are bounded by mapped streets that define their zoning lot edge. It is an absurd construct that the Commission should reject.

Fourth, the Applicant claims ownership of the streets because they have a lease over them. The lease held by the Applicant describes very limited rights, including providing pedestrian access to the buildings in the core and the right for the Applicant to place awnings over it. The Applicant cannot close the streets; they cannot develop the streets; they cannot materially change the streets, as their current lease provides no such rights.¹ The very limited rights the Applicant has over the streets under their current lease cannot be considered to convey “ownership” for the purposes of the Zoning Resolution. Further, the Applicant does not have an exclusive lease over the streets. The South Street Seaport Museum also has similar limited rights to use portions of the former Fulton Street.

Fifth, the expanded LSGD does not qualify as an LSGD under the definition of such in ZR 12-10. Floor area is being moved from Pier 17, an existing building that was given its temporary certificate of occupancy (“TCO”) in 2017. ZR 12-10 states:

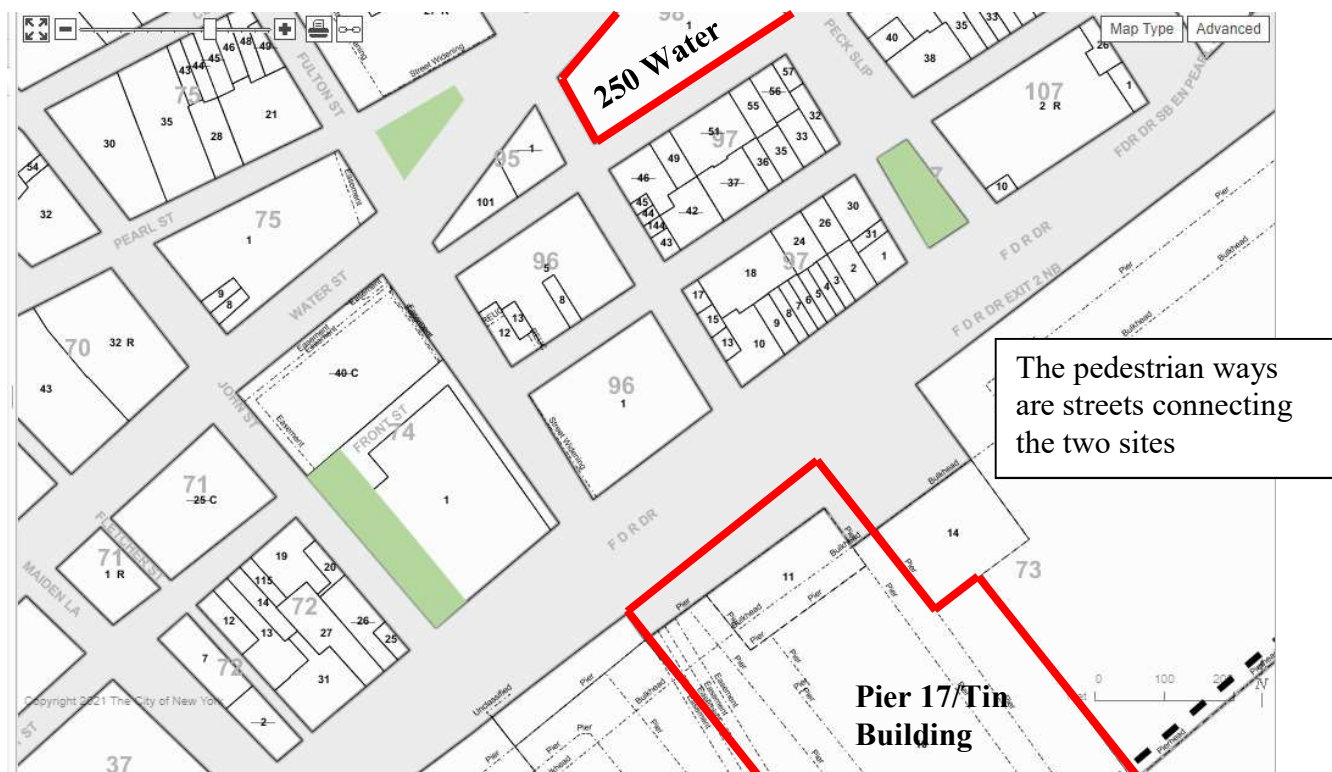
[LSGD] #zoning lots# may include any land occupied by #buildings# existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 4, provided that such #buildings# form an integral part of the #large-scale general development#, **and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #buildings#.** [Emphasis added]

Since the Applicant proposes moving floor area from Pier 17 to 250 Water Street, and Pier 17 has an existing building, the application for an LSGD would have had to been made prior to the issuance of the TCO for Pier 17 in 2017 to qualify as an LSGD. It was not, and so, therefore, this site cannot qualify as an LSGD as proposed by the applicant under the definition of an LSGD in ZR 12-10.

Sixth, when this proposal was first presented to the City Planning Commission, Commissioner Burney called this LSGD “gerrymandered like a Texas Congressional District,” recognizing its odd shape. LSGDs do not look like what’s been proposed. Commissioner Burney’s observation on the unusual shape was apt. The streets included in the LSGD proposal allow for floor area to be moved between noncontiguous zoning lots that are more than 500 feet apart. Such distance was never contemplated for LSGDs since there are no streets in NYC that are 500 feet wide. The only way for two distant zoning lots to connect is to absurdly gerrymander the LSGD plan with streets pretending that they are a zoning lot in the LSGD plan. Simply, it looks strange because it is strange.

Consider the following image taken from the New York City Tax map:

¹ They do have a concessionaire agreement that describes activities that may occur in the street and responsibilities that the Applicant has for holding that concession. However, the concessionaire agreement cannot be considered a long-term land lease for the purposes of conveying ownership under the Zoning Resolution.



Detail of New York City Tax Map captured 9/10/2021, annotated with the locations of the proposed development

Excluding a small portion of Front Street, which was given a block and lot number, the City of New York Tax map shows the demapped streets as streets. Since the two blocks in the proposed LSGD are quite far from each other, the only way to connect the two is to assume streets are zoning lots. Considering the construct of the Zoning Resolution, this results in the absurd gerrymandered appearance noted by Commissioner Burney.

Finally, and perhaps most frustratingly, a zoning map change could have facilitated a materially similar development at 250 Water Street. The Applicant has proposed developing 250 Water at 11.45 FAR. A map change to a commercial district with an R10 residential equivalent district would have allowed a mixed use building on this site at the proposed size with the same uses. (Although doing so would effectively revert this site to its 1961 zoning, which the CPC changed in 2003.)

There is no reasonable planning rationale for the adulteration of fundamental principles of the New York City Zoning Resolution when such a simple solution was available. The Applicant could have applied for a zoning map change for 250 Water, and then proposed a building materially similar to their proposal. Perhaps the Applicant believed such an application would be difficult, considering the 2003 change, but that is not a good reason to inflict damage on the Zoning Resolution and the City's zoning policy. Further, a zoning map change would have been more transparent and understandable. From a zoning policy perspective, this was the right way forward. Commissioners should not only be

concerned with the built results, but they also need to be concerned with the integrity of the solution.

The Applicant's Findings and Discussion of LSGD

The following is a replication of the Applicant's findings and discussion of the proposed amended LSGD Plan. The Applicant's discussion is replicated below in black, and my comments on the Applicant's responses are made in red.

Items that are not applicable have been eliminated for brevity, as have items relating to the proposed curb cut and compliance with waterfront zoning, for which I have no comments.

**12-10
Definitions**

Large-scale general development

A "large-scale general development" contains one or more #buildings# on a single #zoning lot# or two or more #zoning lots# that are contiguous or would be contiguous but for their separation by a #street# or a #street# intersection and is not either a #large-scale residential development# or a #large-scale community facility development#; and:

The LSGD contains one or more buildings on three zoning lots that would be contiguous but for their separation by South Street and Beekman Street. The LSGD is neither a large-scale residential development nor a large-scale community facility development.

Response: The LSGD only contains three zoning lots if the pedestrian ways are considered a zoning lot. They are streets and under current law they cannot be considered a zoning lot, as streets are never parts of zoning lot. The Applicant has proposed a radical text amendment that would allow streets to be considered a zoning lot, even though these streets will still be streets and will continue to provide the only legal access to several developments that are NOT a part of this LSGD.

(a) *has or will have an area of at least 1.5 acres;*

The LSGD has a lot area of 336,601 sf, which is approximately 7.72 acres.

The proposed LSGD only has this area if the pedestrian ways are considered a zoning lot in the LSGD. Block 98, Lot 1 is too small to be an LSGD and must be combined with other lots to become a part of an LSGD. Block 73, lots 10 and 11 are already a part of an LSGD and are more than 1.5 acres.

(b) *has been or is to be used, #developed# or #enlarged# as a unit:*

(1) *under single fee ownership or alternate ownership arrangements as set forth in the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#; or*

(2) *under single fee, alternate or separate ownership, either:*

(i) **pursuant to an urban renewal plan for a designated urban renewal area containing such #zoning lots#; or**

(ii) **through assemblage by any other governmental agency, or its agent, having the power of condemnation; and**

The fees comprising the LSGD are owed [sic] by the applicants for this application.

The proposed LSGD is NOT to be used, developed or enlarged as a unit and the proposed LSGD fails this eligibility criteria. The following item does not define “#developed# or #enlarged# as a unit;” it is simply another condition, in addition to being developed and enlarged as a unit. 250 Water Street is unrelated to the development at Pier 17 and the Tin Building, and there is certainly no relationship between either development and the demapped streets.

Further, Andrew Schwartz, Deputy Commissioner of Small Business Services wrote: “The City of New York is the fee owner of Block 73, part of Lots 8 and 10, and all of Lot 11, part of Marginal Street, and the demapped portion of Fulton Street between South Street and Water Street, the demapped portion of Water Street between Fulton Street and Beekman Street, the demapped portion of Front Street between Beekman Street and John Street (the “City-owned Site”) located in the South Street Seaport Historic District.”

According to the land use application, there is exactly one applicant, as shown below:

250 Seaport District, LLC

Printed Name of Applicant
(name, company/agency or organization)

Saul Scherl

Printed Name of Applicant Attester
(person authorized to sign the application, if different from 'Applicant' above)



Signature by or on behalf of Applicant

Vice President

Title

5/2/21

Date

The application does not list the City of New York as an applicant, yet the City of New York is the fee owner. At minimum, this discussion must clarify how this project meets the minimum definition of an LSGD considering the Applicant is not the fee owner. While a corporate affiliate of the Applicant has a lease that references the demapped streets, the lease terms do not give it an ownership interest.

The land is owned by the City. The lease the Applicant currently holds grants limited rights to the demapped streets, which do not constitute ownership under the definition of zoning lot. Further, the lease of the streets is not exclusive, as a portion of the street leased by the Applicant is also leased by the South Street Seaport Museum. Simply, the proposed expanded LSGD does not qualify as an LSGD as it cannot meet the definition of an LSGD. The existing LSGD, however, does qualify and amendments to it are legitimate.

(c) shall be located in whole or in part in any #Commercial# or #Manufacturing District#, subject to the restrictions of paragraph (a)(1) of Section 74-743 (Special provisions for bulk modification).

The LSGD is wholly located in Commercial Districts, and is not located in any of the districts listed in ZR Section 74-743.

Agreed

Such #zoning lots# may include any land occupied by #buildings# existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 4, provided that such #buildings# form an integral part of the #large-scale general development#, and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #buildings#. In C5 and C6 Districts, however, a #large-scale general development# having a minimum #lot area# of five acres may include a #zoning lot# that contains an existing #building# that is not integrally related to the other parts of the #large-scale general development#, provided that such #building# covers less than 15 percent of the #lot area# of the #large-scale general development# and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #building#.

The LSGD does not include land occupied by any building that existed at the time an application was submitted to the City Planning Commission under the provisions of Article VII, Chapter 4.

The proposed LSGD DOES contain land occupied by a building that existed at the time an application was submitted to the City Planning Commission. Pier 17 got its first Temporary Certificate of Occupancy on 10/12/2017. Once it received this TCO, it became a building subject to the restrictions of the definition of an LSGD in section 12-10 of the Zoning Resolution. The application was certified May 17, 2021, and there is bulk distribution from Block 73 to Block 98, which is clearly not permitted under the ZR definition of LSGD. The commission needs to reconsider their certification in light of the restrictions of the LSGD.

74-74

Large-scale General Development

For #large-scale general developments# involving several #zoning lots# but planned as a unit, the district regulations may impose unnecessary rigidities and thereby prevent achievement of the best possible site plan within the overall density and #bulk# controls. The regulations of this Section are designed to allow greater flexibility for the purpose of securing better site planning, while safeguarding the present or future use and development of the surrounding area.

No portion of a #large-scale general development# shall contain:

(a) any #use# not permitted by the applicable district regulations for such portion, except as otherwise provided in Section 74-744 (Modification of use regulations). When an existing #building# in a #large-scale general development# is occupied by a #non-conforming use#, any #enlargement# of such existing #building# shall be subject to the requirements set forth in Section 52-00 (DEFINITIONS AND GENERAL PROVISIONS);

The uses proposed on all parcels of the LSGD are permitted as-of-right by the applicable district regulations for such portion of the LSGD.

Agreed

(b) any #zoning lot#, or portion thereof, that is part of a #large-scale residential development# or #large-scale community facility development#.

No portion of the LSGD contains a zoning lot or portion thereof that is part of a large-scale residential development or large-scale community facility development.

Agreed

74-741

Requirements for application

An application to the City Planning Commission for the grant of a special permit pursuant to Section 74-74 for a #large-scale general development# shall include a site plan showing the boundaries of the #large-scale general

development# and the proposed location and #use# of all #buildings or other structures# on each #zoning lot# comprising the #large-scale general development#.

A site plan showing the boundaries of the LSGD and the proposed location of use of all buildings on each zoning lot comprising the LSGD is appended to this application as Z-001 and Z-002.

The plan and zoning table does show these elements, if the use of the pedestrian ways as a part of an LSGD were a legitimate use of streets, which it is not (see above).

74-742

Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large-scale General Development) shall be on a tract of land which at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No special permit shall be granted unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.

250 Seaport District LLC, the applicant, is the single fee owner of 250 Water Street (Manhattan Block 98, Lot 1) (“Zoning Lot A”). The City of New York is the single fee owner of the zoning lots comprising Pier 17 (parts of Lots 8 and 10 and all of Lot 11 on Block 73 and p/o Marginal Street) (the “Pier 17 Zoning Lot”) and the demapped portion of Fulton Street between South Street and Water Street, the demapped portion of Water Street between Fulton Street and Beekman Street, the demapped portion of Front Street between Beekman Street and John Street (collectively the “Demapped Street Portion”).

The Applicant has a lease for the demapped street portion of the proposed LSGD, but they have limited rights to this portion of their leasehold. Their lease is non-exclusive as the South Street Seaport Museum has similar rights for part of the same area. These limited rights do not constitute ownership under the definition of a zoning lot and so the proposed expansion of the LSGD does not qualify under 74-742. In its discussion of this condition, the Applicant admits that it is not the fee

owner of the demapped streets, and thus it not eligible for a Special Permit under ZR 74-74.

74-743

Special provisions for bulk modifications

(a) For a #large-scale general development#, the City Planning Commission may permit:

(1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, lot coverage and total required #open space# under the applicable district regulations within a #large-scale general development# without regard for #zoning lot lines# or district boundaries, subject to the following limitations:

(i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;

The residential and commercial uses for which the floor area will be distributed are permitted in C4-6, C5-3 and C6-2A zoning districts.

Agreed, assuming the use of streets as a part of the LSGD is legitimate, which it is not (see above).

(2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;

The Applicant is seeking waivers with regard to height and setback regulations, including street wall location requirements, for the Proposed Development on Zoning Lot A, as shown on sheets Z-402 through Z-407. The waivers would allow portions of the base height of the Proposed Development to be 43.17 feet, which is less than the minimum as-of-right base height of 60 feet, portions higher than the maximum base height of 85 feet, and the building height of the Proposed Development to be 324 feet, which is taller than the maximum as-of-right building height of 120 feet. Above the proposed base height of 74.33 feet, the waivers would allow for the Proposed Development to provide setbacks that are less than

15 feet along Peck Slip and less than 10 feet along Pearl Street. In addition, a street wall location waiver along a wide street frontage (Pearl Street) is requested to allow portions of the Proposed Development to not be located at the street line of Pearl Street.

The height “43.17 feet” does not appear on plan Z-402. It does appear in the section Z-406 but that height does not match the same height in the plan Z-402. The Applicant needs to clarify the waivers being sought for the minimum base height and produce drawings that are internally consistent.

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

The proposed bulk modifications would distribute 207,414 sf of floor area from the Pier 17 Zoning Lot to Zoning Lot A. The minimum base height would be reduced from 60 feet to 43.17 feet, the maximum base height would be increased in limited areas from 85 feet to 324 feet, and the maximum building height would increase from 120 feet to 324 feet, with less than 10 feet of setback along Pearl Street and less than 15 feet of setback along Peck Slip.

The distribution of floor area from Pier 17 to the Zoning Lot A will result in a better site plan and a better relationship between buildings, benefiting both the occupants of the LSGD and the surrounding neighborhood. The floor area appurtenant to Pier 17 would be more effectively utilized on the Zoning Lot A than on Pier 17 due to the pier’s proximity to the shoreline.

Distributing the floor area away from the shoreline would maintain the current scale of Pier 17 and shift bulk to the upland portion of the Historic District. Further, distributing this floor area to the Zoning Lot A would result in being able to utilize this floor area more effectively on a single, full block site, creating more housing, community facility, office, and retail opportunities for nearby residents.

The height and setback modifications will facilitate the addition of floor area onto the Zoning Lot A while allowing the Proposed Development to be constructed (i) with the taller portions of the building concentrated along Pearl Street, which is both appropriate to this portion of the Historic District and consistent with the context of the surrounding area outside the Historic District, and (ii) with lower base heights and deep setbacks from Beekman and Water Streets, maintaining a streetscape that is consistent with and appropriate to the Historic District. The Zoning Lot A has been used as a surface parking lot for over 50 years, and the Proposed Development will fill a major gap in the surrounding neighborhood and significantly improve the streetscape.

This discussion is wholly inadequate, especially considering the CPC's 2003 report explaining why it downzoned 250 Water Street and other blocks of the historic core. How exactly does the new distribution of floor area "benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole?"

In 2003, the CPC discussed the zoning change to C6-2A on this site including changes it wanted to see in the application. Some of the LSGD special permit waivers being sought are consistent with the CPC's 2003 positions, including a lower base height and full lot coverage. But the CPC also wrote that "the Commission believes that the downzoning from a 10 to 6 FAR district is appropriate." And "the Commission believes that the maximum building height for developments in the C6-2A should be increased from 120 feet to 170 feet."

The CPC's 2003 report is full of reasoning and justifications for the position it took at that time, and that position, especially as it regards permitted FAR and building height, is quite different than what the Applicant has proposed in its LSGD waivers. The Applicant's response to the requirements of ZR 74-743 needs to be completely re-written and the CPC needs to carefully consider it in the context of its previous findings for development in this area.

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the bulk of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

The floor area distributed to the Zoning Lot A would be concentrated on the northwestern portion of the block, towards Pearl Street, a wide street, and away from Water Street and Beekman Street, and would not unduly increase the bulk of buildings on the block. No other buildings would be located on the block occupied by the Zoning Lot A, and the Proposed Building would not

unduly obstruct access to light and air for occupants on nearby blocks or people using the public streets surrounding the Zoning Lot A.

The block to the north of the Zoning Lot A across Pearl Street would not be unduly obstructed from light and air because Pearl Street is a 90-foot wide street that offers a large buffer between the Zoning Lot A and any buildings on that block. The block to the west of the Zoning Lot A across Beekman Street would not be unduly obstructed from light and air because of the reduced base height and the deep setback provided above the lower base height. Similarly, the block to the east of the Zoning Lot A across Peck Slip would not be unduly obstructed from light and air due to the setback that gradually widens up to 14.47 feet as it gets closer towards Water Street. The block to the south across Water Street would not be unduly obstructed from light and air due to the reduced base height and the deep setback provided above the lower base height. Further, the base of the Proposed Development would be of a similar scale with the historic district to the south, east, and west of the Proposed Development. Given the smaller scale of the base, and the setbacks described above, the bulk of the Proposed Development would not unduly obstruct access of light and air to the detriment of the users of buildings in the surrounding blocks.

Again, the CPC wrote: “the Commission believes that the downzoning from a 10 to 6 FAR district is appropriate.” Not 11.45 FAR. And “the Commission believes that the maximum building height for developments in the C6-2A should be increased from 120 feet to 170 feet.” Not 324 feet.

What has changed over the past 18 years to allow a near doubling of building size and height on this site? Certainly, things can change over time, but this is an important, relatively recent planning document from the CPC showing their desired planning direction for this area. If anything, the Applicant’s proposal is notable for how different it is from the conclusions of the CPC report for the rezoning of this area.

The Applicant should be explaining why a 324-foot building is better than a 170-foot building (or the 120-foot building they can construct as-of-right). They need to demonstrate how it does not “unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#.”

How much light is lost to the sidewalks? How much light is lost to the nearby residential windows? How does that compare with the as-of-right solution? It would also be useful to see how such change would compare to a 170-foot solution promoted by the CPC in 2003 (and reduced to 120 feet by the City Council). Requiring that this distribution of floor area does not “unduly obstruct” light and air means that light and air needs to be measured. Before and after evaluations of light and air need to be calculated before anyone can determine if the obstruction

that will occur is unduly. The application's assertions are unsupported by data and no finding can be made with the information provided by the applicant.

(3) *considering the size of the proposed #large-scale general development#, the streets providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;*

The Proposed Development's location on Pearl Street provides convenient access to a wide street from the LSGD and the LSGD is well served by a network of major streets, which are designed to handle traffic within and through the Lower Manhattan area. Pearl Street, a 90-foot wide street, is the primary thoroughfare providing access to the Proposed Development. It provides connections from the Brooklyn Bridge to Water Street and the Lower Manhattan Central Business District. FDR Drive, a parkway on the east side of Manhattan, is accessible by a ramp off of Pearl Street, to the east of Dover Street. An on-ramp to the Brooklyn Bridge is located across the street from the ramp to FDR Drive. Because of the various thoroughfares near the LSGD and the Proposed Development more specifically, the existing street system is adequate to handle traffic the resulting traffic therefrom.

This answer is wholly inadequate, considering that the DEIS for the project states: "A detailed analysis concluded that the Proposed Project would result in significant adverse traffic impacts at three intersections and a significant adverse pedestrian impact at the southeast corner of Pearl Street and Frankfort Street." The DEIS is stating that the streets are inadequate "to handle traffic resulting therefrom" because there are significant adverse impacts. The findings for a LSGD special permit are not simply a disclosure document like a DEIS; it is requirement that the project must meet prior to the CPC issuing a special permit. It is not at all clear how the DEIS can disclose significant traffic and pedestrian impacts on the neighboring streets while the CPC still finds that this condition is met.

This is yet another reason that the LSGD special permit was the wrong zoning solution for this project: it should have been proposed and evaluated as a zoning map change, where such significant impacts would have been disclosed in the DEIS, but there would have been no requirement to mitigate those impacts if doing so was not practicable. For the LSGD, however, the CPC must find that the streets are "adequate to handle traffic resulting therefrom," and the DEIS says that they're not. This finding cannot be met.

(9) *a declaration with regard to ownership requirements in paragraph (b) of the #large-scale general development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission; and*

A declaration that the LSGD meets the ownership requirements in paragraph (b) of the definition of a large scale general development in ZR Section 12-10 is being filed with the Commission in conjunction with this application.

The Commission is reminded that the Applicant has a limited, non-exclusive lease for the demapped streets. Those streets still provide the only legal access to some buildings that are not a part of this LSGD. As much as the Applicant wishes this lease conveyed ownership, it does not.

250 Water Street Authorization pursuant to ZR Section 91-65 Applicant's Discussion of Conditions

91-65

Addition of Development Rights to Receiving Lots

Within the South Street Seaport Subdistrict, all or any portion of the #development rights# transferred from a #granting lot# may be added to the #floor area# of all or any one of the #receiving lots# in an amount not to exceed the ratio of 10 square feet of #development rights# to each square foot of #lot area# of such #receiving lot#, except that with respect to a #receiving lot# having a lot area of less than 30,000 square feet, the total #floor area ratio# shall not exceed 21.6. However, if a #receiving lot# is located in a C4-6 District, the total #floor area ratio# shall not exceed 3.4 and if a #receiving lot# is located in a C6-2A District, the total #floor area ratio# shall not exceed 8.02. Development rights transferred to a #receiving lot# may be applied to a #mixed building# to increase the #floor area# of the #residential#, #commercial# and/or #community facility# portions of such #building# so that the maximum #floor area# for such #building# may be increased by the aggregate of #development rights# so transferred. In no event shall the #residential# #floor area ratio# exceed 12.0.

The receiving lot is located in a C6-2A district, and the total amount of floor area being transferred is 30,216 sf (0.63 FAR). With the transferred floor area, the as-of-right floor area ratio of the Site would be 7.13, which does not exceed the maximum of 8.02 FAR. The residential FAR of the receiving lot will not exceed 12.0.

The City Planning Commission shall certify that any #zoning lot# that utilizes such transferred #development rights# conforms to this Section and, for

those #receiving lots# within the Urban Renewal Area, to the regulations and controls of the Urban Renewal Plan.

The zoning lot that utilizes such transferred development rights conforms to the requirements of this Section of the Zoning Resolution and is not inconsistent with the regulations and controls of the Brooklyn Bridge Southeast Urban Renewal Plan.

The Applicant should include a discussion of why the addition of 250 Water Street is appropriate as a receiving site, especially considering its location within a historic district during the 2003 rezoning and the CPC's 2003 comments regarding the appropriate amount of floor area on this site. All or virtually all receiving sites have been outside of the Historic District and outside of the zoning Subdistrict.

250 Water Street

Minor Modification to the previously approved Large-Scale General Development Applicant's Discussion of Findings

74-743

Special provisions for bulk modification

(a) For a #large-scale general development,# the City Planning Commission may permit:

(2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;

A special permit pursuant to Section 74-743(a)(2) was requested for the 2013 Approved Design (C 130053 ZSM) in order to allow an encroachment within the waterfront yard required pursuant to ZR Section 62-332, for a performance stage located in Fulton Plaza. The proposed performance stage will remain as previously approved.

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

In 2013, there was a modification granted to modify the waterfront yard regulations, which facilitated the activation of Fulton Plaza with a performance venue, a feature which encourages visitors to the site by allowing live music and other entertainment on the pier. In addition, there were several site plan improvements proposed in connection with the 2013 design, which greatly enhanced the public's experience of the waterfront, notably the development of the "North Porch" as a new open space resource, the development of the roof of the Pier 17 Building for passive open space uses and as a flexible event space, and the creation of new view corridors through the Pier 17 Building toward the Brooklyn Bridge and the water. In 2016, there were no changes made to the improvements to the design and use of Fulton Plaza or other public access areas around the pier, except for the removal of the Pier 17 head house and the Link Building which opened up additional public access areas on the pier and views toward the Brooklyn Bridge and the water. The Commission determined that the modification to the waterfront yard regulations under the 2013 approvals and the changes made under the 2016 approvals resulted in a better site plan and a better relationship among buildings and open areas to adjacent streets, surrounding development, adjacent open areas and shorelines, and thus benefit both the occupants of the LSGD, the neighborhood, and the City as a whole.

In line with the Commission's determination, the prior modifications to the waterfront yard regulations continue to enhance the site plan and the public enjoyment of the waterfront at Pier 17 while providing for the same view corridors. The proposed modifications to the LSGD site plan would extend the boundaries of the LSGD to include upland zoning lots - Zoning Lot B (Demapped Street Portion) and Zoning Lot A (250 Water Street). Zoning Lot B (Demapped Street Portions) will remain unbuilt and open, except for an existing Use Group 6, open air eating and drinking establishment (the Garden Bar"), contributing to the activation along the waterfront area. The existing Garden Bar is approximately 72.50 feet by 20.50 feet, and provides a bar and seating near the corner of Fulton Street and Front Street. Zoning Lot A will be developed with the Proposed Development, a mixed-use building with 550,000 square feet of zoning floor area, of which approximately 376,300 square feet of residential use, including a significant amount of affordable

units, 153,000 square feet of office use, 15,900 square feet of retail use, and 4,800 square feet of community facility use. The Proposed Development would provide a significant amount of affordable housing, revitalize the streetscape adjacent to the site and transform a parking lot into a building that provides new retail, housing, community facility space, and office space. By extending the LSGD boundary to include the upland lots, bulk is located further away from the waterfront to preserve the open views toward the Brooklyn Bridge and the water while providing a variety of uses to contribute to the economic vitality, activation, and livelihood of the Lower Manhattan neighborhood.

Accordingly, modifications granted to the waterfront yard regulations would still result in a site plan that benefits both the occupants of the LSGD, the neighborhood, and the City as whole.

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the bulk of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

In 2013, a modification was granted to increase the FAR on the Pier 17 Zoning Lot from 1.14 to 1.56. The Commission determined that the distribution of floor area would not unduly increase the bulk of buildings in any one block or unduly obstruct access of light and air to the detriment of the occupants of buildings in the block or nearby blocks or of people using the public streets. In 2016, the FAR on the zoning lot decreased to 1.33. In comparison to the 2013 and 2016 approvals, the floor area of buildings within the Pier 17 zoning lot would only increase by 105 square feet to allow for three guard booths. The distribution of bulk on the Pier 17 Zoning Lot would not be affected by the expansion of the LSGD boundaries to include Zoning Lot B and Zoning Lot A, except that unused development rights would be distributed away from the Pier 17 Zoning Lot to Zoning Lot A. Accordingly, the distribution of bulk and location of building pursuant to the revised LSGD Site Plan would not unduly increase the bulk of buildings on any one block or unduly obstruct access of light and air to the detriments of users of nearby buildings.

This whole discussion needs to be clarified. Floor area is being moved from Pier 17 to Zoning Lot A. There are both major changes to the LSGD and minor modifications to the existing LSGD special permit on Pier 17. The addition of zoning lots to the LSGD is not minor; the additional waivers being sought by 250 Water are not minor, the movement of floor area from Pier 17 to Zoning Lot A to facilitate the construction of a 600,000 SF building is not minor; and it will likely result in unduly obstructing light and air around 250 Water. If this finding just relates to the minor modification being sought for the existing LSGD, then it should

be focused on those changes. The guard booth and the changes to the bollards are minor and should not be confused with the major actions.

(3) considering the size of the proposed #large-scale general development#, the streets providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;

In 2013, it was determined that the streets providing access to the LSGD were adequate to handle the resulting traffic and no street network changes were necessary in connection with the creation of the LSGD. However, a lay-by lane was added along South Street to function as a drop-off/pick-up location for taxis and other vehicles. In 2016, it was determined that the addition of the Tin Building would not materially change the amount of traffic generated by the project. The changes proposed to the LSGD Site Plan would not negatively affect traffic accessing the Pier 17 as vehicles accessing the Proposed Development on Zoning Lot A would mainly travel through Pearl Street. Pearl Street, a 90-foot wide street, would be a primary thoroughfare providing connections to the LSGD from Brooklyn Bridge to Water Street and the Lower Manhattan Central Business District. FDR Drive, a parkway on the east side of Manhattan, is accessible by a ramp off of Pearl Street, to the east of Dover Street. An on-ramp to the Brooklyn Bridge is located across the street from the ramp to FDR Drive. Thus, considering the size of the proposed LSGD, access to the LSGD would remain adequate to handle resulting traffic.

Again, the Applicant is mixing minor modifications with major changes. The DEIS has shown that Zoning Lot A will produce significant traffic impacts for both vehicles and pedestrians, and it remains unclear how this finding can be made for that portion of the project. The minor changes on Pier 17, however, will not have the same impacts. The Applicant should rewrite this section to clarify what exactly this portion addresses.

GEORGE M.
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ASSOCIATES

September 13, 2021

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New York City Department of City Planning
Attn: Olga Abinader, Director
Environmental Assessment and Review Division
120 Broadway, 31st Floor
New York, New York 10271
Via email: 21DCP084M_DL@planning.nyc.gov

RE: Comments 250 Water Street -
Draft Environmental Impact
Statement CEQR No. 21DCP084M

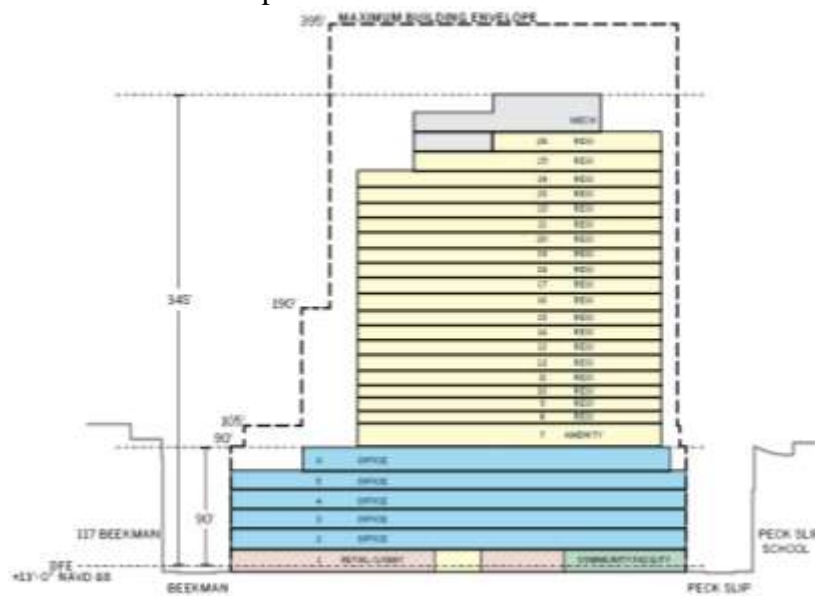
Dear Ms. Abinader:

These are comments on the DEIS prepared for 250 Water Street. These comments were prepared at the direction of the South Street Seaport Coalition, Inc.

Project Description

There are several inconsistencies or missing data in the drawings the DEIS uses to describe the action. These should be corrected. Selected drawings are identified below, but the Lead Agency should ensure that all drawings are correct and fully and accurately dimensioned. These errors could be a part of larger systematic errors to understate the size of the action studied.

Figure 1-3b, for instance, is a section going through the proposed development, a detail of which is reproduced below:



Detail of Figure 1-3b

The dimension labels show that the drawing has a base height of 90 feet, a building height of 345 feet, and the maximum building envelope is 395 feet. But if the base height is 90 feet, the building shown is actually larger than what the labels show.

My office brought this image into CAD and scaled it according to the 90-foot base height. If the base height is 90 feet, the section drawing shows a building that is 356.65 feet, not one that is 345 feet. The maximum building height as shown in the drawing is 409.2 feet, not 395 feet.

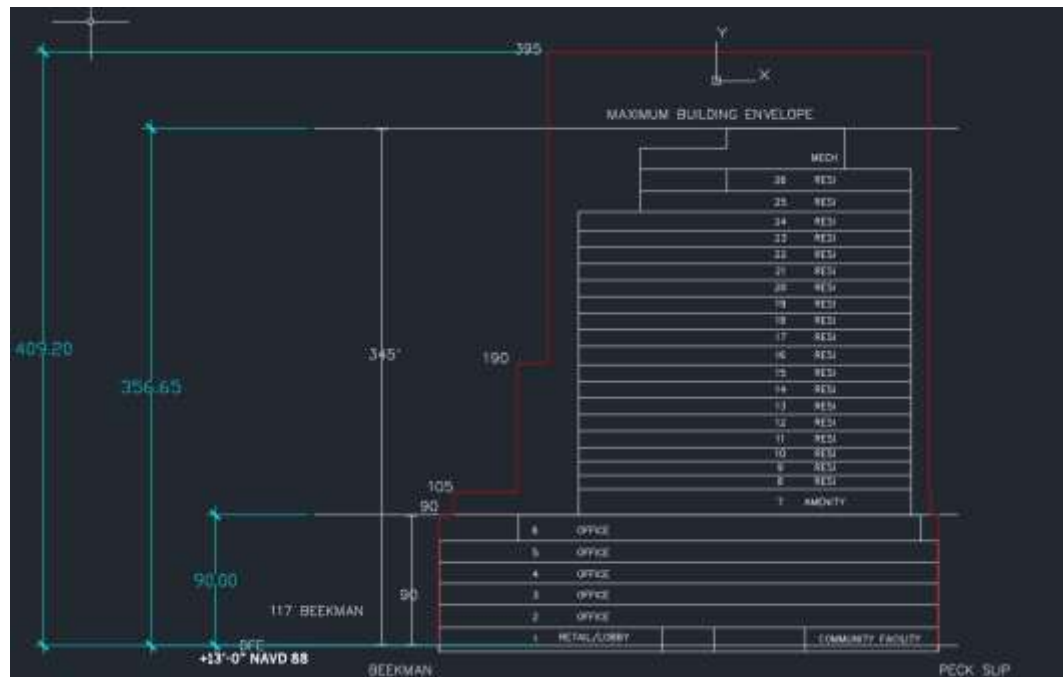


Figure 1-3b imported into CAD with CAD scaled dimensions shown in turquoise

Simply, the dimensions shown in Figure 1.3b do not match the building shown in the same drawing. If the base height is correct, then the building needs to be 345 feet, and not just labeled as such. Either the dimension labels need to change or the drawing needs to change. The difference, which is about 1 story of height, is material and the drawing should be corrected so that it is internally consistent.

For a Lead Agency, these types of errors are worrying because modern digital tools used to create these drawings make it difficult to make these types of errors. Someone needed to make this inconsistent. Is it the sign of more systemic problems with the data used to evaluate the project's impacts? More than just correcting this drawing, the Lead Agency should understand what led to this error, if it is propagated through the analysis and if there is a systemic problem with the information in the DEIS.

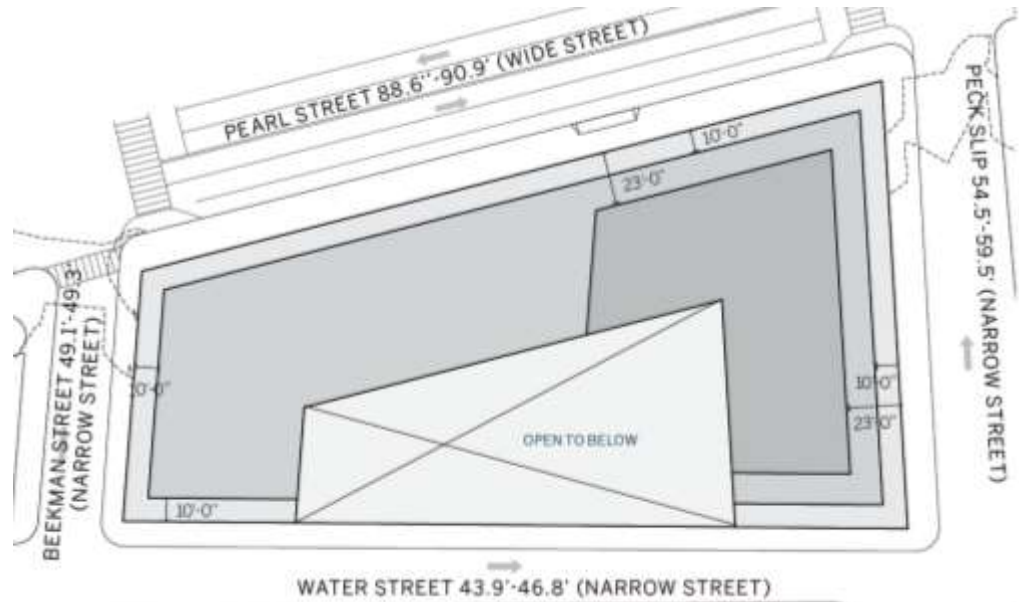
Other drawings are just missing information. Take the site plan, for instance:



Detail of Figure 1-3c

What are the overall dimensions of the proposed action? How tall is the building? How many stories? How long is the street wall along Pearl Street? The CEQR Technical Manual instructs that “all significant dimensions should be labeled clearly.” Yet, this site plan has limited information, much less than is typically shown, and less than required by the Manual. Further, what are the small rectangles under 91’2” and 83’6” labels? They look like they might be bulkheads, but there is nothing in the section that suggests bulkheads are planned on top of the mechanical floors, nor does the massing shown in Figure 7-32. The development should be described consistently throughout the DEIS; the bulkheads in plan should be removed or they should be added to the other drawings.

The No Action site plan (Figure 1-4c) is even worse, with only setback distances dimensioned. The No Action site plan has an area labeled “Open to below.” What does that mean? Figure 1-4a shows that the No Action Alternative does, indeed, have a ground floor, so “Open to below” does not mean that it is open to the street level. Since there is nothing indicating height or stories on this plan, it is not clear what it means.



Detail of Figure 1-4c

The Lead Agency should require that all the site plans be properly dimensioned as the Technical Manual requires.

Further, this Chapter is supposed to include, “a description of the Proposed Actions, the Development Site and Museum Site, the Project Area existing conditions, project purpose and need, Proposed Project, reasonable worst-case development scenario (RWCDs) under the No Action and With Action Conditions, and public review process required for approval of the Proposed Actions.” (Page 1-4). But the description of the Museum site is at a completely different level of detail than the Development Site. There is no site plan for the museum, there are no sections or elevation for the project proposed for the Museum site. Should the information for the Museum site be at the same level of detail as the Development Site? If so, this information needs to be added. If not, then the description of the information should be changed to clearly explain that the Museum site is not described at the same level of detail and the reasons why this distinction is being made.

Land Use, Zoning and Public Policy

The development of 250 Water Street is facilitated by a Large-Scale General Development (LSGD) plan. As discussed in the attached review of the appropriateness of the use of LSGD regulations on the expanded area, the applicant is proposing changes to how LSGDs are defined and applied, including, for the first time, streets as a part of an LSGD. The impacts of this radical proposed change in New York City’s Zoning Resolution has not been evaluated in the Land Use, Zoning and Public Policy chapter. What are the consequences of assuming that streets can be a zoning lot? It is fundamental to New York City’s zoning that streets define the edges of blocks and zoning lots are found within blocks. To facilitate the development of 250 Water Street as analyzed in the

DEIS, the applicant has proposed turning this fundamental building block of our zoning regulations on its head. What are the larger impacts of this action on the New York City Zoning Resolution specifically, and development in New York City generally? The applicant could have achieved a materially similar building by pursuing a zoning map change, which would have been much more straightforward and transparent. Yet, the applicant chose to change the law to make streets a zoning lot. Should this application move forward, will we be seeing other applications that use the same tactic? If so, what is the potential impact on the Zoning Resolution? Should there be boundaries on fundamental principles of zoning that should not be crossed because of their potential impact on the New York City Zoning Resolution?

Further, the LSGD requires that findings be made. One of the findings (74-743(b)(4)) requires:

“Considering the size of the proposed #large-scale general development#, the streets providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;”

The DEIS has disclosed significant transportation impacts on vehicular and pedestrians at certain intersections of streets. There must be a discussion as to how the DEIS can disclose significant transportation impacts, and yet the CPC could make this finding to allow the project to proceed. What is the relationship between significant impacts disclosed in the DEIS and findings that must be made to allow this discretionary action to occur? Can the CPC simply ignore significant impacts on transportation that occur on streets and still find that the project meets this required finding of the LSGD?

Finally, despite the radical zoning solution put forth by the applicant, there remains a real question as to the legality of the LSGD as proposed. There are questions about the limited lease rights the applicant has over the streets and whether it qualifies as ownership, and if it is proper to move floor area from a zoning lot when there is an existing building at the time of the application. If these interpretations are accepted in this LSGD, there should be a discussion as to the impacts of these new interpretations on existing LSGDs, or ones which may be formed in the future. A Zoning Resolution that allows for the inclusion of public streets as a part of an LSGD and the movement of floor area from existing buildings in the LSGD signals a major change in the interpretation of the Zoning Resolution, the impact of which needs to be analyzed.

Shadows

The Tier 3 Shadow Assessment is not presented as the Technical Manual instructs. Figure 8-7 of the Technical Manual shows the proper way to show a Tier 3 assessment. In this DEIS, the labels showing the time of each part of the shadow sweep are missing from the Tier 3 Analysis. See below:



Detail of Figure 5-4

The FEIS should correct the Tier 3 shadow assessments that are missing the time labels in the shadow sweeps by adding those labels.

Urban Design and Visual Resources

There are serious problems with the quality of the images showing No Action and With Action conditions in this chapter. Simply, they are not accurate. While they look like photographs of existing conditions merged with No Action and With Action conditions, they are artist renderings showing what may be the intent of the applicant. As we demonstrate below, these renderings do not accurately depict the action as proposed in the scene in which it is shown. These images should be disregarded and accurate images should be required by the Lead Agency.

It appears the applicant started with a photograph and then manipulated it. It is unclear why this was done in the assessment of visual resources, but manipulation of images that attempt to show projects as they are imagined or hoped to be, not as they actually will be, is relatively common in architectural renderings. While the applicant is free to use any images to discuss their vision of this project, for a DEIS images that are included need to be accurate, and these, as we show below, are not.

Visual materials in a DEIS need to be an accurate depiction of the action

Best practices for visual materials in a DEIS call for verifiable digital photomontages¹ (more commonly known as photosimulations) on an existing

¹ The full method to produce verifiable digital photomontages can be found here:
<http://www.georgejanes.com/PDF/TechnicalMethods/TechnicalMethods002-Photosimulation.pdf>

conditions photograph. Typically, existing conditions, no action and with action scenarios are shown so that the differences between them can be understood and the impacts evaluated. In a verifiable digital photomontage, the no action and with action conditions are rendered from a digital 3D model using the exact lens and location of the camera used to take the photograph. The existing conditions photograph and the digital model rendered with a computer camera that matches the real world camera used to take the photograph are then matched using references that exist in both the photograph and the digital model and then the different images are then merged together. This method is best practices for a DEIS because it is verifiable and repeatable.²

The applicant's images do not follow anything like this process. First, the renderings do not use an unaltered photograph. Instead, the base image is heavily manipulated. For instance, the following is a reproduction of Figure 7-36.



Reproduction of Figure 7-36 with red box showing approximate area of detail below

² The Scope of Work did not require that the analysis for the project's impact on Visual Resources include photosimulations, but the applicant cannot include visual information that is inaccurate in the DEIS, which is what they did.

The red box above shows an area of detail of an existing building, which is enlarged below left. Below right is an existing conditions photograph of the same portion of the same existing building:



Detail of Figure 7-36 on the left, photograph of same area on the right

The photograph of the existing building shows the messy details of window mullions, a plant on the roof, doors, light fixtures, all detail that was omitted or simplified in the applicant's rendering. To be clear, this kind of simplification of existing conditions is not, by itself, a fatal error. Even though similar simplifications are found throughout all of these artist renderings, they still give enough of the sense of the area to be used to assess impacts. Instead, this detail is being highlighted to demonstrate to the Lead Agency that even though these renderings appear to be on an existing conditions photograph, they are an artist interpretation of this viewpoint.

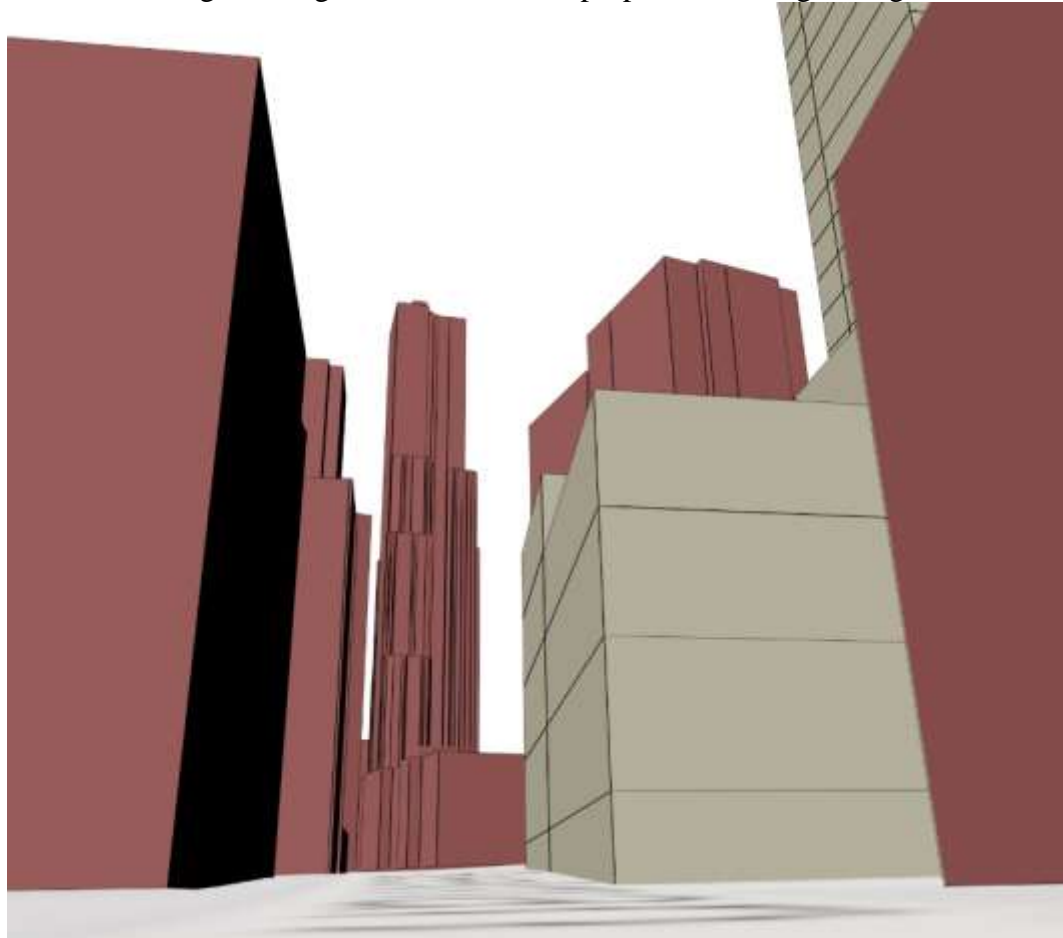
While not a best practice, artist renderings are acceptable evidence to use to assess impacts on visual resources, if they accurately show existing and proposed buildings in their proper location and their proper size and are allowed by the Scope of Work. The problem with the renderings that appear in the DEIS is that they do not show buildings in their proper location or at their proper size. For example, consider Figure 7-35:



Reproduction of Figure 7-35

Using the 3D LIDAR model of the City of New York and a 3D model of the proposed action constructed by my office using the description found in the DEIS, we have replicated this viewpoint digitally using only 3D computer models

below. Existing buildings are in red and the proposed building is beige.



Reproduction of the viewpoint of Figure 7-35 using only 3D digital models

We then matched the proposed action as shown in the applicant's renderings with the 3D model rendered using a 30mm lens.³ Then, we overlaid an outline of the rendered 3D model on top of the applicant's rendering.

³ My office tried many lenses to match the image, 30mm seemed closest, but no lens could match this image since it was so manipulated. There is no information in the DEIS to communicate what kind lens this image was supposed to represent.

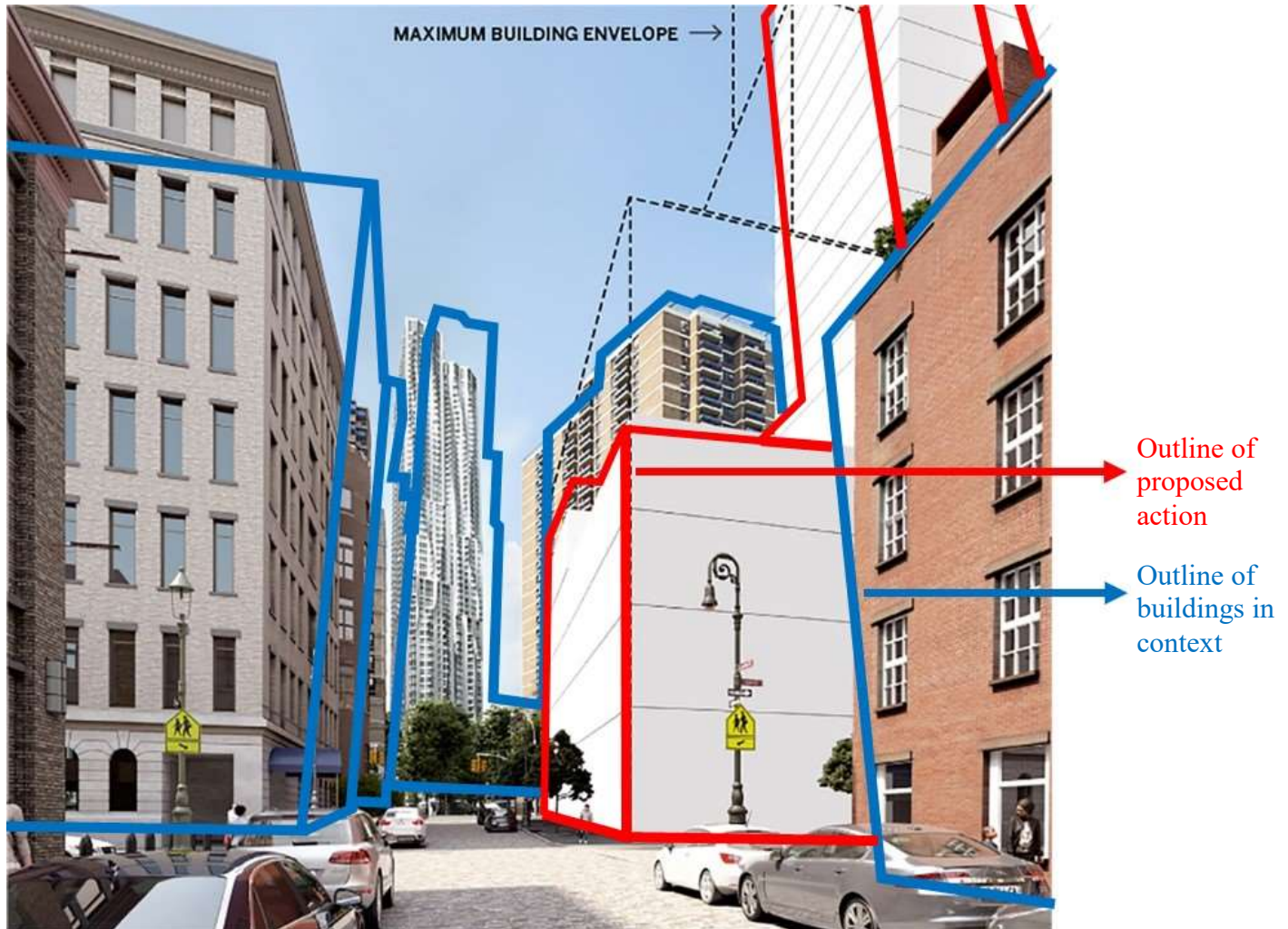


Figure 7-35 from the DEIS overlaid with the outline of rendered 3D digital model from this same viewpoint, matched with the proposed action

In this overlay, the proposed building matches pretty well with the 3D model. But the context buildings, especially those in the left of the image, are way off. They are telling us that in reality, they are smaller than what is shown in the rendering.

If we instead try to match the 3D context models with the existing buildings, focusing on those on the left, the proposed action is in the wrong place:

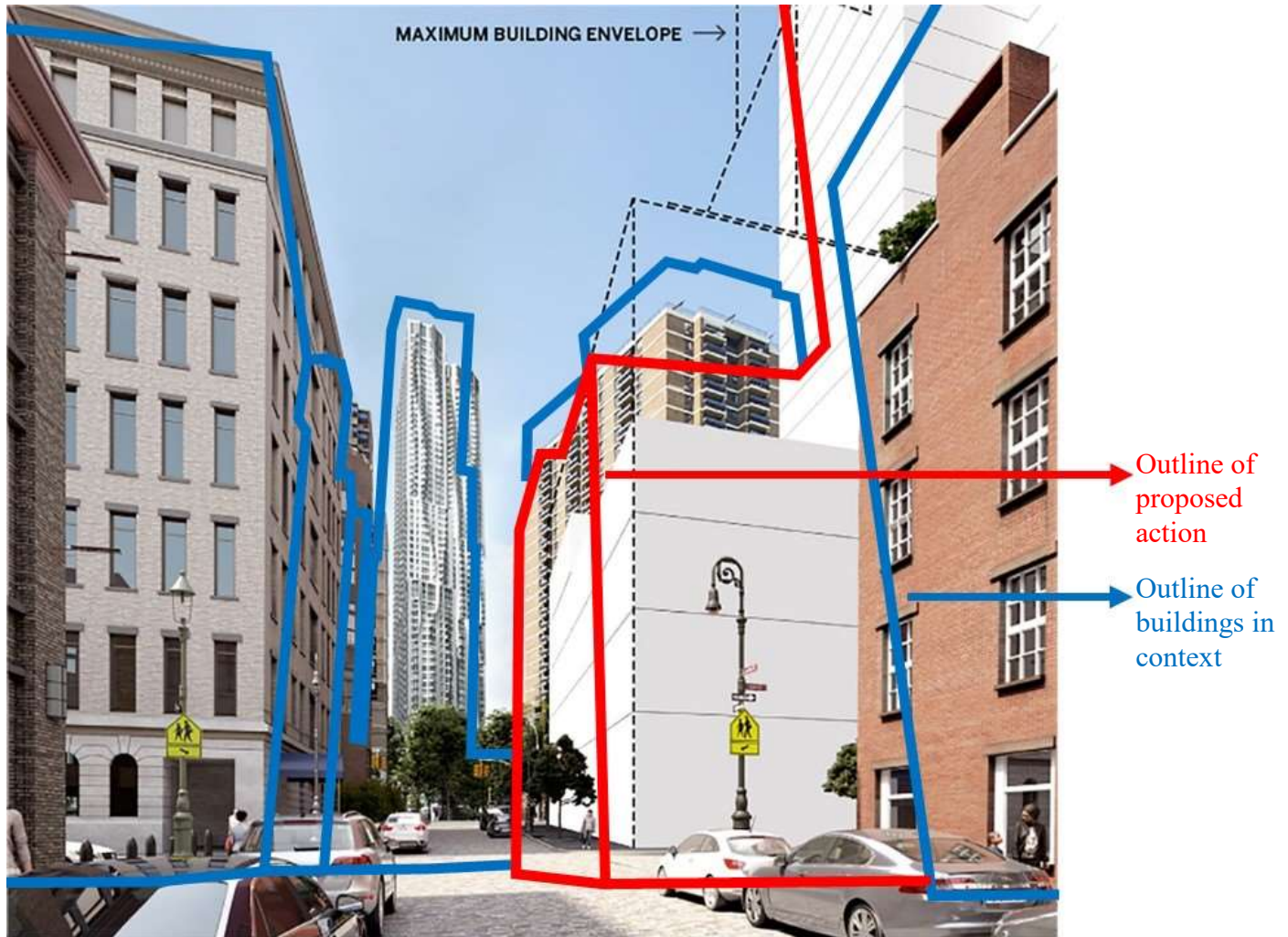


Figure 7-35 from the DEIS overlaid with the outline of rendered 3D digital model from this same viewpoint, matched with the existing buildings to the left of the image

When the 3D models match the context model on the left, then the proposed building is in the wrong place, and its base height would appear much taller.

In sum, while these renderings may show design intent, they do not represent reality and should not be used in any decision-making regarding the project's impact on visual resources or urban design. The Lead Agency should remove them from the FEIS and instruct the applicant to produce either renderings that are described in the CEQR Technical Manual, or, preferably, photosimulations.

New visual materials should be accompanied by a key map showing the location of the viewpoints being studied. The DEIS has a key map showing existing conditions photographs, but no key map showing studied viewpoints. This is especially important for Figure 7-37, which shows the view from the Brooklyn Bridge, but from where on the Brooklyn Bridge? The reader cannot know.

Inventory and evaluation of all Visual Resources

Nowhere in the DEIS does the applicant provide an inventory of visual resources within the study area. It only tells us that there are four visual resources in the project area. The CEQR Technical Manual states: “For visual resources, the view corridors within the study area from which such resources are publicly viewable should be identified. The land use study area may serve as the initial basis for analysis; however, in many cases where significant visual resources exist, it may be appropriate to look beyond the land use study area to encompass views outside of this area, as is often the case with waterfront sites or sites within or near historic districts.” This development site is proposed to be part of an LSGD which is in a waterfront block, so it meets both of the conditions that the Manual includes to examine resources outside the study area.

Further, as the CEQR Technical Manual instructs, there should be “[a]n area map showing existing view corridors and access to visual resources both within and outside the project area.” Such a map would be useful if there were an inventory of visual resources so that view corridors and the visual resources they include can be shown, but the DEIS does not inventory all visual resources that have the potential to be impacted, nor does it map the visual resources it does mention.

Unlike the renderings, which I can say with certainty are wrong, I do not know if all the visual resources this project might impact have been evaluated and disclosed. Is there a viewpoint outside the study area that has a view to a pier of the Brooklyn Bridge that could be impacted by the proposed project? The streets in Lower Manhattan do not form a regular grid and what resources will or will not be impacted by the proposed development site may not be as apparent as in other parts of Manhattan. That is one reason why the DEIS should have looked more broadly, inventoried visual resources, mapped them and then evaluated how the proposed project impacted views to them from public view corridors,⁴ as the Manual instructs. The Development Site is in an historic district; it is close to the shoreline, which requires a more detailed analysis, an inventory of all nearby visual resources and the projects’ impact on them to be included in the FEIS.

⁴ The applicant may wish to explore newer interactive tools that help identify visual resources at risk and evaluate potential impacts. One such tool is described here: <https://pro.arcgis.com/en/pro-app/2.7/help/mapping/exploratory-analysis/interactive-viewshed-basics.htm>

Close

Thank you for your attention to these comments and questions. Please feel free to contact me should you have any questions at george@georgejanes.com.

Sincerely,

A handwritten signature in black ink, appearing to read "G. M. Janes". The signature is stylized and cursive.

George M. Janes, AICP
George M. Janes & Associates

Attachments: GMJ&A letter regarding the LSGD

September 13, 2021

GEORGE M.
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ASSOCIATES

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Marisa Lago, Chair
City Planning Commission
120 Broadway
New York, NY 10271

RE: ULURP # N210439ZRM,
M130053BZSM, C210438AZSM,
C210438ZSM 250 Water Street Large-Scale
General Development Plan Findings

Dear Ms. Lago:

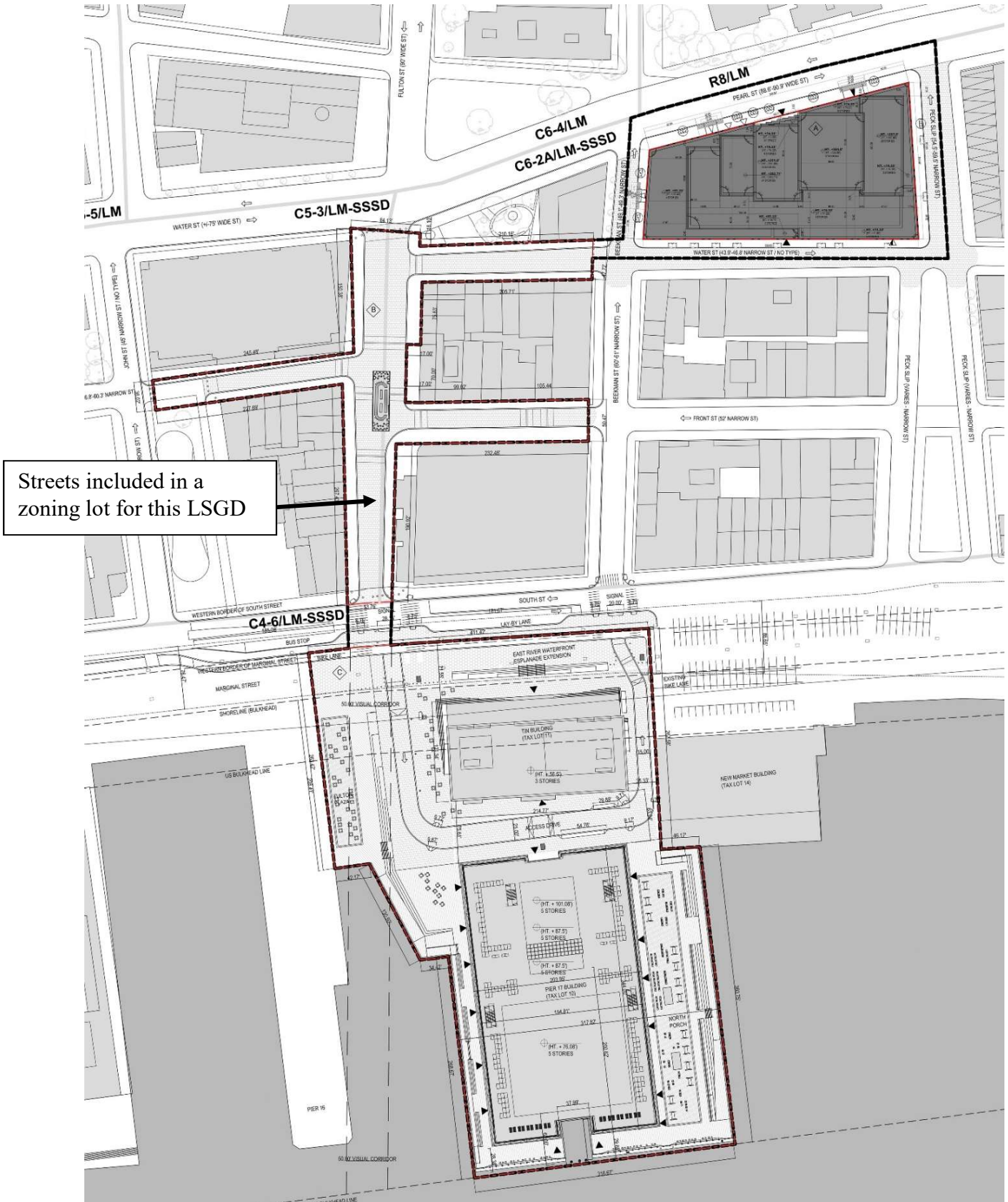
On the behalf of the South Street Seaport Coalition, Inc., I have prepared this evaluation of the Applicant's discussion of Conditions and Findings for the proposed amendments to the Large-Scale General Development Plan for 250 Water Street, Pier 17, the Tin Building, and the demapped streets in between.

The Large-Scale General Development Plan

The Applicant proposes using a zoning mechanism called a Large-Scale General Development (LSGD) Plan, which allows floor area to be distributed within the plan area irrespective of zoning lot lines. As proposed, the LSGD will allow floor area to be moved from Pier 17 to 250 Water Street. A Large-Scale General Development Plan already exists, which covers Pier 17 and the Tin Building (Block 73, lots 10 and 11). The Applicant proposes to extend the LSGD plan to include 250 Water (Block 98, lot 1) and portions of Water, Pearl and Front Streets that are designated as Pedestrian Ways on Map 6 (91-A6). These pedestrian ways are explicitly defined as #Streets# in ZR 91-62.

Under current zoning, a LSGD must be made up of one or more zoning lots. The LSGD plan can cross a street or an intersection, but that street never becomes a part of the LSGD, as public streets are never parts of zoning lots. The exclusion of streets from zoning lots is fundamental to the Zoning Resolution: streets define the boundaries of blocks and zoning lots are found within blocks. By including streets, the proposed LSGD plan is clearly contrary to current law.

The following image shows the proposed new boundaries of the LSGD plan. The demapped streets are not only defined as streets, but they look like streets and most of them have never been assigned a block and lot number:



Detail of the proposed amended LSGD Plan from the application

The application proposes to address this illegal condition by changing the zoning text as follows:

In addition, the designated pedestrian ways referenced in paragraphs (a), (b) and (c) of this Section [portions of Water, Pearl and Front Streets shown in the LSGD plan] may be considered a single #zoning lot# for purposes of the definition of #large-scale general development# in Section 12-10.

This one sentence of zoning text proposes a radical zoning solution that the Commission should reject.

The proposed expanded LSGD is both bad zoning and the site does not qualify to be considered an LSGD

If nothing else, this zoning text change is bad zoning. Streets, with limited exceptions for private roads, define the boundaries of blocks and zoning lots but they cannot be zoning lots. The proposal requires a fundamental change to how we think of streets and zoning lots. While this text would only apply to this subdistrict, new special district zoning text often finds its way to other parts of the Zoning Resolution over time. The Commission should not consider blurring the line between streets and zoning lots. They are always different, and they should remain so.

Second, to qualify as an LSGD, the definition requires that an LSGD must have “been or is to be used, #developed# or #enlarged# as a unit:” (12-10) The Zoning Handbook explains that the LSGD “can include existing buildings, provided that they form an integral part of the development.” There is nothing about Pier 17 and the Tin Building that create an integral part of the proposed development at 250 Water. The Applicant has given no evidence to the contrary, other than stating that since they are purported to be in common fee ownership, they qualify. The zoning lot east of South Street that contains Pier 17 will remain largely unchanged and is not integral to the mixed use development proposed at 250 Water. The purpose of expanding the LSGD is simply to move floor area from Block 73 to Block 98, which does not make the existing buildings integral to the new one.

Third, not only is the development at Pier 17 not integral to the development at 250 Water, neither are the pedestrian ways. These pedestrian ways are integral to the existing development on Blocks 74, 95, and 96, blocks that are NOT a part of the LSGD, and which form the historic core of the South Street Seaport. The pedestrian ways provide the only access to several buildings on these blocks. The Commission is reminded that these streets, which are absolutely integral to the buildings of the historic core, do NOT abut 250 Water or Pier 17. They provide no direct access to either site, both of which are bounded by mapped streets that define their zoning lot edge. It is an absurd construct that the Commission should reject.

Fourth, the Applicant claims ownership of the streets because they have a lease over them. The lease held by the Applicant describes very limited rights, including providing pedestrian access to the buildings in the core and the right for the Applicant to place awnings over it. The Applicant cannot close the streets; they cannot develop the streets; they cannot materially change the streets, as their current lease provides no such rights.¹ The very limited rights the Applicant has over the streets under their current lease cannot be considered to convey “ownership” for the purposes of the Zoning Resolution. Further, the Applicant does not have an exclusive lease over the streets. The South Street Seaport Museum also has similar limited rights to use portions of the former Fulton Street.

Fifth, the expanded LSGD does not qualify as an LSGD under the definition of such in ZR 12-10. Floor area is being moved from Pier 17, an existing building that was given its temporary certificate of occupancy (“TCO”) in 2017. ZR 12-10 states:

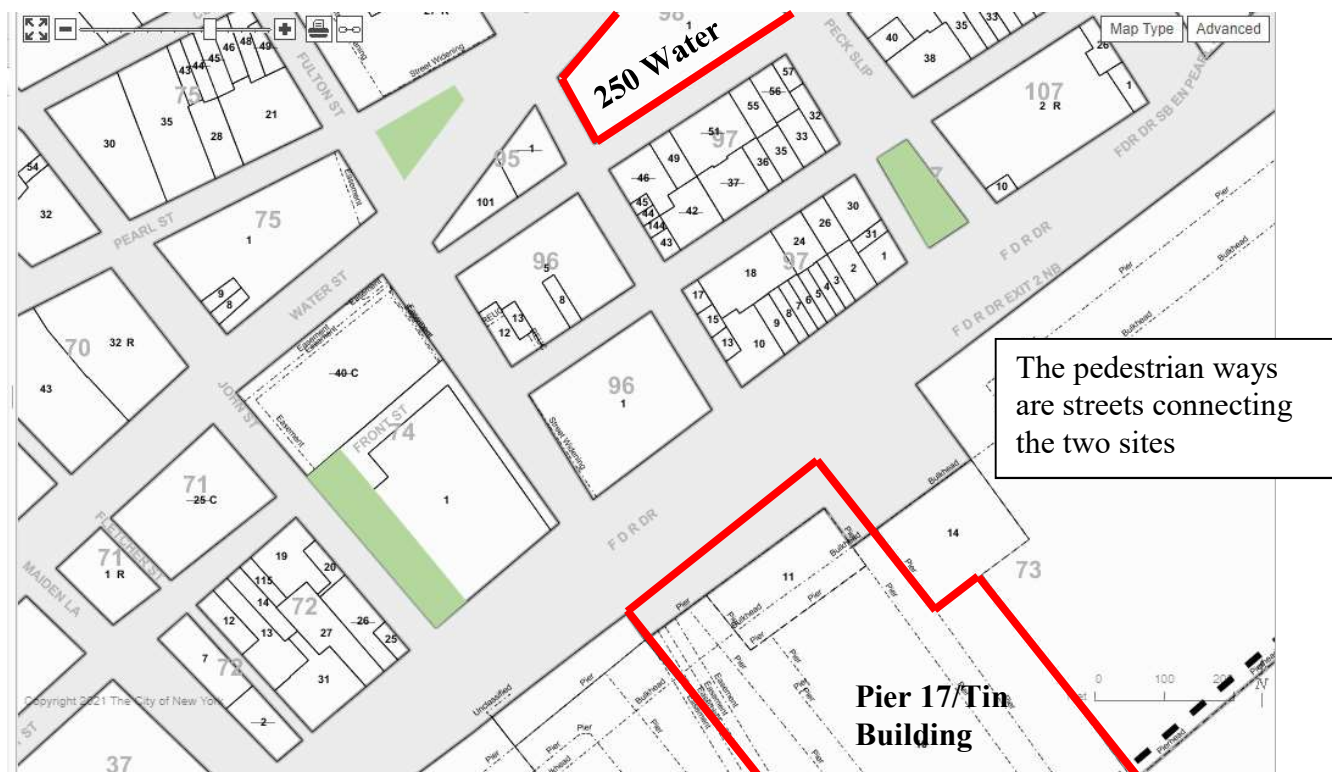
[LSGD] #zoning lots# may include any land occupied by #buildings# existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 4, provided that such #buildings# form an integral part of the #large-scale general development#, **and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #buildings#.** [Emphasis added]

Since the Applicant proposes moving floor area from Pier 17 to 250 Water Street, and Pier 17 has an existing building, the application for an LSGD would have had to been made prior to the issuance of the TCO for Pier 17 in 2017 to qualify as an LSGD. It was not, and so, therefore, this site cannot qualify as an LSGD as proposed by the applicant under the definition of an LSGD in ZR 12-10.

Sixth, when this proposal was first presented to the City Planning Commission, Commissioner Burney called this LSGD “gerrymandered like a Texas Congressional District,” recognizing its odd shape. LSGDs do not look like what’s been proposed. Commissioner Burney’s observation on the unusual shape was apt. The streets included in the LSGD proposal allow for floor area to be moved between noncontiguous zoning lots that are more than 500 feet apart. Such distance was never contemplated for LSGDs since there are no streets in NYC that are 500 feet wide. The only way for two distant zoning lots to connect is to absurdly gerrymander the LSGD plan with streets pretending that they are a zoning lot in the LSGD plan. Simply, it looks strange because it is strange.

Consider the following image taken from the New York City Tax map:

¹ They do have a concessionaire agreement that describes activities that may occur in the street and responsibilities that the Applicant has for holding that concession. However, the concessionaire agreement cannot be considered a long-term land lease for the purposes of conveying ownership under the Zoning Resolution.



Detail of New York City Tax Map captured 9/10/2021, annotated with the locations of the proposed development

Excluding a small portion of Front Street, which was given a block and lot number, the City of New York Tax map shows the demapped streets as streets. Since the two blocks in the proposed LSGD are quite far from each other, the only way to connect the two is to assume streets are zoning lots. Considering the construct of the Zoning Resolution, this results in the absurd gerrymandered appearance noted by Commissioner Burney.

Finally, and perhaps most frustratingly, a zoning map change could have facilitated a materially similar development at 250 Water Street. The Applicant has proposed developing 250 Water at 11.45 FAR. A map change to a commercial district with an R10 residential equivalent district would have allowed a mixed use building on this site at the proposed size with the same uses. (Although doing so would effectively revert this site to its 1961 zoning, which the CPC changed in 2003.)

There is no reasonable planning rationale for the adulteration of fundamental principles of the New York City Zoning Resolution when such a simple solution was available. The Applicant could have applied for a zoning map change for 250 Water, and then proposed a building materially similar to their proposal. Perhaps the Applicant believed such an application would be difficult, considering the 2003 change, but that is not a good reason to inflict damage on the Zoning Resolution and the City's zoning policy. Further, a zoning map change would have been more transparent and understandable. From a zoning policy perspective, this was the right way forward. Commissioners should not only be

concerned with the built results, but they also need to be concerned with the integrity of the solution.

The Applicant's Findings and Discussion of LSGD

The following is a replication of the Applicant's findings and discussion of the proposed amended LSGD Plan. The Applicant's discussion is replicated below in black, and my comments on the Applicant's responses are made in red.

Items that are not applicable have been eliminated for brevity, as have items relating to the proposed curb cut and compliance with waterfront zoning, for which I have no comments.

**12-10
Definitions**

Large-scale general development

A "large-scale general development" contains one or more #buildings# on a single #zoning lot# or two or more #zoning lots# that are contiguous or would be contiguous but for their separation by a #street# or a #street# intersection and is not either a #large-scale residential development# or a #large-scale community facility development#; and:

The LSGD contains one or more buildings on three zoning lots that would be contiguous but for their separation by South Street and Beekman Street. The LSGD is neither a large-scale residential development nor a large-scale community facility development.

Response: The LSGD only contains three zoning lots if the pedestrian ways are considered a zoning lot. They are streets and under current law they cannot be considered a zoning lot, as streets are never parts of zoning lot. The Applicant has proposed a radical text amendment that would allow streets to be considered a zoning lot, even though these streets will still be streets and will continue to provide the only legal access to several developments that are NOT a part of this LSGD.

(a) *has or will have an area of at least 1.5 acres;*

The LSGD has a lot area of 336,601 sf, which is approximately 7.72 acres.

The proposed LSGD only has this area if the pedestrian ways are considered a zoning lot in the LSGD. Block 98, Lot 1 is too small to be an LSGD and must be combined with other lots to become a part of an LSGD. Block 73, lots 10 and 11 are already a part of an LSGD and are more than 1.5 acres.

(b) *has been or is to be used, #developed# or #enlarged# as a unit:*

(1) *under single fee ownership or alternate ownership arrangements as set forth in the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#; or*

(2) *under single fee, alternate or separate ownership, either:*

(i) **pursuant to an urban renewal plan for a designated urban renewal area containing such #zoning lots#; or**

(ii) **through assemblage by any other governmental agency, or its agent, having the power of condemnation; and**

The fees comprising the LSGD are owed [sic] by the applicants for this application.

The proposed LSGD is NOT to be used, developed or enlarged as a unit and the proposed LSGD fails this eligibility criteria. The following item does not define “#developed# or #enlarged# as a unit;” it is simply another condition, in addition to being developed and enlarged as a unit. 250 Water Street is unrelated to the development at Pier 17 and the Tin Building, and there is certainly no relationship between either development and the demapped streets.

Further, Andrew Schwartz, Deputy Commissioner of Small Business Services wrote: “The City of New York is the fee owner of Block 73, part of Lots 8 and 10, and all of Lot 11, part of Marginal Street, and the demapped portion of Fulton Street between South Street and Water Street, the demapped portion of Water Street between Fulton Street and Beekman Street, the demapped portion of Front Street between Beekman Street and John Street (the “City-owned Site”) located in the South Street Seaport Historic District.”

According to the land use application, there is exactly one applicant, as shown below:

250 Seaport District, LLC

Printed Name of Applicant
(name, company/agency or organization)

Saul Scherl

Printed Name of Applicant Attester
(person authorized to sign the application, if different from 'Applicant' above)



Signature by or on behalf of Applicant

Vice President

Title

5/2/21

Date

The application does not list the City of New York as an applicant, yet the City of New York is the fee owner. At minimum, this discussion must clarify how this project meets the minimum definition of an LSGD considering the Applicant is not the fee owner. While a corporate affiliate of the Applicant has a lease that references the demapped streets, the lease terms do not give it an ownership interest.

The land is owned by the City. The lease the Applicant currently holds grants limited rights to the demapped streets, which do not constitute ownership under the definition of zoning lot. Further, the lease of the streets is not exclusive, as a portion of the street leased by the Applicant is also leased by the South Street Seaport Museum. Simply, the proposed expanded LSGD does not qualify as an LSGD as it cannot meet the definition of an LSGD. The existing LSGD, however, does qualify and amendments to it are legitimate.

(c) shall be located in whole or in part in any #Commercial# or #Manufacturing District#, subject to the restrictions of paragraph (a)(1) of Section 74-743 (Special provisions for bulk modification).

The LSGD is wholly located in Commercial Districts, and is not located in any of the districts listed in ZR Section 74-743.

Agreed

Such #zoning lots# may include any land occupied by #buildings# existing at the time an application is submitted to the City Planning Commission under the provisions of Article VII, Chapter 4, provided that such #buildings# form an integral part of the #large-scale general development#, and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #buildings#. In C5 and C6 Districts, however, a #large-scale general development# having a minimum #lot area# of five acres may include a #zoning lot# that contains an existing #building# that is not integrally related to the other parts of the #large-scale general development#, provided that such #building# covers less than 15 percent of the #lot area# of the #large-scale general development# and provided that there is no #bulk# distribution from a #zoning lot# containing such existing #building#.

The LSGD does not include land occupied by any building that existed at the time an application was submitted to the City Planning Commission under the provisions of Article VII, Chapter 4.

The proposed LSGD DOES contain land occupied by a building that existed at the time an application was submitted to the City Planning Commission. Pier 17 got its first Temporary Certificate of Occupancy on 10/12/2017. Once it received this TCO, it became a building subject to the restrictions of the definition of an LSGD in section 12-10 of the Zoning Resolution. The application was certified May 17, 2021, and there is bulk distribution from Block 73 to Block 98, which is clearly not permitted under the ZR definition of LSGD. The commission needs to reconsider their certification in light of the restrictions of the LSGD.

74-74

Large-scale General Development

For #large-scale general developments# involving several #zoning lots# but planned as a unit, the district regulations may impose unnecessary rigidities and thereby prevent achievement of the best possible site plan within the overall density and #bulk# controls. The regulations of this Section are designed to allow greater flexibility for the purpose of securing better site planning, while safeguarding the present or future use and development of the surrounding area.

No portion of a #large-scale general development# shall contain:

(a) any #use# not permitted by the applicable district regulations for such portion, except as otherwise provided in Section 74-744 (Modification of use regulations). When an existing #building# in a #large-scale general development# is occupied by a #non-conforming use#, any #enlargement# of such existing #building# shall be subject to the requirements set forth in Section 52-00 (DEFINITIONS AND GENERAL PROVISIONS);

The uses proposed on all parcels of the LSGD are permitted as-of-right by the applicable district regulations for such portion of the LSGD.

Agreed

(b) any #zoning lot#, or portion thereof, that is part of a #large-scale residential development# or #large-scale community facility development#.

No portion of the LSGD contains a zoning lot or portion thereof that is part of a large-scale residential development or large-scale community facility development.

Agreed

74-741

Requirements for application

An application to the City Planning Commission for the grant of a special permit pursuant to Section 74-74 for a #large-scale general development# shall include a site plan showing the boundaries of the #large-scale general

development# and the proposed location and #use# of all #buildings or other structures# on each #zoning lot# comprising the #large-scale general development#.

A site plan showing the boundaries of the LSGD and the proposed location of use of all buildings on each zoning lot comprising the LSGD is appended to this application as Z-001 and Z-002.

The plan and zoning table does show these elements, if the use of the pedestrian ways as a part of an LSGD were a legitimate use of streets, which it is not (see above).

74-742

Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large-scale General Development) shall be on a tract of land which at the time of application is all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No special permit shall be granted unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.

250 Seaport District LLC, the applicant, is the single fee owner of 250 Water Street (Manhattan Block 98, Lot 1) (“Zoning Lot A”). The City of New York is the single fee owner of the zoning lots comprising Pier 17 (parts of Lots 8 and 10 and all of Lot 11 on Block 73 and p/o Marginal Street) (the “Pier 17 Zoning Lot”) and the demapped portion of Fulton Street between South Street and Water Street, the demapped portion of Water Street between Fulton Street and Beekman Street, the demapped portion of Front Street between Beekman Street and John Street (collectively the “Demapped Street Portion”).

The Applicant has a lease for the demapped street portion of the proposed LSGD, but they have limited rights to this portion of their leasehold. Their lease is non-exclusive as the South Street Seaport Museum has similar rights for part of the same area. These limited rights do not constitute ownership under the definition of a zoning lot and so the proposed expansion of the LSGD does not qualify under 74-742. In its discussion of this condition, the Applicant admits that it is not the fee

owner of the demapped streets, and thus it not eligible for a Special Permit under ZR 74-74.

74-743

Special provisions for bulk modifications

(a) For a #large-scale general development#, the City Planning Commission may permit:

(1) distribution of total allowable #floor area#, #rooming units#, #dwelling units#, lot coverage and total required #open space# under the applicable district regulations within a #large-scale general development# without regard for #zoning lot lines# or district boundaries, subject to the following limitations:

(i) no distribution of #bulk# across the boundary of two districts shall be permitted for a #use# utilizing such #bulk# unless such #use# is permitted in both districts;

The residential and commercial uses for which the floor area will be distributed are permitted in C4-6, C5-3 and C6-2A zoning districts.

Agreed, assuming the use of streets as a part of the LSGD is legitimate, which it is not (see above).

(2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;

The Applicant is seeking waivers with regard to height and setback regulations, including street wall location requirements, for the Proposed Development on Zoning Lot A, as shown on sheets Z-402 through Z-407. The waivers would allow portions of the base height of the Proposed Development to be 43.17 feet, which is less than the minimum as-of-right base height of 60 feet, portions higher than the maximum base height of 85 feet, and the building height of the Proposed Development to be 324 feet, which is taller than the maximum as-of-right building height of 120 feet. Above the proposed base height of 74.33 feet, the waivers would allow for the Proposed Development to provide setbacks that are less than

15 feet along Peck Slip and less than 10 feet along Pearl Street. In addition, a street wall location waiver along a wide street frontage (Pearl Street) is requested to allow portions of the Proposed Development to not be located at the street line of Pearl Street.

The height “43.17 feet” does not appear on plan Z-402. It does appear in the section Z-406 but that height does not match the same height in the plan Z-402. The Applicant needs to clarify the waivers being sought for the minimum base height and produce drawings that are internally consistent.

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

The proposed bulk modifications would distribute 207,414 sf of floor area from the Pier 17 Zoning Lot to Zoning Lot A. The minimum base height would be reduced from 60 feet to 43.17 feet, the maximum base height would be increased in limited areas from 85 feet to 324 feet, and the maximum building height would increase from 120 feet to 324 feet, with less than 10 feet of setback along Pearl Street and less than 15 feet of setback along Peck Slip.

The distribution of floor area from Pier 17 to the Zoning Lot A will result in a better site plan and a better relationship between buildings, benefiting both the occupants of the LSGD and the surrounding neighborhood. The floor area appurtenant to Pier 17 would be more effectively utilized on the Zoning Lot A than on Pier 17 due to the pier’s proximity to the shoreline.

Distributing the floor area away from the shoreline would maintain the current scale of Pier 17 and shift bulk to the upland portion of the Historic District. Further, distributing this floor area to the Zoning Lot A would result in being able to utilize this floor area more effectively on a single, full block site, creating more housing, community facility, office, and retail opportunities for nearby residents.

The height and setback modifications will facilitate the addition of floor area onto the Zoning Lot A while allowing the Proposed Development to be constructed (i) with the taller portions of the building concentrated along Pearl Street, which is both appropriate to this portion of the Historic District and consistent with the context of the surrounding area outside the Historic District, and (ii) with lower base heights and deep setbacks from Beekman and Water Streets, maintaining a streetscape that is consistent with and appropriate to the Historic District. The Zoning Lot A has been used as a surface parking lot for over 50 years, and the Proposed Development will fill a major gap in the surrounding neighborhood and significantly improve the streetscape.

This discussion is wholly inadequate, especially considering the CPC's 2003 report explaining why it downzoned 250 Water Street and other blocks of the historic core. How exactly does the new distribution of floor area "benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole?"

In 2003, the CPC discussed the zoning change to C6-2A on this site including changes it wanted to see in the application. Some of the LSGD special permit waivers being sought are consistent with the CPC's 2003 positions, including a lower base height and full lot coverage. But the CPC also wrote that "the Commission believes that the downzoning from a 10 to 6 FAR district is appropriate." And "the Commission believes that the maximum building height for developments in the C6-2A should be increased from 120 feet to 170 feet."

The CPC's 2003 report is full of reasoning and justifications for the position it took at that time, and that position, especially as it regards permitted FAR and building height, is quite different than what the Applicant has proposed in its LSGD waivers. The Applicant's response to the requirements of ZR 74-743 needs to be completely re-written and the CPC needs to carefully consider it in the context of its previous findings for development in this area.

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the bulk of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

The floor area distributed to the Zoning Lot A would be concentrated on the northwestern portion of the block, towards Pearl Street, a wide street, and away from Water Street and Beekman Street, and would not unduly increase the bulk of buildings on the block. No other buildings would be located on the block occupied by the Zoning Lot A, and the Proposed Building would not

unduly obstruct access to light and air for occupants on nearby blocks or people using the public streets surrounding the Zoning Lot A.

The block to the north of the Zoning Lot A across Pearl Street would not be unduly obstructed from light and air because Pearl Street is a 90-foot wide street that offers a large buffer between the Zoning Lot A and any buildings on that block. The block to the west of the Zoning Lot A across Beekman Street would not be unduly obstructed from light and air because of the reduced base height and the deep setback provided above the lower base height. Similarly, the block to the east of the Zoning Lot A across Peck Slip would not be unduly obstructed from light and air due to the setback that gradually widens up to 14.47 feet as it gets closer towards Water Street. The block to the south across Water Street would not be unduly obstructed from light and air due to the reduced base height and the deep setback provided above the lower base height. Further, the base of the Proposed Development would be of a similar scale with the historic district to the south, east, and west of the Proposed Development. Given the smaller scale of the base, and the setbacks described above, the bulk of the Proposed Development would not unduly obstruct access of light and air to the detriment of the users of buildings in the surrounding blocks.

Again, the CPC wrote: “the Commission believes that the downzoning from a 10 to 6 FAR district is appropriate.” Not 11.45 FAR. And “the Commission believes that the maximum building height for developments in the C6-2A should be increased from 120 feet to 170 feet.” Not 324 feet.

What has changed over the past 18 years to allow a near doubling of building size and height on this site? Certainly, things can change over time, but this is an important, relatively recent planning document from the CPC showing their desired planning direction for this area. If anything, the Applicant’s proposal is notable for how different it is from the conclusions of the CPC report for the rezoning of this area.

The Applicant should be explaining why a 324-foot building is better than a 170-foot building (or the 120-foot building they can construct as-of-right). They need to demonstrate how it does not “unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#.”

How much light is lost to the sidewalks? How much light is lost to the nearby residential windows? How does that compare with the as-of-right solution? It would also be useful to see how such change would compare to a 170-foot solution promoted by the CPC in 2003 (and reduced to 120 feet by the City Council). Requiring that this distribution of floor area does not “unduly obstruct” light and air means that light and air needs to be measured. Before and after evaluations of light and air need to be calculated before anyone can determine if the obstruction

that will occur is unduly. The application's assertions are unsupported by data and no finding can be made with the information provided by the applicant.

(3) *considering the size of the proposed #large-scale general development#, the streets providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;*

The Proposed Development's location on Pearl Street provides convenient access to a wide street from the LSGD and the LSGD is well served by a network of major streets, which are designed to handle traffic within and through the Lower Manhattan area. Pearl Street, a 90-foot wide street, is the primary thoroughfare providing access to the Proposed Development. It provides connections from the Brooklyn Bridge to Water Street and the Lower Manhattan Central Business District. FDR Drive, a parkway on the east side of Manhattan, is accessible by a ramp off of Pearl Street, to the east of Dover Street. An on-ramp to the Brooklyn Bridge is located across the street from the ramp to FDR Drive. Because of the various thoroughfares near the LSGD and the Proposed Development more specifically, the existing street system is adequate to handle traffic the resulting traffic therefrom.

This answer is wholly inadequate, considering that the DEIS for the project states: "A detailed analysis concluded that the Proposed Project would result in significant adverse traffic impacts at three intersections and a significant adverse pedestrian impact at the southeast corner of Pearl Street and Frankfort Street." The DEIS is stating that the streets are inadequate "to handle traffic resulting therefrom" because there are significant adverse impacts. The findings for a LSGD special permit are not simply a disclosure document like a DEIS; it is requirement that the project must meet prior to the CPC issuing a special permit. It is not at all clear how the DEIS can disclose significant traffic and pedestrian impacts on the neighboring streets while the CPC still finds that this condition is met.

This is yet another reason that the LSGD special permit was the wrong zoning solution for this project: it should have been proposed and evaluated as a zoning map change, where such significant impacts would have been disclosed in the DEIS, but there would have been no requirement to mitigate those impacts if doing so was not practicable. For the LSGD, however, the CPC must find that the streets are "adequate to handle traffic resulting therefrom," and the DEIS says that they're not. This finding cannot be met.

(9) *a declaration with regard to ownership requirements in paragraph (b) of the #large-scale general development# definition in Section 12-10 (DEFINITIONS) has been filed with the Commission; and*

A declaration that the LSGD meets the ownership requirements in paragraph (b) of the definition of a large scale general development in ZR Section 12-10 is being filed with the Commission in conjunction with this application.

The Commission is reminded that the Applicant has a limited, non-exclusive lease for the demapped streets. Those streets still provide the only legal access to some buildings that are not a part of this LSGD. As much as the Applicant wishes this lease conveyed ownership, it does not.

250 Water Street Authorization pursuant to ZR Section 91-65 Applicant's Discussion of Conditions

91-65

Addition of Development Rights to Receiving Lots

Within the South Street Seaport Subdistrict, all or any portion of the #development rights# transferred from a #granting lot# may be added to the #floor area# of all or any one of the #receiving lots# in an amount not to exceed the ratio of 10 square feet of #development rights# to each square foot of #lot area# of such #receiving lot#, except that with respect to a #receiving lot# having a lot area of less than 30,000 square feet, the total #floor area ratio# shall not exceed 21.6. However, if a #receiving lot# is located in a C4-6 District, the total #floor area ratio# shall not exceed 3.4 and if a #receiving lot# is located in a C6-2A District, the total #floor area ratio# shall not exceed 8.02. Development rights transferred to a #receiving lot# may be applied to a #mixed building# to increase the #floor area# of the #residential#, #commercial# and/or #community facility# portions of such #building# so that the maximum #floor area# for such #building# may be increased by the aggregate of #development rights# so transferred. In no event shall the #residential# #floor area ratio# exceed 12.0.

The receiving lot is located in a C6-2A district, and the total amount of floor area being transferred is 30,216 sf (0.63 FAR). With the transferred floor area, the as-of-right floor area ratio of the Site would be 7.13, which does not exceed the maximum of 8.02 FAR. The residential FAR of the receiving lot will not exceed 12.0.

The City Planning Commission shall certify that any #zoning lot# that utilizes such transferred #development rights# conforms to this Section and, for

those #receiving lots# within the Urban Renewal Area, to the regulations and controls of the Urban Renewal Plan.

The zoning lot that utilizes such transferred development rights conforms to the requirements of this Section of the Zoning Resolution and is not inconsistent with the regulations and controls of the Brooklyn Bridge Southeast Urban Renewal Plan.

The Applicant should include a discussion of why the addition of 250 Water Street is appropriate as a receiving site, especially considering its location within a historic district during the 2003 rezoning and the CPC's 2003 comments regarding the appropriate amount of floor area on this site. All or virtually all receiving sites have been outside of the Historic District and outside of the zoning Subdistrict.

250 Water Street

Minor Modification to the previously approved Large-Scale General Development Applicant's Discussion of Findings

74-743

Special provisions for bulk modification

(a) For a #large-scale general development,# the City Planning Commission may permit:

(2) location of #buildings# without regard for the applicable #yard#, #court#, distance between #buildings#, or height and setback regulations;

A special permit pursuant to Section 74-743(a)(2) was requested for the 2013 Approved Design (C 130053 ZSM) in order to allow an encroachment within the waterfront yard required pursuant to ZR Section 62-332, for a performance stage located in Fulton Plaza. The proposed performance stage will remain as previously approved.

(b) In order to grant a special permit pursuant to this Section for any #large-scale general development#, the Commission shall find that:

(1) the distribution of #floor area#, #open space#, #dwelling units#, #rooming units# and the location of #buildings#, primary business entrances and #show windows# will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and shorelines than would be possible without such distribution and will thus benefit both the occupants of the #large-scale general development#, the neighborhood and the City as a whole;

In 2013, there was a modification granted to modify the waterfront yard regulations, which facilitated the activation of Fulton Plaza with a performance venue, a feature which encourages visitors to the site by allowing live music and other entertainment on the pier. In addition, there were several site plan improvements proposed in connection with the 2013 design, which greatly enhanced the public's experience of the waterfront, notably the development of the "North Porch" as a new open space resource, the development of the roof of the Pier 17 Building for passive open space uses and as a flexible event space, and the creation of new view corridors through the Pier 17 Building toward the Brooklyn Bridge and the water. In 2016, there were no changes made to the improvements to the design and use of Fulton Plaza or other public access areas around the pier, except for the removal of the Pier 17 head house and the Link Building which opened up additional public access areas on the pier and views toward the Brooklyn Bridge and the water. The Commission determined that the modification to the waterfront yard regulations under the 2013 approvals and the changes made under the 2016 approvals resulted in a better site plan and a better relationship among buildings and open areas to adjacent streets, surrounding development, adjacent open areas and shorelines, and thus benefit both the occupants of the LSGD, the neighborhood, and the City as a whole.

In line with the Commission's determination, the prior modifications to the waterfront yard regulations continue to enhance the site plan and the public enjoyment of the waterfront at Pier 17 while providing for the same view corridors. The proposed modifications to the LSGD site plan would extend the boundaries of the LSGD to include upland zoning lots - Zoning Lot B (Demapped Street Portion) and Zoning Lot A (250 Water Street). Zoning Lot B (Demapped Street Portions) will remain unbuilt and open, except for an existing Use Group 6, open air eating and drinking establishment (the Garden Bar"), contributing to the activation along the waterfront area. The existing Garden Bar is approximately 72.50 feet by 20.50 feet, and provides a bar and seating near the corner of Fulton Street and Front Street. Zoning Lot A will be developed with the Proposed Development, a mixed-use building with 550,000 square feet of zoning floor area, of which approximately 376,300 square feet of residential use, including a significant amount of affordable

units, 153,000 square feet of office use, 15,900 square feet of retail use, and 4,800 square feet of community facility use. The Proposed Development would provide a significant amount of affordable housing, revitalize the streetscape adjacent to the site and transform a parking lot into a building that provides new retail, housing, community facility space, and office space. By extending the LSGD boundary to include the upland lots, bulk is located further away from the waterfront to preserve the open views toward the Brooklyn Bridge and the water while providing a variety of uses to contribute to the economic vitality, activation, and livelihood of the Lower Manhattan neighborhood.

Accordingly, modifications granted to the waterfront yard regulations would still result in a site plan that benefits both the occupants of the LSGD, the neighborhood, and the City as whole.

(2) the distribution of #floor area# and location of #buildings# will not unduly increase the bulk of #buildings# in any one #block# or unduly obstruct access of light and air to the detriment of the occupants or users of #buildings# in the #block# or nearby #blocks# or of people using the public #streets#;

In 2013, a modification was granted to increase the FAR on the Pier 17 Zoning Lot from 1.14 to 1.56. The Commission determined that the distribution of floor area would not unduly increase the bulk of buildings in any one block or unduly obstruct access of light and air to the detriment of the occupants of buildings in the block or nearby blocks or of people using the public streets. In 2016, the FAR on the zoning lot decreased to 1.33. In comparison to the 2013 and 2016 approvals, the floor area of buildings within the Pier 17 zoning lot would only increase by 105 square feet to allow for three guard booths. The distribution of bulk on the Pier 17 Zoning Lot would not be affected by the expansion of the LSGD boundaries to include Zoning Lot B and Zoning Lot A, except that unused development rights would be distributed away from the Pier 17 Zoning Lot to Zoning Lot A. Accordingly, the distribution of bulk and location of building pursuant to the revised LSGD Site Plan would not unduly increase the bulk of buildings on any one block or unduly obstruct access of light and air to the detriments of users of nearby buildings.

This whole discussion needs to be clarified. Floor area is being moved from Pier 17 to Zoning Lot A. There are both major changes to the LSGD and minor modifications to the existing LSGD special permit on Pier 17. The addition of zoning lots to the LSGD is not minor; the additional waivers being sought by 250 Water are not minor, the movement of floor area from Pier 17 to Zoning Lot A to facilitate the construction of a 600,000 SF building is not minor; and it will likely result in unduly obstructing light and air around 250 Water. If this finding just relates to the minor modification being sought for the existing LSGD, then it should

be focused on those changes. The guard booth and the changes to the bollards are minor and should not be confused with the major actions.

(3) considering the size of the proposed #large-scale general development#, the streets providing access to such #large-scale general development# will be adequate to handle traffic resulting therefrom;

In 2013, it was determined that the streets providing access to the LSGD were adequate to handle the resulting traffic and no street network changes were necessary in connection with the creation of the LSGD. However, a lay-by lane was added along South Street to function as a drop-off/pick-up location for taxis and other vehicles. In 2016, it was determined that the addition of the Tin Building would not materially change the amount of traffic generated by the project. The changes proposed to the LSGD Site Plan would not negatively affect traffic accessing the Pier 17 as vehicles accessing the Proposed Development on Zoning Lot A would mainly travel through Pearl Street. Pearl Street, a 90-foot wide street, would be a primary thoroughfare providing connections to the LSGD from Brooklyn Bridge to Water Street and the Lower Manhattan Central Business District. FDR Drive, a parkway on the east side of Manhattan, is accessible by a ramp off of Pearl Street, to the east of Dover Street. An on-ramp to the Brooklyn Bridge is located across the street from the ramp to FDR Drive. Thus, considering the size of the proposed LSGD, access to the LSGD would remain adequate to handle resulting traffic.

Again, the Applicant is mixing minor modifications with major changes. The DEIS has shown that Zoning Lot A will produce significant traffic impacts for both vehicles and pedestrians, and it remains unclear how this finding can be made for that portion of the project. The minor changes on Pier 17, however, will not have the same impacts. The Applicant should rewrite this section to clarify what exactly this portion addresses.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 10:36:11 AM
Attachments: [ULURP SBT Response Final.pdf](#)

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Elaine Kennedy**
Zip: **10038**

I represent:

- **Other**

Details for "I Represent": **Southbridge Towers, Inc. Board of Directors**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:

Yes

Additional Comments:

On behalf of the Board of Directors of Southbridge Towers, Inc, we urge the City Planning Commission to reject the application of 250 Seaport District, LLC items EIS CEQR NO. 21DCP084M, ULURAP NOS. 210439ZRM, 210441ZAM, M130053BZSM, 210445ZAM, 210438ZSM. These applications are incomplete and fail to take into account or remedy the huge environmental impacts on our quality of life in the historic South Street Seaport community and its neighbor SBT and its 5,000 residents. The Commission is faced with making historic precedent setting decisions that will affect the future of ALL historic districts in New York for generations to come. As appealing as the lure of affordable housing, funding the SSS Museum, and additional income for the city might be, nothing is worth sacrificing the protections afforded to our historic districts. Preservationists from around the world have

signed our petitions to reject the 250 Water Street, LLC applications. Attached please find SBT's comments on the EIS regarding negative impacts on our community. Thank you for your consideration. Elaine Kennedy SBT resident



August 9, 2021

To Whom It May Concern:

This letter is from the Southbridge Towers, Inc (“Southbridge” or “SBT”) Board of Directors, who represent the roughly 5000 residents who live across the street from the 250 Water Street development. In addition to living next to the development, many of our residents’ children and grandchildren attend the Peck Slip School or Blue School. We are strongly against this project and hope that City Planning arranges for SBT to be compensated for the potential damages outlined in this letter. In addition, we don’t consider the Environmental Impact Statement complete and would request the additional study of winter shadows and shadows on the entire Southbridge Towers property.

Impact on Children

We are deeply concerned about the impact on children’s’ health and learning during the remediation and prolonged construction, which is expected to last two and a half years, due to the 324’ height of the tower as opposed to the zoned 120’. Sadly, it is our firm belief that this project will result in many families leaving the neighborhood or finding other schools for their children and will irreparably harm the Peck Slip School which has been one of the most welcome additions to this community and is beloved by everyone.

Negative Financial Impact on SBT

Southbridge is unique among New York City coops, in that a substantial part of the operating budget comes from flip tax which is dependent on apartment sales. In our latest budget, we have forecasted \$9 million dollars in flip tax revenue. We worry that being next to an active construction site for 4.5 to 5 years will substantially depress the number of sales and effect sale prices. It is anticipated that this will cost Southbridge \$4-5 million dollars a year in operating income and will require us to significantly raise maintenance fees. Our budget subsidizes maintenance for 70 units who pay reduced fees and are not subject to increases. Therefore, SBT has as many affordable housing units as are proposed in the new development. The flip taxes also help to keep maintenance costs down and make SBT still truly affordable for many of the residents who are on various State and City tax relief programs. This development will have a net negative affect on affordable housing. **Who will reimburse SBT for this pending budget shortfall and resident displacement?**

Once the project is complete, we expect increased foot traffic walking through Southbridge Towers property on their way to the Fulton Street Subway station since the most direct path is up Beekman Street and through the complex between 55 and 77 Fulton Street, a common pathway already. This will create noise, pollution, greater wear, and tear and increase Southbridge’s liability insurance premiums.

Negative Shadow Impact

The environmental impact study called out the impact of new shadows which will darken the Southbridge open spaces. However, the study failed to account for shadows generated on other areas of Southbridge Towers property. In particular, the playground located in the courtyard between 333 Pearl, 299 Pearl, 100 Beekman and 90 Beekman would have shadow effects until 1pm, at least 2 hours longer than the report mentioned. That playground is currently being used by over 300 families in our complex and by the Bright Beginning's Preschool located at 80 Beekman Street. The study only calls for the impacts from March through September. **What about during the winter months when sunlight is a precious commodity?** With less sun during the winter, we expect more icing and salt required to cleanup up after storms.

Southbridge Towers also has plantings along Pearl Street and we anticipate that many of those shrubs and trees will die once the new building starts casting shadows. In addition to the Southbridge maintained plants, we expect adverse effects on our shareholders' plants. Southbridge Towers is currently actively pursuing proposals to place solar panels on the roofs of our low-rise buildings. Three of those buildings (299 Pearl, 90 Beekman, 66 Frankfort) will have significant shadows from the 250 Water Street development which threatens the viability of that project. **Who will reimburse SBT for these damages?**

Negative Traffic Impacts

We are concerned about safety from increased traffic on Pearl Street during construction. One of SBT's parking garages is on 299 Pearl Street, directly across from the lot where the vast majority of cars exiting make left turns. We expect those turning vehicles to be at increased risk and have great difficulty safely navigating this turn but the DEIS traffic analysis makes no mention of this impact nor does it provide potential solutions to this problem. The intersection of Pearl/Dover/Frankfort Street, prior to Covid, during rush hours, is frequently backed up without the planned construction. Residents of 333 Pearl Street on the corner of Pearl/Frankfort and Dover, part of SBT's property, experience the noise and congestion of rush hour on a regular basis.

No attempt is made to mitigate the AM and PM rush hour or the Dover/Frankfort/Pearl intersection which is the most congested with hundreds of vehicles entering or exiting the Brooklyn Bridge and FDR hourly either during construction or after development. Why? The only reference to this intersection is in the DEIS Pedestrian Analysis, "Significant adverse impacts were identified for the Southeast corner of Pearl Street and Frankfort Street, during the weekday, midday and PM peak hours. Proposed mitigation would include a six-foot curb extension on the Frankfort/Dover Street side of the corner which would fully mitigate the identified impacts at this corner." **How is a six-foot curb extension going to help the traffic or the pedestrians entering what may be the most dangerous crossing in the downtown area?**

Several bus lines transverse Pearl Street going north and south daily. The DEIS anticipates the removal of traffic lanes along Pearl St to accommodate "staging concrete operations along Pearl Street..." and we are assuming all the heavy equipment as well to avoid or place "as far away from the Peck Slip and Blue Schools as possible." This is a good thing for the schools but the impact on Pearl Street will be unavoidable and significant and should be re-examined. **The bus transit along Pearl Street needs to be rerouted or will be subject to interminable delays.** This would have a significant

impact on the elderly and disabled who rely on this bus line and would have to make other accommodations for their transportation.

The DEIS transportation analysis goes on to state, “An evaluation of area parking conditions determined there would be no parking shortfall.” We have counted as many as 400 cars parked in the 250 Water Street lot on a daily basis. **What happens to these parkers?** Will there be public parking available in the new project? We did not see any indication of that in the planning. The most impact will be felt in the SBT Icon Parking Garage at 299 Pearl Street directly across the street from the lot. How could this not impact all the already overcrowded area parking garages? Under normal conditions (not Covid shutdowns) our garages are already at capacity. SBT residents will have longer waits to get in and out of our garage as it is with all the construction on Pearl Street, but overcrowding of our garage could result in downright dangerous conditions. What does HHC plan to do about this, besides tell us parking is not a problem? What happens when there are concerts again on Pier 17 and other large events at the Seaport and the downtown community? This parking lot has been denigrated by the HHC PR machine as useless and an ugly “blight on the Seaport,” but it has served an important function in this community for the last 25 years and its important function cannot be overlooked.

The DEIS correctly forecasts that the proposed development would impact Pearl Street and Beekman Street, Dover Street and Robert F. Wagner Sr. Place which would experience significant adverse traffic impacts in the weekday, AM, midday, and PM peak hours. Proposed mitigations include “signal timing at the intersection of Pearl and Beekman Streets, which would fully mitigate the identified impact during the weekday midday peak hour.” Would such a signal timing adjustment cause increased delays, horn honking and pollution on the streets running east/west such as Frankfort, Beekman, Fulton etc.? The DEIS also says, “**the remaining identified impacts would remain unmitigated with the Proposed Project.**” Why? And why does this study fail to recommend other mitigation measures such as hiring additional TEAs for some of these intersections?

SBT residents along Pearl Street experience excessive noise from construction on a daily basis. Currently construction work is ongoing under the ramp of the Brooklyn Bridge and begins at 7:30 and continues throughout the day. Rush hour traffic noises continue well into the night due to the large intersection of the Brooklyn Bridge and FDR exit and entrance ramps. As previously discussed, the remediation, construction and development will cause significant impacts on traffic, which must be considered as compounding the actual noise from the construction and need to be seriously taken into consideration. Every effort to mitigate the impacts of noise from the actual construction itself to the inevitable consequences of that construction must be included in the construction noise plan and made available to the community in advance of the proposed project.

Conclusion

Bottom line is that this document fails to adequately identify mitigation measures needed to address the projected impacts and other impacts that this study minimizes. SBT is also entitled to and expects to receive full compensation from HHC for the costs they will incur replacing plants and trees. In addition, SBT needs to be compensated for diminished sales which will create a hole in our budget. This will increase maintenance and cause a rapid increase in the gentrification of the neighborhood. How will HHC compensate SBT and our children for the loss of their precious and very limited play areas? SBT is not a wealthy community and is filled with many seniors and others living

on limited fixed income and government subsidies. It cannot afford nor should it be expected to pay a large and unfair price for the construction of a new and inappropriate tower at 250 Water Street that will surely further enrich HHC and its shareholders. The City of New York needs to take the needs of Southbridge Towers much more into account, as it deliberates on whether this proposed building truly benefits this community or the City, or whether it will have the opposite effect. We expect City Planning to enforce all mitigations agreed to as part of the ULURP process.

We would also like the following additional analysis added to the EIS report:

1. Analysis of Shadows on SBT Pearl Street vegetation and SBT Playground
2. Winter Shadow Studies

Regards,

Southbridge Board of Directors

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Saturday, September 11, 2021 1:12:00 PM
Attachments: [Seaport Coalition Petition and Signatories.pdf](#)

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Michael Kramer**
Zip: **10038**

I represent:

- **A local community group or organization**

Details for "I Represent": **SEAPORT COALITION**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

Yes

Additional Comments:

On September 1 the following petition and signatories will be read aloud and entered as testimony against the 250 Water Street ULURP application at the City Planning Commission. Please sign this petition in solidarity against this proposed monstrous intrusion into the Seaport Historic District: New York City is at a turning point! We're on the verge of seeing entire neighborhoods controlled by private interests. Enabled by elected officials who have made deals with developers, zoning protections are being dismantled under the ruse of offering benefits for the community. And the frontier is in the South Street Seaport Historic District. The Howard Hughes Corp., aided by an army of lobbyists, is not only pushing through a building three times the allowable height at 250 Water Street, but is now asking for a 99-year lease to super-size the public land it controls in the Historic District. If approved,

this would set the stage for more zoning-busting building in this tiny District. In 2015 the National Historic Trust placed the South Street Seaport Historic District on its endangered list. This prescient action anticipated that HHC would seek the approvals needed for what it calls "monopoly-like control" of the Seaport. "Play off everyone against each other so that you have more avenues of action open to you," was a favorite saying of the eccentric billionaire Howard Hughes, whose corporate successor admitted to shareholders that they were using support for the South Street Seaport Museum and affordable housing as "political cover" for blowing up the zoning in the District. Our Seaport Coalition welcomes any development at 250 Water Street that conforms with the existing zoning and Seaport Working Group guidelines and principles. Our financial plan will save the museum. We support inclusion of true affordable housing within the 120-foot allowable limit at 250 Water and 100% affordable housing on public land at 5 World Trade Center. We want use of public air rights that benefits the public, not billionaire investors like Bill Ackman, the majority owner of HHC. Their goal is corporate profit, at the expense of public interest. We oppose the Howard Hughes Corporation plans for 250 Water Street zoning relief actions.



Alliance for Downtown New York, Inc.
120 Broadway, Suite 3340
New York, NY 10271
212 566-6700 Fax 212 566-6707
www.DowntownNY.com

**Testimony by Jessica Lappin, President of the Downtown Alliance to the
New York City City Planning Commission
September 1st, 2021**

Good morning Chair Lago and members of the commission, I am Jessica Lappin, President of the Downtown Alliance which manages the business improvement district for Lower Manhattan south of Chambers Street. I am pleased to speak today in support of the Howard Hughes' development project at 250 Water Street.

While the South Street Seaport is not, by legal definition, a part of our assessment area, it is a vital asset for the neighborhood and the entire city.

We believe this mixed-use building proposal continues to be an important opportunity to create jobs, boost our local economy at such a critical juncture in the city's recovery, build sorely needed affordable housing in Community Board 1 and generate the path forward to save the Seaport Museum.

New York City needs economic development more than ever. This \$850M investment in the Seaport by Howard Hughes is projected to create more than 1,000 construction jobs, over 1,500 permanent jobs in the commercial, retail, and nonprofit sectors and spark new patrons to support the local businesses and merchants especially those who have been struggling during the pandemic.

This project has undergone a lengthy stakeholder engagement process, and over the course of the public review process, the applicant has worked hard to be responsive to a breadth of community concerns as well as the feedback received from LPC in refining the proposal, lowering its height and ensuring it will benefit the city as a whole. In addition to being endorsed by the Daily News, the Post and The New York Times editorial board, 250 Water Street has strong local support from Council Member Margaret Chin and Manhattan Borough President Gale Brewer as well as a broad coalition of residents, businesses and civic groups.

Furthermore, 250 Water Street plans to be a resilient and sustainable structure equipped to handle the impacts of climate change. Howard Hughes has already shown its commitment to address this reality by building Pier 17 above the 100-year floodplain as well as relocating the historic Tin Building to be 6 feet

higher and above the 100-year floodplain. Our neighborhood knows first hand how very important protecting the Seaport area from rising sea levels is to the community.

In closing, on behalf of Downtown Alliance's board of directors and myself, we strongly support Howard Hughes' application and encourage you to vote in favor of the land use actions necessary to make this development possible.

Thank you.

###

About the Alliance for Downtown New York: The Alliance for Downtown New York operates one of the largest business improvement districts in New York City. It manages the Downtown-Lower Manhattan Business Improvement District (BID), serving an area roughly from City Hall to the Battery, from the East River to West Street. For more information visit downtownny.com.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 8:05:50 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Megan Malvern**
Zip: **10038**

I represent:

- **Myself**
- **A local community group or organization**

Details for "I Represent": **Peck Slip PTA (Co-Vice President) Grassroots Community Organizer / Children First Co-Founder, Seaport Coalition.**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
Yes

Additional Comments:

My name is Megan Malvern and I am opposed to the 250 Water Street project being proposed by Howard Hughes Corp. It is well documented that the pandemic is inflicting an incredible adverse impact on children. Irrefutably, their education, their physical, mental health and their overall well-being is suffering devastating effects. And now, with August's Delta surge upon us, we are facing the sad fact that those under 12, who many thought were not likely to become infected, are experiencing nationally their highest level of confirmed infections and hospitalizations yet. Disturbingly also in August, parents learned through a study published in the medical journal JAMA Pediatrics, the percentage of children experiencing depression and anxiety symptoms has doubled during the pandemic. Despite these indisputable facts, Howard

Hughes Corp's Draft Environmental Impact Statement, which stipulates the inclusion of data on the impacts to the health of nearby residents be evaluated in relation to the development, does not once include any reference to the current fragile state of the city brought on by the pandemic. This failing report reads as if the world's largest health threat in recent times never happened. This is not an oversight, this is negligence. For the better part of two years, hundreds of parents have told the developer and their engineer about our concerns at innumerable Community Board 1 meetings, through task force workshops, petitions and "in person" over zoom meetings between Peck Slip leadership, Saul Scherl and his team. And still, there is no real consideration of the children who attend school in the DEIS before you. I humbly request the City Planning Commission protect NYC residents from unnecessary COVID risk and a developer's underhanded manipulation of zoning law that's clouding City and State responsibilities to citizens. A nation of children coping with trauma, illness and disruption will need more than a vaccine to address the fallout of this pandemic. Our children need compassion and advocates to aid their recovery. I implore this Commission to fulfill their good governance responsibilities; become the advocates they so desperately need and to uphold the people's will. Please maintain the low-scale, low-density historic character that has been borne out over decades that keeps our children safe and insist the DEIS be reconsidered to encompass the current COVID conditions. The CPC should employ a city environmental engineer entrenched in local pandemic data to properly assess the risks and identify the practices to be employed to mitigate further trauma. Public school is the backbone of this city. It is the cradle of future leaders and develops NYC's best ambassadors. Undoubtedly the children who attend public school should, at the very least, be protected by the city agencies compelled by design to consider the health, mental wellness, and the quality of education for its most vulnerable residents. For the City Planning Commission to approve a building plan that thwarts all of these tenets while also undermining decades of community activism and the good governance of every former Manhattan Borough President, City Council Member, and CB1 Board since the 70's to further a private developer's wealth is shameful and negligent of duty. Please do not subject the children and the historic district to this abomination.

MAS Comments to the City Planning Commission on the Draft Environmental Impact Statement for 250 Water Street, CEQR No. 21DCP084M, New York, NY

September 8, 2021

The Municipal Art Society of New York (MAS) has long engaged with the South Street Seaport's evolution since the conceptualization of the South Street Seaport Museum in 1965. Regarding the recent proposal to develop the parking lot at 250 Water Street by the Howard Hughes Corporation (250 Seaport District LLC), MAS has extensively analyzed and followed the proposal's evolution at the Landmarks Preservation Commission (LPC).

The Howard Hughes Corporation (HHC) seeks a special permit, modifications to the South Street Seaport/Pier 17 Large Scale General Development (LSGD), zoning text amendments, and authorizations from the City Planning Commission (CPC) to facilitate the development of a 395-foot-tall mixed-use building that would contain approximately 680,500-gross square feet (gsf) of market-rate and affordable housing, retail, office, and community facility spaces at 250 Water Street. In addition to the land use actions outlined above, the proposal would also facilitate the restoration, reopening, and potential expansion of the South Street Seaport Museum (the museum) by providing an undisclosed amount of funding.

However, the full array of project benefits, the scope of each individual benefit, and the reliability of them, remains obscure. At its root, we object to the transfer of City-owned development rights to a private party without clear disclosure of what agencies, institutions, and projects ultimately benefit. The original intent of the Seaport Subdistrict was to have transferable development rights benefit the South Street Seaport Museum, not a city agency or private developer. We urge the Commission not to depart from the City's historic zoning intent for the Seaport. As we continue to advocate for sound planning, policy, and transparency in the land use process, we urge the City Planning Commission to recommend disapproval of the project.

Land Use, Zoning, and Public Policy

Among the many actions the applicant seeks is the modification to the South Street Seaport/Pier 17 LSGD, which would consolidate the existing Pier 17 LSGD, the pedestrian streets (Fulton, Water, and Front Streets), and 250 Water Street into a single large-scale general development. The applicant also seeks a LSGD special permit to facilitate the transfer of 208,000 square feet of unused development rights from Pier 17 to 250 Water Street. Moreover, the applicant is also seeking zoning text amendments to designate 250 Water Street as a receiving site and a certification to transfer the remaining 30,216 square feet of development rights from the Development Rights Bank to 250 Water Street.

From a policy perspective, MAS is fundamentally opposed to allowing the transfer of a City asset to a private developer through this triad of city discretionary actions. The City could achieve many of the benefits through more direct mechanisms than the one contemplated. In essence, the City is currently transferring development rights to EDC and HHC with *some* funding ultimately benefiting the South Street Seaport Museum, instead of having the sale of development rights fully benefit the museum.

Throughout the CEQR process, we have urged the City not to depart from the historic zoning intent of the Seaport. By moving new development inland near more similarly scaled buildings, the Draft Environmental Impact Statement (DEIS) justifies the distribution of the development rights from Pier 17 to 250 Water by preserving the low-scale character of the waterfront.¹ In fact, this rationale actually *undermines* the original intent of the Special South Street Seaport District dating back to 1972, which was to maintain the historic context and facilitate the transfer of development rights *outside* the district to benefit the Seaport Museum. 250 Water Street was originally included in the district but was not designated as a receiving site. With this proposal, 250 Water Street would become a receiving site and the development rights transfer would benefit a private developer first, then the City, and finally the museum. Moreover, the Seaport Subdistrict was rezoned in 2003 at the behest of Community Board 1 to adjust the underlying zoning to be more consistent with the South Street Seaport Historic District. We continue to support the intent of the 2003 rezoning and maintain that the City's historic zoning policy for the Seaport be respected. MAS would support an appropriately scaled development at 250 Water Street while transferring the balance of development rights outside the South Street Seaport Historic District.

Therefore, the Final Environmental Impact Statement (FEIS) must include the existing LSGD plan, proposed LSGD plan, and visuals of Pier 17 with the modifications proposed. As for the proposed transfer of development rights, MAS maintains that the FEIS must disclose the City-owned development rights value, the legal process of facilitating the development rights transfer, in addition to any other anticipated disposition actions and development rights transfers as part of this proposal. Without the disclosure of other actions, the public does not have the information to evaluate whether the proposal can be fully executed as planned and publicly discussed.

Funding for the Seaport Museum

Although it is claimed that the proposed funding for the Seaport Museum is not part of the land use process, HHC has marketed it as an integral component of the 250 Water Street development proposal. Therefore, more details must be disclosed about this process. According to the DEIS, the survival of the museum is contingent on the proposal moving forward; however, as of the June 14th Manhattan Community Board 1 Land Use Committee meeting, HHC still did not provide the public any details about the funding proposal. At this point, as emphasized by Manhattan Borough President Gale Brewer,² there is no guarantee that the original \$50 million will be offered to the Seaport Museum, despite the DEIS stating the “funding provided to the museum would stabilize and strengthen its finances, setting the stage for its potential expansion.”

MAS stands firm in that details of the funding mechanism must be finalized before this proposal can be approved by the Commission. The City must disclose details concerning the type and amount of funding to be dedicated, the legal mechanism by which the museum will secure the funding, a timeline for when the development rights will be transferred and funding will be

¹ DEIS Chapter 1: Project Description and Analytical Framework, page 1-6.

² <http://www.manhattanbp.nyc.gov/wp-content/uploads/2021/09/MBP-Brewer-ULURP-Recommendation-N210439ZRM-250-Water-2021-09-01.pdf>.

provided to the museum, and how it will be enforced in the future. Additionally, we urge the City to disclose details about the museum's current financial outlook, its current budget for the proposed expansion on the John Street lot, and what purposes the funds will be put to by the museum or others to benefit the museum (whether the funds will go towards a capital campaign or the museum's endowment). Moreover, the City must disclose any vulnerabilities that might affect the disposition of museum funds, i.e., any circumstances in which the funding would not be provided if the project is approved. The City must be transparent regarding the future transfer of the John Street lot (a separate ULURP action) in order to facilitate the proposed museum expansion. Lastly, the City must disclose how the assumed 2026 build year for the museum expansion was calculated.

Affordable Housing

According to the Howard Hughes Corporation, the proposed project will bring 70 affordable family units *to follow* the Mandatory Inclusionary Housing (MIH) program at 40 percent AMI (~\$45,000 for a family of four). According to the DEIS, "additional actions to facilitate the Proposed Project and effectuate other changes to the affected area may include...funding decisions and grant of an Article XI Tax Incentive by the Department of Housing Preservation and Development (HPD)." While we believe in the importance of building affordable housing throughout the city, especially in high-opportunity and transit-rich areas such as Manhattan Community Board 1, since this proposal does not fall under the official MIH program, there are many unanswered questions about the affordable housing component of the proposal.

Accordingly, since there is no guarantee of the proposed affordable housing units at this point, the FEIS must disclose the details of the regulatory aspect of the affordable units, such as the timeline for receiving potential tax incentives, the amount of tax incentives, and what agency will regulate and ensure long-term affordability of the proposed affordable units. Additionally, as stated in our DSOW comments, the FEIS must disclose the official affordability levels and the breakdown of the number of bedrooms proposed for all dwelling units. Lastly, we take issue with the distribution of the market-rate units on the top floors and affordable units in the lower portion of the tower.

Environmental Impacts of the Proposal

Shadows and Open Space

Shadows from the proposed development will have significant adverse impacts on area open space. According to the DEIS, the proposal's shadow would pass across portions of the Southbridge Towers complex open spaces from "early to late morning in the spring, summer, and fall, covering large areas at times, and significantly altering the use of the spaces for users seeking sun, and potentially impacting the health of the trees and plantings in one limited area." Therefore, the FEIS should evaluate potential design changes, including different massing and decreases in building height, and alternatives that mitigate shadow impacts on the Southbridge Towers complex open spaces, while still achieving the intended goals of bringing affordable housing to the area.

In addition to concerns about shadows, we question the overall lack of publicly accessible open space and attention to the public realm. We strongly recommend that more open space be

provided and that it be publicly accessible 24 hours per day. We recommend that the FEIS include a detailed site plan showing the proposed layout and amenities of the public open space, particularly at Peck Slip between Water Street and Pearl Street.

Historic and Cultural Resources

As emphasized in our DSOW comments, with its location in the South Street Seaport Historic District, the proposal will have significant impacts on historic and cultural resources. The FEIS must provide a detailed conservation plan for Schermerhorn Row. We also recommend transparency in archaeological monitoring and testing where possible during excavation of the development site and the area identified for the potential museum expansion. Lastly, we recommend coordination with LPC concerning any Construction Protection Plan (CPP) prepared.

Hazardous Materials

We are encouraged that the project has entered the New York State Brownfield Cleanup Program to remediate the significant on-site contamination caused by its prior use as a former thermometer factory and workshop. As recommended by Borough President Brewer, the City and the applicant must inform the public about ongoing remediation work, including, but not limited to, mercury delineation, soil borings, well monitoring, and groundwater sampling. We recommend the FEIS include the link to the State's website³ specific to the cleanup at 250 Water Street.

Alternatives

The lack of comprehensively evaluated alternatives for this proposal leaves the public and decision-makers with a dearth of information they should have a right to expect. This project was revised a great many times in dialogue with LPC. There is every reason to believe that a robust evaluation of alternatives could have found compromises that would achieve the developer's goals and worthy public benefits.

Conclusion

MAS recognizes the importance of developing 250 Water Street, especially since the site has remained a vacant parking lot for decades. We also underscore the significance of building affordable housing in high-opportunity and transit-rich areas such as Manhattan Community Board 1. However, we strongly urge that the principles embodied in the City's zoning policy actions for more than 40 years be respected. If permitted, this proposal would significantly depart from the City's zoning intent and may subsequently be a negative precedent for historic districts citywide. Lastly, questions concerning the transfer of development rights to a private entity and the South Street Seaport Museum's funding must be addressed immediately. Therefore, we urge the City Planning Commission to recommend disapproval of the project.

³ <https://250bcp.com/>.

REBNY Testimony | September 1, 2021

The Real Estate Board of New York to The City Planning Commission Concerning Application Nos. N 210439 ZRM, N 210441 ZAM, M 130053B ZSM, N 210445 ZAM, C 210438 ZSM (CEQR No. 21DCP084M) - 250 Water Street

The Real Estate Board of New York (REBNY) is the City's leading real estate trade association representing commercial, residential, and institutional property owners, builders, managers, investors, brokers, salespeople, and other organizations and individuals active in New York City real estate. REBNY supports the approval of the ULURP and non-ULURP actions (Application Nos. N 210439 ZRM, N 210441 ZAM, M 130053B ZSM, N 210445 ZAM, C 210438ZSM – CEQR No. 21DCP084M) to facilitate the development of a mixed-use building at 250 Water Street, Community Board 1, in the Borough of Manhattan.

250 Water Street is located in the South Street Seaport within the Special Lower Manhattan District. The site is currently occupied by an at grade parking lot that lies on the edge of, and within, the Seaport Historic District. Any development at this site requires both City Planning and Landmarks review to ensure its appropriateness to the historic district in terms of use, bulk, and programmatic nature. This level of review is appropriate given its proximity to Peck Slip and key historic assets and with the size of the site, the opportunity to bring significant new residential and commercial tenants to a vibrant neighborhood.

The Landmarks Preservation Commission has already determined that the design of the proposed project and its relationship to these historic assets is complementary and appropriate. The City Planning Commission (CPC) should also affirm the positive relationship the proposed building will have to its surroundings with a planning and land use lens. The requirements for the granting of a special permit are met by this application, including a better site plan and a better relationship among buildings, and a benefit to the City as a whole. The taller portions of the building are appropriate within the historic district and consistent with the built environment outside the historic district; the design maintains a consistent and appropriate streetscape in terms of height and setbacks; and the proposal fills a major gap in the surrounding neighborhood that significantly improves the streetscape. The setback waivers sought will not sacrifice access to light and air, so that the occupants and users of buildings in the area

and people using the public streets will continue to enjoy the streets' cobblestones and view corridors to the water.

The principal purpose of the Seaport subdistrict of the Special Lower Manhattan District is to preserve and protect the character of the South Street Seaport. The best way to do that is by protecting the South Street Seaport Museum, which serves as the steward of the district's history and caretaker of the ships that allow that history to be present and tangible. The proposed development will enable the long-term stability of the South Street Seaport Museum and the preservation of the district's cultural history through a \$50 million commitment to fund a secure, recurring revenue stream, and the expansion, restoration, and rehabilitation of the Museum property. Greater access to the historic district and its amenities, therefore supporting its commercial assets beyond tourism cycles, is important to the continued vitality of this neighborhood as well.

Proposals for development such as the one before the commission today are critical for the continued and future prosperity of the City, heightened by the need for economic recovery from the Covid-19 pandemic. The application at 250 Water Street will assist in the City's recovery by providing \$1.8 billion in economic impact, 2,500 permanent jobs, and 2,000 construction jobs. Importantly, the inclusion of over 100 affordable apartments at 250 Water Street for those earning up to 40% of Area Median Income would be the first affordable housing built in Lower Manhattan in recent decades. These permanently affordable units will provide opportunities for education and job access in one of the wealthiest zip codes in the entire country.

This development will provide funding for the South Street Seaport Museum, ensuring the preservation of the neighborhood's cultural history, and new housing, including affordable housing, aligned with the general purposes of the district and consistent with the goals of the Commission for the development of the city. We respectfully ask that the City Planning Commission approve the application package to facilitate the development of 250 Water Street. Thank you for the consideration of these comments.

CONTACT:

MADELEINE MCGRORY

Senior Policy & Planning Analyst
Real Estate Board of New York

212-616-5222
mmcgrory@rebny.com

August 30, 2021

Marisa Lago, Chair
NY City Planning Commission
Calendar Information Office
120 Broadway - 31st Floor
New York, NY 10271

**Re: 250 Water Street ULURP Application
South Street Seaport Historic District**

Dear Chair Lago:

The Lower East Side Preservation Initiative - LESPI - is writing to strongly oppose the Howard Hughes Corporation's application for a special permit for a new 25 story mixed use tower at 250 Water Street, within the South Street Seaport Historic District.

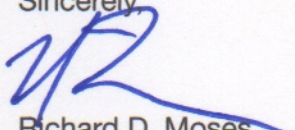
Permitting the construction of a grossly out-of-scale building within one of Manhattan's most important and popular historic districts is highly detrimental to the district's collection of unique and irreplaceable four and five story early- to mid-19th century historic commercial structures. In no way can this proposal be determined to be in conformance with the district's physical fabric and special sense of place.

Additionally, this use/abuse of the ULURP process - in effect a "gerrymandering" of the zoning map - to allow for an otherwise impermissible transfer of development rights sets a terrible precedent for historic districts as well as other neighborhoods throughout the city.

We respectfully ask the City Planning Commission to reject this application in its entirety.

Thank you.

Sincerely,



Richard D. Moses
President



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ANTHONY E. MANN
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RAYMOND M. POCINO
TODD RECHLER
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MICHAEL F. RUSSO
SCOTT SELTZ
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VICKI MATCH SUNA
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ELISE WAGNER
IRIS WEINSHALL
ELI ZAMEK

*Executive Committee Member

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MARILYN JORDAN TAYLOR
DANIEL R. TISHMAN
RICHARD L. TOMASETTI



September 1, 2021

**Testimony Before the NYC City Planning Commission
Regarding 250 Water Street and 89 South Street**

Good afternoon,

My name is Maria Free, and I am the Urban Planning and Policy Analyst for the New York Building Congress. On behalf of the Building Congress, we support the HHC proposal for 250 Water Street. At a pivotal time in our city, this project to provide affordable housing, create jobs and boost economic activity is critical.

Since our founding in 1921, the Building Congress has advocated for investment in infrastructure, pursued job creation and promoted preservation and growth in the New York City area. Our association is made up of over 550 organizations comprised of more than 250,000 professionals. Through our members, events and various committees, we seek to address the critical issues of the building industry and promote the economic and social advancement of our city and its residents.

As a 100-year-old organization, the Building Congress celebrates the lasting impact of the past on today's urban fabric. We appreciate how the project will complete the prominent streetscape by transforming a parking lot into a contextually appropriate mixed-use development, and how funding for the South Street Seaport Museum will restore the heart of the historic district.

Moreover, HHC has addressed community concerns related to height and massing. The current proposal creates a seamless transition between the more modern, tall structures lining a wide Pearl Street and the historic buildings on the narrower Water and Beekman Streets. The transfer of air rights will also ensure a low-rise waterfront for the neighborhood.

Lastly, with our city at a critical economic moment, this project will create at least 80 affordable housing units for extremely and very low-income New Yorkers; generate \$850 million in economic activity; and support more 1,000 construction jobs and 1,700 permanent jobs in the commercial, retail and non-profit sectors.

The Building Congress proudly supports this proposal and urges the Commission to support the land use actions necessary to mark 250 Water Street a reality.

Thank you.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Friday, August 27, 2021 1:25:16 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Katherine O'Sullivan**
Zip: **10034**

I represent:

- **Myself**
- **Other**

Details for "I Represent": **Inwood Preservation**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

We remain opposed to this out-of-scale development of 250 Water Street. It poses a dangerous precedent to all historic buildings and districts in the the city. The Seaport Museum's continued existence should not be used as leverage to impose this monster building on the Seaport Historic District.

From: [Patrick Quinn](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] IPIC Testimony Supporting 250 Water Street Proposal
Date: Wednesday, September 1, 2021 4:23:00 PM
Attachments: [image001.png](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@cyber.nyc.gov as an attachment (Click the More button, then forward as attachment).

Thank you for the opportunity to give my testimony via zoom. Below is a written transcript of my testimony in support of the project.

My name is Patrick Quinn, and I am here today representing IPIC Theaters – a nearby business located in the Seaport in the beautiful and historic Fulton Market building. We strongly support the HHC proposal to develop a mixed-use building at 250 Water Street that will spur economic development, add residential housing near transit, create permanent, deeply affordable housing in Lower Manhattan's affluent Seaport neighborhood, and generate funding for the Seaport Museum. At IPIC we take great pride in the look and feel of the neighborhoods in which we operate, and while we love the Seaport, we have been disappointed that years into our operation, 250 Water remains an unsightly gap in the cityscape. The parking lot at 250 Water is a major detraction from neighborhood and it impedes its walkability, particularly at nighttime. The construction of the building design that the Landmarks Preservation Commission approved will activate this block from morning until night, not only improving safety, but also improving neighborhood morale. This will reinforce the boundaries of the Historic District while staying contextual to its surroundings by being taller along Pearl Street and lower as it meets the interior of the Historic District. We truly believe the 250 Water project will transform the pedestrian experience throughout the Seaport by connecting critical blocks of the Historic District with a cohesive mixed-use plan. This will translate to increased engagement with the Seaport from residents already within the district as well as those outside who do not engage with the Historic District regularly – that's critical to the long-term sustainability of businesses within the district.

There are many businesses like ours struggling to survive because of the pandemic, and the addition of the roughly 270 apartments plus the 1,500 permanent jobs that the development will generate will support local business and add to the vibrancy of the community. For IPIC and other businesses to survive and for the Seaport to thrive, we need 250 Water to be built. This proposal solves so many problems the seaport district and the city currently face and does so through smart urban planning, all while respecting the district's architecture and guidelines – an incredible achievement.

We at IPIC urge this body to support the land use actions necessary to make 250 Water Street possible. Thank you for your consideration.

Patrick Quinn
Vice President, Real Estate



CORPORATE OFFICE

P 561-886-3235 x 706 | E Patrick.Quinn@IPIC.com

433 Plaza Real, Ste. 335, Boca Raton, FL 33432

IPIC.com | Join us on [Facebook](#) or [Instagram](#)

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Tuesday, August 31, 2021 10:58:25 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Carolyn Ratcliffe**
Zip: **10009**

I represent:

- **A local community group or organization**

Details for "I Represent": **Lower Eastside Preservation Initiative**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
Yes

Additional Comments:

The proposal for 250 Water Street is an out of scale and architecturally inappropriate building that will hover over one one of New York City's most important Historic Districts as well weaken the Landmarks guidelines for protecting Historic neighborhoods from predatory developers who have little if any regard for historic structures or neighborhoods. NYC needs to protect the remaining Historic Districts and individual landmarks particularly in Manhattan as there are not that many. The South St. Seaport is one of the earliest historic sites remaining in NYC. It needs to be protected from out of scale development.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Tuesday, August 31, 2021 4:55:26 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Sandy Reiburn**
Zip: **11217**

I represent:

- **A local community group or organization**

Details for “I Represent”: **Preserve Our Brooklyn Neighborhoods**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project?
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

Preserve Our Brooklyn Neighborhoods Re: 250 Water Street In Opposition Aug 31st, 2021 To Chair Lago and Commissioners, Preserve Our Brooklyn Neighborhoods (“POBN”), as advocates for historic preservation of streetscapes and buildings in Brooklyn, supports its neighbors and neighborhood organizations involved in the same concerns throughout New York City. After carefully looking at the Article 78 filed by the Seaport Coalition against the Landmarks Preservation Commission (“LPC”), we are in unanimous agreement that there are serious questions as to the failure of the LPC to follow the Landmarks Law. In flouting its mandate to protect and preserve our treasured places, by giving a rather sketchy ‘go-ahead’ to the Howard Hughes Corporation, that agency defied both their legal mandate and the spirit of their avowed stewardship. The Landmarks Law prohibits the City Planning Commission from issuing permits for this project unless and until the Landmark Preservation Commission has

issued a Certificate of Appropriateness (“CoA”). The LPC did not follow the Landmarks Law (Admin Code 25-301 and 307) when it voted to approve a CoA in May 2021, and the LPC action is currently being challenged in court. The City Planning Commission should wait to see whether the LPC’s CoA withstands judicial scrutiny. Foremost in mind, with all due respect, If the LPC decision is vacated, the entire ULURP process will have to be halted. Would that this alleged ‘affordable housing’ moral imperative actually help the underserved to get a roof over their head...well- yes, that would merit an honest contrast of opinions as to whether the ends justify the means here. But, anyone not under a rock (nor those who obviously have financial skin in the game) will say, this up-zoning is a farce. Indeed, this is a barely disguised appropriation of and erasure of NYC’s history and patrimony. It can never be accepted as a ‘public good’ and the question is how many more shameless giveaways by your Agency will be ratified? How complicit will you be in the further emasculation of community voice and residents’ ownership of its future and New York’s destiny as the unique place it has become as a result of preserving its hundreds of years’ footprints? Preserve Our Brooklyn Neighborhoods, and our members therefore urge you to reject this proposed rezoning. Please vote NO with NO modifications! Sincerely, Sandy Reiburn –President Preserve Our Brooklyn Neighborhoods 100 South Elliott Place Brooklyn, NY 11217

250 Water Street ULURP Talking Points for 9/1 City Planning Commission Hearing

Testimony from Sam Rivera, Executive Director, New York Harm Reduction Educators (NYHRE) and Washington Heights Corner Project (WHCP)

Introduction / Conclusion

- My name is Sam Rivera, and I'm the Executive Director of New York Harm Reduction Educators (NYHRE) and Washington Heights Corner Project (WHCP) in Manhattan. These 2 non-profits are in the process of merging into one organization to be called OnPoint, connecting medically underserved residents of Manhattan and the Bronx to culturally competent harm reduction services that combat public health crises disproportionately affecting their communities, including a dangerous intersection of the HIV/AIDS epidemic, the opioid epidemic, and the COVID-19 pandemic. While located in East Harlem and Washington Heights, we serve residents from all parts of the borough, including all neighborhoods in lower Manhattan – the Lower East Side, Chinatown, and the Financial District.
- I was born and raised on the Lower East Side, and I still have deep roots and connections to the Lower East Side community. I also have a close friendship with the actor, Luis Guzman, who is also from the same neighborhood, and who also continues to support the work that we do for marginalized communities in New York City. He recently gave me the opportunity to speak about the work of NYHRE and WHCP on his online show, and he also shows support for any community-based projects that create positive opportunities for people in lower Manhattan and in the neighborhood where we both grew up.
- **I strongly support the HHC proposal to develop a mixed-use building at 250 Water Street** that will spur economic development, add residential housing near transit and good jobs, create permanent, deeply affordable housing in Lower Manhattan's affluent Seaport neighborhood and generate funding for the Seaport Museum. I urge this body to support the land use actions necessary to make 250 Water Street possible.

Project Overview

- Before becoming Executive Director last June 2020, I was the Associate Vice President of Housing and Health Services at The Fortune Society – a reentry services organization that owns and operations 2 housing facilities that I oversaw in West Harlem. One was a transitional housing facility and the other was a mixed-use supportive and affordable housing facility that also offered supportive services on the first 2 floors of the building.
- **I can strongly attest to the importance of these types of affordable housing projects as I witnessed first-hand the positive impacts that this had on the entire neighborhood.** Over time, we expanded to provide healthy food to the entire community and to create a thriving rooftop community garden for the residents to participate in and enjoy together.
- **New York City needs more projects like this one** -- which encourages investment and is poised to be a robust part of Lower Manhattan and NYC's economic recovery.
- The proposal offers a vital and timely opportunity to bring affordable housing, jobs, and economic development to the Seaport and Lower Manhattan, when it is most urgently needed. The building design approved by the NYC Landmarks Preservation Commission, is respectful of the history and its urban context; it will transform this parking lot--enhancing the neighborhood and the Historic District. The plan is the product of a lengthy stakeholder engagement process, and the HHC/SOM team has been responsive to the community, its elected officials and the Community Board; they have refined their plan--lowering the building's height and bulk and incorporated significant benefits for the community and city as a whole.

Affordable Housing / Community Space

- In NYC, **there is an urgent need for housing, especially affordable housing.**
- In the area that comprises Community Board 1, essentially all of Lower Manhattan, the average family income is more than \$150,000, and there is next to no affordable housing.
- Proposed indoor community space will be programmed in consultation with local stakeholders.

Environmental Impacts, Resilience and Sustainability

- The 250 Water Street Project will meet or exceed regulatory requirements for resiliency and sustainability and will be **certified LEED Silver, at a minimum, with a goal to reach Gold.**
- This is so important and exciting – the mixed-use supportive and affordable housing facility that I managed called “Castle Gardens” in West Harlem was a LEED Gold-certified building. So, I know how important sustainable green buildings are to NYC and the positive environmental impacts that LEED-certified buildings have as we face the increasingly harmful effects of climate change.
- HHC is **committed to building resilience and sustainability throughout the Seaport:** The reconstructed Pier 17 is now above the 100-year floodplain and the reconstructed Tin Building has been relocated and built up six feet higher, also above the 100-year floodplain. And both structures are LEED certified.

HHC is good neighbor and community member

- **HHC is a good neighbor,** fostering a community spirit via diverse, engaging programming and support of a broad range of local civic groups, social service organizations and nonprofits.
- I’ve learned that HHC provided support to the Girl Scouts of Greater New York during the holiday season this past year, as part of the charitable donations that are distributed from registration fees at Pier 17. This is such an inspiring and generous way that HHC supports the community! We are excited to be exploring a partnership with HHC as well in ways that could potentially support the work of NYHRE and WHCP, as we are on the front lines in fighting the opioid crisis in NYC.
- **Throughout the pandemic, HHC has served the community** to deliver food and PPE, to support the local economy, to keep the waterfront active within safe public health parameters, and to ensure that local small businesses can survive.

Thank you for this opportunity to provide this support for the HHC proposal for 250 Water Street.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 1:30:23 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **VERONICA RYAN-SILVERBERG**
Zip: **10038**

I represent:

- **A local community group or organization**

Details for "I Represent": **Friends of DeLury Park**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

Given how precious our space, light and quality of life is at this point in time.....please do the right thing and choose the community's wishes for the preservation of our community and New York's fundamental historical beginnings over private/corp that have no other motivation except their monetary interests.



Seaport Coalition Petition and Signatories

On September 1 the following petition and signatories will be read aloud and entered as testimony against the 250 Water Street ULURP application at the City Planning Commission. Please sign this petition in solidarity against this proposed monstrous intrusion into the Seaport Historic District:

New York City is at a turning point!

We're on the verge of seeing entire neighborhoods controlled by private interests. Enabled by elected officials who have made deals with developers, zoning protections are being dismantled under the ruse of offering benefits for the community. And the frontier is in the South Street Seaport Historic District.

The Howard Hughes Corp., aided by an army of lobbyists, is not only pushing through a building three times the allowable height at 250 Water Street, but is now asking for a 99-year lease to super-size the public land it controls in the Historic District. If approved, this would set the stage for more zoning-busting building in this tiny District.

In 2015 the National Historic Trust placed the South Street Seaport Historic District on its endangered list. This prescient action anticipated that HHC would seek the approvals needed for what it calls "monopoly-like control" of the Seaport.

"Play off everyone against each other so that you have more avenues of action open to you," was a favorite saying of the eccentric billionaire Howard Hughes, whose corporate successor admitted to shareholders that they were using support for the South Street Seaport Museum and affordable housing as "political cover" for blowing up the zoning in the District.

Our Seaport Coalition welcomes any development at 250 Water Street that conforms with the existing zoning and Seaport Working Group guidelines and principles. Our financial plan will save the museum. We support inclusion of true affordable housing within the 120-foot allowable limit at 250 Water and 100% affordable housing on public land at 5 World Trade Center.

We want use of public air rights that benefits the public, not billionaire investors like Bill Ackman, the majority owner of HHC.

Their goal is corporate profit, at the expense of public interest.

We oppose the Howard Hughes Corporation plans for 250 Water Street zoning relief actions.



Adam Sinovsky	90 Gold St Apt 19K New York, NY 10038
Elaine Kennedy	333 pearl Street nyc 10038
Gregory Cooper	100 Beekman Street
Charles Chawalko	77 Fulton St. NY NY 10038
Bonita Schnapper	100 Beekman Street
Aaron David Landsman	219 E 7TH ST
Lisa	
Megan Malvern	99 John St
Fannie Ip	25 MONTGOMERY ST
Kara Kelly	49 West 69th Street 1B
Grant Malvern	99 John St
Ann Chawalko	100 Beekman St. NY NY 10038
Clark Malvern	99 John
Lisa C	2 Gold St
Regina Muster	77 Fulton Street
Linda Trujilla	East 21st Street
Sandy Reiburn	100 South Elliott Place Brooklyn, NY 11217
Eric Mehler	77 Fulton Street
Preserve Our Brooklyn Neighborhoods	100 South Elliott Place Brooklyn, NY 11217
Kim Watkins	100 St Nicholas Ave 6B 10026
Michelle Morgan	333 Pearl street NY, NY 10038
Steven Kanzer	90 Gold Street 25N, New York, NY 10038
Paul Bronstein	100 Beekman Street, 17D, NYC 10038
Michael Perla	333 PEARL ST
Rita Grolitzer	333 Pearl St #26B, NY 10038
Melissa Elstein	PO Box 732 NY NY 10024
Rona Kluger	100 Beekman St, Apt 15J, NYC
Glenn Wiliams	16 Park Place, Brooklyn NY 11217
Enid Braun	116 Adelphi Street, Brooklyn, NY 11205
Peter Davies	548 Broadway New York NY 10012
AnnMarie Sbarra	100 Beekman St #16L, NY NY 10038
Steven Kanzer	90 Gold Street 25N, New York, NY 10038
Jeffrey Wollock	55 Payson Avenue, apt 5E
Caroline Miller	275 Water Street Apt. 8, New York, NY 10038



Jena Liang	333 Pearl Street 26L New York NY 10038
Lucy West	165 Park Row 18A, NYC, NY 10038
Nick Himmel	71 Columbia St Apt 4D
Society For Clinton Hill	300 Dekalb Ave, Brooklyn, NY 11205
Yuliya Himmel	71 Columbia Street, Brooklyn, NY 11201
Anne Bush	478 Washington Ave., Brooklyn, NY 11238
Steven Kanzer	90 Gold Street 25N, New York, NY 10038
Selena Chan	
Laureen Ryan	Ny, NY 10023
Nancy Preston	17 Seaman Avenue
Adrienne Sosin	100 Beekman Street .23D NY NY 10038
Paul D Newell	65 Columbia Street
Patricia Ryan	333 Pearl Street (22L) NYC 10038
Marge Othrow	417 Washington Ave. Brooklyn NY 11238
Stacey Shub	100 beekman street, 7m
Shyaporn Theerakulstit	100 beekman street, 7m
Sky Marsicano	100 beekman street, 7m
Grace Lee	20 Broad St
Elana Reinholtz	
Kiet Ly	90 Gold Street
Eileen Rourke	100 Beekman Street New York NY 10038
Rita L. Houlihan	895 West End Ave. , # 5C NY, NY 10025
Jenna Mehler	100 Beekman Street #4K New York, NY 10038
Cory Mah	100 Beekman Street, 26N, New York, NY 10038
Elias Kirsch	
Angela Sama	90 Gold Street Apt 26A New York, NY 10038
Linda Edgerly	370 Central Park West
We oppose the 250 Water Street plan	Not to the project
Rosaria Sinisi	16 Clifton Place, Brooklyn, NY 11238
Michelle LaRocca	150 beekman
Ivana Edwards	401 East 88 Street, apt. 8F, New York, NY 10128
Jason Ng	100 Beekman Street New York, NY 10038
Pamela Wan	333 Pearl Street, Apt. 5J, NY NY 10038
Becky dole	90 gold street
Lauren Shub	1000 Dewing Ave Lafayette CA 94549
Elizabeth York	90 Gold Street Apt 4G, NY NY 10038



Marion Esparza	42 Peck Slip, Apt 4A, New York, NY 10038
Anne Troy	100 Beekman Street, New York, NY 10038
Renee Monroe	542 Broadway, NY, NY 10012
B B Hohenberg	5 Washington Mews
Robyn Ryan	333 Pearl St., Apt. 13B NY, NY 10038
Jeannine Kiely	121 Mercer Street, 5, NY, NY 10012
Jenny Iaroche	90 William Street, 8H
Deborah Paulus-Jagric	Rösetvägen 10, Landvetter, Sweden 43891
Warren Green	333 Pearl Street #16M, New York, NY 10038
Mandy Huang	299 Pearl Street, Apt. 5H, New York, NY 10038
Robert Sosin	80 Beekman Street Apt 5J
Robert C Adler	364 S Main St
Allie Ryan	648 E 11 St, #D1
Christopher J. Ryan	648 E 11th St, #D1
Roberta Propper	17 Rockledge Road Montville NJ
Leigh Behnke	543 Broadway NYC NY 10012
Donald Eddy	543 Broadway
Joel Sosinsky	100 Beekman Street - Apt. 23D
Barbara Mensch	274 Water Street 5R NYC 10038
Jonathan Radke	90 William St
Angela Terilli Malkin	77 Fulton Street, Apt. 11 H, NY, NY 10038
Jennifer Wollock	55 Payson Ave. 5E, New York NY 10034
Roger Manning	552 Broome St, NY NY
Lynda J Davey	276 Water Street
Inez Davey	276 Water Street
Ann-Marie Iraci	77 FULTON ST APT 26L
Elizabeth Quint	564 10th Street
Matthew Cowan	80 John Street #13G
Mary Clarke	52 Bond St
Robert D Rustchak	340 E 61st St. New York, NY
Wendy Cassidy	100 Beekman St 26C
Philip Vanaria	2 King Street / New York, NY 10012-2917
Leslie Kriesel	338 W. 11th St., NY, NY 10014
Betsy Nebel Schainholz	100 Beekman St
Keith Schainholz	100 Beekman Street, New York, NY 10038
Jordon Schainholz	100 Beekman Street, New York, NY 10038



Albert Kramer	brooklyn, ny 11218
pix freeman	130 Beekman St
David Fano	77 Fulton street
Alicia Fryc	140 Beekman street
Ashley Gange	30 alyssa drive
Rosalie Fryc	30 alyssa drive
Joseph Fryc	146 beverly hill road
Arlene gillespie	77 Fulton street
Keith gillespie	3 Hanover square apt 15 J
Alejandra Cata	325 EAST 72ND STREET-10-D
Theodore Scull	25 Sutton place south ny ny 10022
Marlene dann	82 Rutgers sLip, NY, NY 10002
W Ng	14 horatio st New York 10014
Donald Eckert	400 E. 14 St.
Victor Weiss	513 E. 13 st. #22
c l molloy	424 Vanderbilt Avenue Brooklyn NY 11238
Esther Blount	268 Elizabeth Street, New York, NY 10012
Sante Scardillo	425 West End Ave New York, NY 10024
Robert Petrie	35-40 75th Street
Irene Chaldaris	100 Beekman Street, Apt.#25D, NYC 10038
Bonnie Schnapper	77 fulton street apt 18c ny ny 10038
Binh lam	77 fulton street ny ny 10038
Quang tran	114 East 84 Street
Alida Camp	77 fulton street apt 22H ny ny 10038
Mindy chu	100 Beekman st
Danielle Bello	
Madeline campoverde	
Kirsten L Theodos	333 East 14th St
Judith Albert	40 East 10th Street, Apt 4L, New York, NY 10003
Linda Hellstrom	273 Water Street , Manhattan
Daniela Gallo	299 pearl street. 2 d
Linda Roche	333 Pearl St. #20L
Elaine Winters	333 Pearl St. #20J New York, NY 10038
Christopher Keating	90 Williams Street, New York, NY 10038
Johanna Choy	333 Pearl St. Apt. 16D New York, N.Y. 10038
Michael Roche	333 Pearl St. #20L



Diane Andreala	
Teri Zdzenski	
Rose Romano	7 Pamela Lane, Staten Island, NY
Leslie Gruss	143 Avenue B #PHB
Patricia Gilman	251 Seaman Ave. NY, NY
Gabby Goldstein	Queens, NY
James Michael Dolan	60 FIRST AVE
Lauren Woo	77 Fulton St Apt 26D, New York, NY 10038
77 Fulton Street	77 Fulton St. #24C
Steven Lieu	568 Broadway
Derrick Fung	1135 72nd St Brooklyn NY 11228
Barbara Jacobs	299 Pearl Street 5F, New York, NY10038
Jackie Goldstein	959 Park Place, Brooklyn, NY
J Sandy Eames	303 Mercer Street, New York, NY 10003
Mike Fang	40 gold st, #8C new york, ny 10038
Matt L Romney	45-15 45th Street
J Lau	77 Fulton Street
Ed Figueroa	110 east 177st
David Lau	77 Fulton St
Bradlee Koetz	
memo salazar	40-01 50th ave
Kerrie mohr	261 broadway apt 11A
Jean Villalba	100 Beekman Street, NY, NY 10038
Jared Brown	333 Pearl Street NYC
Janice Eidus	240 East 39th St
Allison Galanowsky	130 Beekman Street New York, NY 10038
Judith Waletzky	980 Sterling Place
John West	250 W 94 Street
Keith Gillespie	77 Fulton st apt 13d, ny ny 10038
Kristi Truong	8738 20th Ave, Brooklyn, NY 11214
Alicia Fryc	77 Fulton street apt 13d, ny ny 10038
Arlene Gillespie	146 Beverly hill rd, Clifton nj 07012
George Chen	1575 Lexington Ave, New York, NY 10029
Deborah Farley	4120 46 Street, Sunnyside, NY 11104
John Parker	117 Beekman Street 10038
Judy Moy	



Ann Marie Demaria	100 Beekman Street Manhattan
genna demaria	100 Beekman Street Manhattan
m. campo	184 Bowery
Christina mcleod	82 Beaver Street Apt 401 NY NY 10005
Mike Demaria	310 Greenwich Street NY NY 10013
275 Water Street #4	275 Water Street #4
Jenny L Low	354 BROOME ST
Carolyn Coffey	77 Fulton St Apt 22C
Mary Lou Houston	130 Saint Edwards St. Apt 9A Brooklyn NY 11201
Carol Davis	8 Spring St
Lorraine Mauro	90 Gold St Apt 7M
Maggie Siena	378 Vanderbilt Ave Brooklyn NY 11238
Robert K. Woo	77 Fulton Street
Carol Mauro Vaccaro	77 Fulton St Apt 7M
Danny Coffey	77 Fulton St Apt 22C
Denise Greene	207 E 74TH ST
Nicole Kelly	56 Leonard St ny ny 10013
Hailey Coffey	77 Fulton St Apt 22C
Lora Tenenbaum	423 Broome Street, New York, NY 10013
Ann McDermott	225 East 82nd Street, 4A, NY, NY 10028
Barry Silverberg	77 Fulton Street, New York, NY 10038
Martin Chen	514 60th street
Maggie Clarke	1795 Riverside Dr, #5F
Penny Jones	
Nancy Kong	170 Park Row
John Kastan	240 East 39 Street NY NY 10016
Danielle Cyr	172 Union Street
Nicole Rossi	265 Water Street Apt 8
Freya Sakamoto	80 Beekman Street Apt. 6G New York, NY 10038
Thomasina LaGuardia	333 Pearl Street – 25D
Cynthia Crane Story	8 SPRUCE ST APT 38F
Theodore Story	8 SPRUCE ST APT 38F
Leslie Warren	104 Pine Top Trail
Holly Rothkopf	New York, NY
Melissa Harkins	99 John Street, New York my 10038
Cynthia Kirsch	27 Burnage Ln



Nick Stone	50 Pine Street, #5s
Ellen Schaffer	11 Riverside Drive, Apt. 8PE, NYC, 10023
Michael Amoyaw	
Marla Pinsky	117 Beekman 6a 10038
Beth Robbins	100 Beekman St
Barbara Malmet	100 Beekman Street NY NY 10038
Barbara Good	
Debbie Stoller	320 Carroll St., Brooklyn NY 11231
Carl Feinman	100 Beekman Street 12J
Mauro Rossi	265 Water Street, apt 8
Judith Davidsen	689 Columbus Ave #17g
Sara Driver	184 Bowery Apt 5
Terry L. Harlow	100 Beekman Street
CHAY COSTELLO	80 BEEKMAN ST
Deirdre MacNamara	119 Payson Avenue, NYC NY 10034
Amy Lehr	77 Futon Street
Ralph Lewis	206 Bowery
Rosemary Birardi	265 Water Street, 7th Floor, New York, NY 10038
Nancy S Linden	1601 Guilford Ave, Suite 1-S, Baltimore MD 21202
Alex Hart	105 Jayne Avenue Patchogue NY
Mary Oleske	59 The Neck, Manhasset NY 11030
Bruce A. Center Ph.D.	90 Gold Street #18C New York, NY 10038
Michael M. Oleske	59 The Neck
Marna Lawrence, Member of Little Italy Neighborhood Association	19 Cleveland Place, #1D
Robin Wright	265 Water Street NY NY
Danielle Romano	77 Fulton St. Apt. 14C NY, NY 10038
Margaret Maietta	77 Fulton St. Apt. 14C NY, NY 10038
Jill zilker	90 beekman street
Susan Simon	370 Central Park West NY
Wallace Dimson	80 Beekman Street - Apt. 6F NY NY 10038
Amy Greenhouse	100 Beekman Street Apt 8e New York, NY 10038
ELINA AZRILYAN	100 Beekman St
Marc-Alain Galeazzi	117 Beekman Street
P. Chan	
Finely AscensoAyala	90 Gold Street
Erik Ayala	90 Gold Street



Beth linskey	233 West 99Th St
Peggy Vena	77 Fulton Street, Apt 5K
Young Jung Soe	90 Gold Street 17D, New York, NY
Patrick Tully	100 Beekman Street, #20A
Daisy Paez	410 Grand St
Ann Tovar	333 Pearl St Apt 2d
Carol Davidsen	100 Beekman st, #15N, New York, NY 10038
Kristiana riggio	333 pearl street apt. 11L New York NY 10038
Thelma Sandoval	333 Pearl St. Apt. 27-A, NYC 10038
Anthony Simonelli	100 BEEKMAN ST APT
Toni Palmieri Rossi	333 Pearl street -5d
Ellen Bradshaw	100 Beekman St Apt 25N, NY, NY 10038
Wallace Dimson	80 Beekman Street - Apt. 6F NY NY 10038
Joseph A Morrone	90 Gold St. Apt 10K
David K Eng	77 FULTON STREET, #14H, New York NY 10038
Mary Poon	333 Pearl Street, New York, NY 10038
Alex Vayl	90 Gold Street 14g
Antonio Garcia	100 Beekman at
Jeanne LoBasso	333 pearl st apt 14e
Ralph O. Ortiz	100 Beekman ST. Apt. 8D N.Y.C., N.Y.10038
Melissa Exelberth	100 Beekman Street
Ken Roe	90 Gold st
Robert Petito	333 Pearl St, Apt. 5B
Janet Mainiero	100 Beekman Street 10038
Jennifer Lee	90 Beekman street
Erica foley weldon	100 beekman street ,ny ny 10038
Michaela Deiss	117 Beekmanstreet street
irene jeng	77 Fulton St
Warren Lee	90 Beekman Street
Alison Weig	333 Pearl St
Joshua D Schapiro	77 Fulton St., New York, NY
Scott Forston	100 Beekman St #1H, NY, NY 10038
angelo dimino	333 Pearl Street apt 22C, New York, NY 10038
Richard Waxman	333 Pearl St. Apt. 21B New York, NY
Callie Fanelli	299 Pearl Street
Anthony Romano	77 FULTON ST



Louise Vedder	333 Pearl St.Apt 21A, New York, NY 10038
Andrew Feiwei	71 Broadway
Barbara Maietta	333 Pearl St.
Mary Ann Kimes	2 Gold Street Apt 28C NY NY 10038
Jesse Mandel	77 Fulton St., Apt.. 21D NY, NY 10038
Linda Palombo	100 Beekman Street Apt 21B
Peter Fry	333 Pearl st
dominick lau	333 pearl st. apt 5e, ny, ny 10038
Michael Burke	333 Pearl Street
Phyllis McKeen	333 Pearl Street apt 12D
Theresa Riggio	333 Pearl street apt 14D
Robert Perea	80 Gold Street, NY, NY
Martin Flamm	90 Gold Street
William Strom	90 Gold Street
Marshall Fine	100 Beekman Street 11N
Dana Levine	100 Beekman Street 23J NYC NY 10038
Beatrice Aparo	100 Beekman Street 17C
Vincent Aparo	100 Beekman Street 17C
Rose Cohen	90 Gold St.
Lisa Arnone	299 Pearl Street, NY, NY. 10038
Guyan Liu	333 PEARL ST
Todd Fine	188 E 64th Street, New York, NY
Joseph Ng	90 Beekman St Apt 4D New York, NY 10038
Jennifer Potter	299 Pearl Street
Ellen Weiss	333 Pearl St , NY, NY 10038
Nicole Gruenthal	475 Clermont Avenue Brooklyn, NY 11238
Esta-Gail Reisman	333 Pearl St., Apt. 25B
Robert beard	344 West 72nd street
Derrick Leary	117 beekman street
EVELYN J. KATZ	77 FULTON STREET (APT. 20 L), NEW YORK, NY 10038
Sonia Sullo	100 beekman st
Paul Handlarz	100 Beekman Street Apt. 24K NY NY 10038
Thomas Leong	90 Gold Street
Rena Eve Liad	333 Pearl Street
ANA STOYANOVA	77 FULTON STREET APT12H NEW YORK NY 10038



SANDRA Ng	77 Fulton Street
Carmen lau	77 Fulton street
Linda Gonzalez	77 Fulton Street, NY NY. 10038
Elizabeth Barr	90 Gold Street, 14A
Carolyn & Michael jaffe	77 fulton st 23m
Diane Cade	100 Beekman Street
Elizabeth Jaffe	410 mountain. Rd
Louis Linden	1601 Guilford Ave., #1-S Baltimore MD 21202
Carol A. Mirra	100 Beekman St. #6D
Lillian Lai	77 Fulton Street
Stephen Seifer	333 Pearl Street 7B
John Kefer	333 Pearl Street, NY, NY 10038
denise s sturm	333 Pearl St. Apt. 9K New York 10038
Kathryn Kallison	80 John Street
Annie Polyn	90 Gold Street, 10038
Shari L Mathieu	66 Frankfort Street, Apt 3E
Michael Michele	90 Gold Street Apt 27C New York, NY 10038
Jeannine Michele	90 Gold Street Apt 27C New York, NY 10038
Anthony Michele	90 Beekman St Apt 5K New York, NY 10038
RISA M STEINBERG	299 PEARL STREET APT 6L
Rae Ann Michele	90 Beekman St 5K New York, NY 10038
Stephen Chio	90 Gold Street, 26E, New York, NY 10038
Erging Qiu	77 Fulton St, NY, NY 10038
William Bellotti	333 Pearl St Apt 10C
Mimi Yee	90 Gold Street
Derek Ng	333 Pearl St 3C NY NY 10038
Danny Dong	90 Gold Street
Kenny U. Grant	100 Beekman Street
Jayson lam	77 Fulton street New York, NY 10038
alton bader	333 pearl st 19E
Samantha D	90 Gold Street, NYC
Shek Mark	90 Gold St
John Siemers	90 Gold St, Apt 16k, NY, NY. 10038
Wendy cassidy	100 Beekman st 26C
Barbara Schatz	90 Gold St 16K New York NY 10038
Jeffrey Jung	299 Pearl Street Apt. 1C New York, NY 10038



Connie Murray	35-15 34th Street, Apt. C21, Long Island City, NY 11106
Zully Colon- Papa	333 PEARL ST APT 19N
dung minh chao	77 fulton st 18d ny ny 10038
Alberto Longo	117 Beckman street apt. 6A
Layla Luciano	77 Fulton Street NYC 10038
Sandra Lu	333 Pearl Street
Hemant Patel	77 FULTON ST
Katherine O'Sullivan	1825 Riverside Drive
Andrew	14 orchard street
Susan Vuong	77 Fulton Street #18D
Lin Drury	333 Pearl Street, 10 F NY, NY 10038
Ronald G. Wing	77 Fulton Street, #5H, NY NY 10038
Janice Gehlmeyer	77 Fulton Street, New York, NY 10038
Luba Holiwinskyj	77 Fulton Street, NYC, NY 10038-0042
DAVID EPSTEIN	100 Beekman St
Cheryl Bass	338 West 46th Street Apt 2F NY, NY 10036
Susan Spiller	1 Hanson Pl, 16B 11243
Ron Sosinsky & Toni Kaufmann	90 Gold St, apt. 11K
lynn	80 beekman street
Triada Samaras	2nd st. Brooklyn ny 11231
Jason Clarke	480 St Marks Ave, Brooklyn NY
Michael Bruno	12275 Millenium
Daniel Chang	
Sally Young	235 east 5th street apt.7
barbara trazino	77 fulton street, apt. 13-A
William Wong	100 Beekman Street 11H
Lillian Catucci	77 Fulton Street
Amy Chan	77 Fulton st, New York, NY 10038
Richard Letizia	100 Beekman Street 15c
Rosemarie Ferrara	100 Beekman Street, New York NY 10038
Audrey Mangual	100 beekman street
Victor Pascarelli	100 Beekman street New York NY 10038
grainne fox	26 Beaver Street
Yin Tung	299 Pearl St Apt 4H
Jennifer Uzzi-Silverio	299 Pearl St Apt 3D NYC NY 10038
Daniel Silverio	299 Pearl St, Apt 3D, NY, NY 10038



June Torracco	77 Fulton street Nyc ny
Ed stemmler	429 E High St
Michael DiSerio	90 Gold street Apt. 11 H
Diana Federman	100 Beekman St. Apt 9H, NY, NY 10038
Diane Johnson	90 Gold St. New York, NY. 10038
Lori Ruth Federman	90 Gold St, apt 14G, NY, NY, 10038
Walter Silverman	333 Pearl Street
Iris Zeller	90 Gold Street
Jenny Yun	90 Gold Street, #14E, NY, NY 10038
Daniel McHenry	43-14 40th St. #3 Sunnyside NY 11104
Diana Kennedy	505 LaGuardia Place, NYC, NY 10012
Alberto Longo	117 Beckman street apt. 6A
Michael Kramer	
Peter Scimone	9 Knollcrest Rd
Nanci Lanza	350 W 50 ST, Apt 29i
Andrew Scimone	407 Drake Hill Road Freehold NY 12431
THOMAS BRACONI	7 Garden Ln commack ny
John A. Riccioli	333 Pearl street, Apt. 21C
Monetta Harris	90 Gold Street Apt 17E
Wendy Frank	255 W 148th Street
John Drake. I oppose the plan	77 Fulton Street, Bld. 2 Apt 23 J
Elizabeth Martin-Ruiz	66 Frankfort St. , Apt 5A
Thomas Letizia	21-11 utopia parkway
Xiao Lu	100 Beekman St
Thomas Letizia	58-02 207 street
Paul Epstein	60 Cooper St, New York, NY 10034
MW Yuen	77 Fulton St NY NY 10038
constance m vrakepedes	100 beekman st, Apt 21a
Kristiana riggio	333 pearl street apt. 11L New York NY 10038
Elizabeth Brudniak	77 Fulton Street Apt. 6A
Eric Cheng	77 Fulton St #22G New York, NY 10038
Onawa Gigliotti	678 Vanderbilt Street
James Gigliotti	77 Fulton street
Michael Head	24 Aqueduct Ln, 6
Milagros Morales	333 Pearl Street
Anne Tjaldal	100 Beekman St. Apt 22G NYNY



Kevin Chu	77 Fulton St
Melissa Chan	100 Beekman street NY NY 10038
Liza Siu	90 Gold St
Yuk Foon Siu	90 Gold St
Donna Drake	77 Fulton Street, Apt. 23J
Kevin Shih	80 GOLD ST APT 4H
Suk Yee Li	90 Gold St
Vicky Ng	
Vincent Park I, Norah Tang, oppose the Howard Hughes Corporation plans for 250 Water Street zoning relief actions.	100 Beekman Street, New York, NY 10038
Marcela Cona	333 pear st.
Linda Louie	333 Pearl Street, Apt#15N. NY NY 10038
Joe Brown	32-38 34th street
Peter Yan	333 Pearl St
Jody Wolfson	77 Fulton Street apt 17C New York NY
Walter gilroy	
Mike braconi	55-23 31st ave woodside ny 11377
Ripton Rosen	
Milton	66 Frankfort Street
Carlos Suarez	
Edward Ma	333 pearl Street, #10H, NY, NY 10038
Robert Multari	77 Fulton Street Apt. 7E
Nina Pinkhasova	100 Beekman street, Apt.23G
Nina Pinkhasova	100 Beekman Street, Apt.23G
Dianne Griffen	
Philipp Engelhorn	11 Spring Street
Cameron Yates	11 Spring Street, Apt 2
Lauren Burger	11 Spring Street, New York, NY 10012
Siobhan Maguire	333 Pearl St.
Lorraine Aufforth	77 Fulton Street 27A, New York, NY 10038
M. David Levin	100 Beekman St apt 10L
Ann Hillman	333 Pearl Street
Michelle LaRocca	150 beekman
janet C.Ross	19 East 72nd street
Eileen Ho	100 Beekman Street, 13G, NY, NY 10038



Sarah Cody	80 Gold Street
Dorothy T Globus	889 Broadway NY NY 10003
Patricia Kwok	90 Beekman Street, #6J, New York, NY 10038
Beth Low	100 Beekman St NYC 10038
Dennis Devine	333 Pearl Street NYC NY 10038
Antoinette Thornes	40 Water Street, NY NY 10004
Oliver Zeller	100 Beekman Street, Apt. 11A
Jill zilker	90 beekman street
Nico Sowi	265 Water St
Anthony Camisa	299 Pearl Street
Jen Chantrtanapichate	638 E 6th St
Vittoria Fariello	225 Broadway, Suite 2900
CHARLES FEELEY	77 FULTON ST APT 9D
William H. Payne III	100 beekman street 27n ny,ny 10038
Marlene H Greene	77 FULTON STREET APT15L
Briar Winters	157 Rivington Street , New York, NY 10002
Elizabeth Kasowitz	100 Beekman St, Apt 8M
Roy Jackson	311 Johnson Street New Bern NC 28560
Roy Jackson	311 Johnson Street New Bern NC 28560
Becky dole	90 gold street
Michelle Devine	333 Pearl Street, Apt. 17N, New York, NY 10038
June Wohlhorn	333 Pearl Street Apt 10A
Beth Lasky	100 Beekman St
Richard Uzzi	3586 Freer Hollow Rd, Walton, NY 13856
Karen Uzzi	3586 Freer Hollow Rd, Walton, NY 13856
Richard Uzzi	3586 Freer Hollow Rd, Walton, NY 13856
Eileen Keeffe	100 Beekman Street, 23F, New York NY 10038
Joel Greenberg	274 Water Street, #4F, New York, NY 10038
Mildred santiago	77 Fulton Street
Barbara DeGiaino	100 Beekman Street
Ralph Bishop	90 Gold Street, Apt 20C
Dan Martinez	277 Nassau
Morgan Rosen	
Marina Torbey	
Young Han Lee	90 Gold Street 17D
Lorena Schaeffer	333 Pearl St Apt 19K, NY NY 10038



Abgiall Kong	333 Pearl Street
Dan Reed	263 Manchester Avenue
James Stith	333 Pearl Street
Hannah Porro	333 Pearl Street
Anne Kong	333 Pearl Street
David Kong	333 Pearl Street
Casey Lee	333 Pearl Street
Cheryl Sorrentino	299 Pearl St. 2G
Sam	100 Beekman St
Jennifer Fratta	77 Fulton Street, NYC
Robert Ripps	65 North Moore Street #4A
Mary Spelman	1339 79th Street, Brooklyn, NY 11228
Louise McAndrews	66 Frankfort St New York, NY 10038 40 Madison Street #1C, New York, New York 10038
Johnny Cho	77 Fulton Street, New York, NY 10038
Tanya Lee	66 Frankfort Street, New York 10038
Stephen Zhu	90 Beekman St Apt 4C NY NY 10038
Paul Kefer	100 Beekman st
Lauren Goldman	333 PEARL ST
Queenie Ng	308 East 6th Street
Jean Standish	17 Murray St, New York, NY
Anthony Antonucci	333 Pearl St
Gregory DeRosso	372 Central Park West
Catherine Unsino	100 Beekman street
Tiffany Robbins	15 Millers Lane New Hyde Park 11040
Rosie Kennedy	East Village
Dalcini Canella	71 Broadway
Andrew Feiwel	100 Beekman st
Valeriya Tolpygina	
Alexander Tolpygin	
Lana Markov	
Eugene Mar	
Denise Lunetta	77 Fulton Street, Apt. 8D, NY, NY 10038
Elisa DELAROCHE	155 West 68 Street
Tim Pon	77 Fulton St. Apt . 16L, NY, NY. 10038
margaret zappola	333 pearl streetapt 18j
margaret zappola	333 pearl streetapt 18j



Anne Fealey	Pearl Street
Nick Zaccarelli	100 Beekman Street
Carlos Luna	77 Fulton ST.
Janine Cirincione	299 Pearl Street
Maxine Hayden	11011, 72nd. Avenue, Forest Hills, NY, 11375
Kate Finneran	
Alan and Jane Mileaf	77 Fulton street
Loretta Letizia	58-02 207 Street
Liza Siu	90 Gold St. NY NY 10038
vivian caro	35-28 crescent st
Danielle Chalmers	307 Lewis Ave Brooklyn NY 11221
Luke Nilsson	60-17 Linden Street
Nina S	331 E33rd st NY NY 10015
Jill Lopez	
Hannah Lee	100 Beekman St.
Sharon Norris	171 W 80th St. #2 NY NY 10024
Theresa Russo	90 Gold Street, 9C, New York, New York 10038
Stefano Greco	312 E 30th St
agata	zmudka
Annelise	2846 Cordella St Blacklick, OH 43004
John F Backe	139 E. 35th St.
Mandy Wang	333 Pearl St
Lauren lewis	3130 9th st Boulder CO 80304
Maggie Dallal	75 west street 10006
Mary Tam	77 Fulton Street
Patricia Duggan	15 Millers Lane New Hyde Park NY 11040
Abbie Buhr	
Abbie Buhr	
olive freud	305 west 72nd Street 8b
Sui Chan	77 Fulton Street New York, NY 10038
Marcus Brandt	
Mike Rubio	90 Gold Street #26M
Gina Rizzi	
Ellen McDonald	100 Beekman Street #3K, NYC 10038
Steven Bitkower	4820 NE 23rd Ave, 204
Antonio Garcia	100 Beekman at



joseph lerner	333 pearl street nyc 10038
Mike McCabe	39 Dikeman St., Brooklyn, N.Y. 11231
Toni	90 Gold St Apt 11 K, New York
Susan P. Fino	23530 Evergreen Rd. Southfield. Michigan 48075
Donna Reed Zaleski	11 Zaleski Dr., Sayreville, NJ
Evette Everett	100 Beekman Street
Mihal Skaggs	3009 Dell Ave, Venice, CA 90291
Theo Chino	640 Riverside drive, 10031
Frances Christ	26 Manor Road, Lynbrook NY 11563
Manny Gomez	50-05 43rd ave Woodside NY 11377
Ana Gomez	50-05 43rd ave Woodside, NY 11377
Sara Beck	Topsfield, MA
Kathy Lewin	100 Beekman Street, 23 e
Fred Waltzer	100 Beekman Street, 23e
Margo margolis	16 crosby st , New York, New York, 10013
Silvia Barba	504 Spinnaker Court
B. A. Warren	
Sean C Reed	221 Lake Ave
K Puls	E. 9th Street
Elissia Steinberg	35 Alameda Drive Wayne NJ 07470
Mitchell Steinberg	35 Alameda Drive Wayne NJ 07470
Alexa ryan	211 w 20th street
Emily Hellstrom	66 CROSBY ST
John Marino	66 CROSBY ST
elisabeth steinberg	35 Alameda Drive
Mark A. Seedman	77 Fulton Street, Apt 10 C
RUTH ISAACS	25 WOODLAWN DR
Mary Lou Imbornone	333 Pearl Street, NY,NY 10038
Anthony Imbornone	333 Pearl Street, NY, NY 10038
Deborah Wong	333 Pearl St. NYC
Tracey Reed	4 Alwood Lane
Tatiana Kolesnikov	333 Pearl st NY NYC 10038
Sook Ling Lai	90 Gold Street apt.9L N.Y.,N.Y.10038
Robyn Ryan	333 Pearl St., Apt. 13B NY, NY 10038
Denis Gorman	Seaport, Ny, NY 10038
Michael schreiber	133 Wooster Street



Michael McFadden	333 Pearl Street
Robert Licause	190 8th St
Diane Harris Brown	333 Pearl Street - apt. 20 C
Ellen Tepfer	99 John Street Apt 1602
MAUREEN NATOSI	265 Main Street
Lena Melendez	565 W 162 St
Melissa Carrasquillo	333, Pearl Street 21N NY, NY, 10038
tamara daley	210 east broadway
William Wong	333 Pearl St., Apt. 26L
Cara Galowitz	77 Fulton Street 26G
Vlad Polishchuk	333 Pearl Street, Apt 4N
Glenda Katherine Lee	100 Beekman Street apt 3M
Jennifer Belt	341 Saint Johns Place, #2F, Brooklyn, 11238
Zina Skyers	77 Fulton str ny,ny 10038
Jill Gelbach	139 East 35th Street, NYC
Zina Skyers	77 Fulton str ny,ny 10038
Rebecca Klinger	100 Beekman St. Apt 24N 10038
Brian Monney	Pearl Street NYC
Elizabeth Williams	26. BEAVER STREET FLOOR 9
CAROL MIRRA	100 BEEKMAN STREET #6D
Zada Rose	40 Harrison St.
Barbara Mensch	274 Water Street 5R
Samara Glazer	77 Fulton St Apt 22k NY,NY 10038
Dirk Kaufman	720 Decatur Street, Brooklyn, 11233
Mandy Naglich	10 hanover square, 18D new york ny
Lydia Broer	13334 Anchor Village. Clearlake Oaks CA
Michael Flynn	33 High Street, Katonah, NY, 10536
Beth Krone	6818 Bay Cliff Terr Brooklyn NY 11220
john conte	90 Gold Street, Apt.8D
Robin Warshay	90 Gold Street/10C 14525 Spanish Breaks Trail, Gallatin Gateway MT 59730
Doug Rand	
Daniel Boyar	
Steven Xiong	3 Allen St. apt. 9 New York ny 10002
Kerry Glendinning	77 Fulton Street apt 9m
Marilyn Fiordilino	131 Wintergreen Drive
Zandra Cooper	70 East 10th Street New York NY 10003



Felita Hugo	100 Beekman Street #8G
Michael Yamin	206 East 30 th St. NY NY 10016
Bonnie H Walker	110 Seaman Avenue, Apt. 9H, NY, NY 10034
Donna Repsher	PO Box 666
Neil Mossberg	130 Beekman Street
Maggie Boepple	75 Grand street NYC
Debra Florez	229 Front St
Morning Slayter I oppose the Howard Hughes plan to build a skyscraper in the South Sttreet Landmark district.	115 South Streeet, 3R, NY, NY 10038
Frances M Curtis	100 Beekman Street apt 8B
Catherine Jones	220 Front Street
willard boepple	75 grand st #6 New York. NY 10013
Caryn Kanzer	315 eighth Ave ny ny
Donna Padula	333 Pearl Street NY NY 10038
gregory Sholette	119 Payson Avenue
Susie Lodise	229 front street #4E. NYC 10038
Bridget Schuy	100 Beekman St., NY, NY 10038
Michael Schuy	100 Beekman St., NY NY 10038
Salvatore Trizzino	473 FDR Drive, NY NY
Barbara Schry	700 Victory Blvd., SI, NY
Roi Sasson	
Jeanne Ruskin	11 Seaman Ave 385 Greenwich aka 71 North Moore, Upper Floors, New York, New York 10013
Victoria Hillstom	
Edoardo Bellando	180 Cabrini Blvd. New York NY 10033
Nora Ahmed	29 cliff st., apt# 11B
heath downes	6818 Bay Cliff Terrace
Robin K. Berson	80 La Salle St. #20F
Alice Sturm Sutter	251 Seaman Ave apt 1E
Hannah Elmer	
Anthony Glover	22 Marble Hill Ave., Apt. 4G
Allen Shifrin	600 W. 239th Street, Bronx , NY 10463
Marcelle Sweet	Gold st
Jennifer Jager	274 Water st New York, NY 10038
Gordon(Greg) Lee	1 St Pauls Ct SUITE 1K
ed figueroa	110 E 177th St#1G
robin schorr	333 Pearl St



Derek Mccants	333 Pearl St
Zoya Kocur	50 Park Terrace E, NY, NY 10034
Lois Evans	475 W 57TH ST, apt 28A NY NY 10019
Zephyr Sosin	80 Beekman Street
Mary Lou Levine	113 Ferry ct. Stratford
Michael Houston	14 Glen Avenue
Mary Panzer	687 west 204th st. 6F
Bryan	251 Seaman Ave
David Barouh	1350 East 5th Street, Apt 5N Brooklyn NY 11230
Susan Abraham	1920 Sedona Paseo lane Las Vegas Nv 89128
Carolyn Murtaugh	25 Indian Rd - Apt 5F
harry waizer	94 Highland Rd
Wilmer Jerald Van Dyk	254 Seaman Avenue
Judith Pierce	1625 Tenth Ave, Bklyn, NY 11215
Ernesto L Martinez	1604 East Loeb Street
Fred Murphy	117 Beekman St. New York , NY 10038
Joy Y Yagman	90 Gold St 10 N NY NY 10038
Alan P Odber	627 Avenue Y Brooklyn, NY
Robert Gold	11852 Lion Cub lane, Charlotte,NC 28273
Gail k Haspert	745 Lola Lane
Edward Ma	333 Pearl Street, #10H,NY, NY10038
Jean Claude Aron	552 Sterling Point Drive
Zeke Berman	270 Water St. 2F
Edward Ma	333 Pearl Street,#10H,NY,NY, 10038
Carol Harrison	100 Beekman Street
Rebecca Kreinen	104 e 97street 5b nyc 10029
Paul	100 John St, NY, NY, 10038
Rose Imperato	226 East 83rd Street, New York, NY 10028
Margaret Cooney	66 Frankfort Street, New York, NY 10038
Kari Sigerson	720 Decatur St
Carla Bauer	165 Duane Street
Chuck Levey	165 Duane Street
Wayne D. Price	80 Knolls Crescent-2M, Bronx, NY 10463
Angela DEMASI	100 Beekman Street
Bob Nathanson	795 Columbus Ave NYC 10025
Ling Chan	



Ellen Weiss	333 Pearl ST ny, ny 10038
Edward Schulman	100 Beekman St. Apt. 27L
Amy Harlib	212 West 22nd St. #2N
Chuck Seto	333 Pearl Street Apt. 20M New York NY 10038
Suk Seto	333 Pearl Street Apt.20M New York NY 10038
Phyllis McKeen	333 Pearl St apt 12D
Sandy Llauguet	103 Benson Street, West Haverstraw, N.Y. 10993
Anne Price	80 Knolls Crescent 2M Bronx NY 10463
Suzanne Pred Bass	123 West 93rd Street
Dave Yarwood	600 W Main St, Apt 219, Durham, NC 27701
Beth Adler	303 Mercer St
Veronica B Lopez	4603 Colony Road, Apt B, Charlotte, Ny 28226
Arlene M. Aron	552 Sterling Point Dr
Rommy Sasson	65 Nassau Street
Ray Rogers	PO Box 1002 Cooper Station NYC 10276
Patricia Sprofera	1935 80th Street - Apt. 2 - East Elmhurst, NY
Craig Erickson	Brooklyn, NY
Carol Cole	333 Pearl Street 20K
Richard Dorfman	9931 64th Ave #D4 Rego Park, NY 11374
Lindsey Boylan	Chelsea
Stanley Allen	274 Water Street, NYC
Victoria Klippel	77 Fulton Street NY NY 10038
Joan Murphy	3707 Glen Ave, Baltimore, Md. 21215
Christopher Marte	
Katharine Kevill	201 West Broadway Apt 317
ELIZABETH PICCIONE	2259 EAST 28TH STREET, BROOKLYN, NY
Joan Murphy	3707 Glen Avejoanie
Miriam Enright	
Claudia Arger	333 Pearl Street NY NY 10038
Janet E Vetter	33 Central Avenue #3E
Jennifer Adrian	264 Water St., Apt Ph-C
Polly Apfelbaum	274 water st apt 3f NYC 10038
Shannon Lee Gilstad	
Suzana Peric	117 Beekman Street, NYC10038
Tasha Gill	274 water street
Roberta Belulovich	100 Beekman Street, New York, NY 10038



Angel Chavez	100 Beekman Street. #6C	
Carol Auman	100 Beekman Street.	
Andrew Chavez	322 East 11th Street	
Julia Mair	11 Seaman Avenue	
Ruth Siekevitz		
Joseph Liu	90 Gold St	
Barbara Lerner	333 PeRI St. apt. 17d ny my 10038	
Landy Pheloung	274 Water St	
Mary Decker	274 Water St	
Mary E. Decker	274 Water St, New York, 10038	
Regina Muster	77 Fulton Street	
Eric Mehler	77 Fulton Street Apt. 12C	
Cliff Elkind	10 Park Terrace East, #2B	
Angel Chavez	100 Beekman Street. #6C	
Angel Chavez	100 Beekman Street. #6C	
Erik Ayala	90 Gold Street	
Stephanie		10034
Les Jamieson	369 51st Street	
Wendy Feinstein	20 Dongan Pl	
Siobhan Maguire	333 Pearl St.	
Janet	130 water street	
Sandy Llauguet	103 Benson Street, West Haverstraw, N.Y. 10993	
Lore Baer	585 west end ave NYC 10024	
Gabrielle Shatan	60 Park Terrace West	
John F. Manning	6901 Narrows Avenue, Brooklyn, NY 11209	
Phyllis McKeen	333 Pearl St apt 12D	
Rena Litt	90 Gold St. NY NY 10038	
Carl Litt	90 Gold St. NY NY 10038	
Paul Gilman	120 Erskine Place	
Bridget Wicinski		
DANNY YOUNG	333 PEARL ST APT 9L NEW YORK NY 10038	
Mitchel Cohen, Coordinator, No Spray Coalition against pesticides	2652 Cropsey Avenue, Apt. 7H, Brooklyn NY 11214	
Yuriko Ito	77 Fulton Street	
Robert C Adler	364 S Main St	
Colleen Robertson	62 PEARL STREET APT 5	
Daniel W Robertson	62 Pearl Street FL 5	



MADISON TARR	83 Nassau St #813 NY NY 10038
Josh Moulton	83 Nassau St #813 NY NY 10038
Carol Mirra	100 Beekman St. #6D
David Barouh	1350 East 5th Street, Apt 5N, Brooklyn NY 11230
Rana Rouhana	33 Gold St NEW YORK NY 10038
Beverly Solow	65 Park Ter EAST
Christine reedy	2 gold street apt
Roger Manning	552 Broome, NY NY 10013
Ann Dooley	11 Montague Terrace 2 Brooklyn NY 11201
Mary Ellen Muzio	485 12th Street, Brooklyn, NY 11215
Jerry Han	100 beekman street
Gabriella pireno	90 gold street #15N
Florence Carroll	6570 162 St. Flushing NY
Denise Rickles	66 Overlook Terrace , NYC 10040
Ruth Sergel	Essenerstr. 8 10555 Berlin
Lindsey Thomas	115 South Street, Apt 2F, NY, NY 10038
norman levine	113 ferry court, stratford,ct
Steve Vince	100 Beekman St, NY
Claudia Ward	15 Broad St, NYC, 10005
Nicole Bode	333 Pearl St.
Seymour Schleimer	100 Beekman Street
Toni Clay-Fields	310 Greenwich St
Debra Reinstein	1080 NW 77TH AVE
Peggy Tepper	Nanuet, NY
Jeffrey Tepper	
Monique gullo	101 Crescent Beach Drive
Kathleen	4301 18th Ave., Apt. 3A
Annamarie de la Cruz	356 E 13 St #7, NY, NY 10003
wendy laister	268 Water St
may park	324 Pearl Street 5D
Linnea Sage	100 John St
Diana Davis Parker	162 East 80Th Street
Adrienne Ramstack	3 Hanover square 2E 10004
Howard Brandstein	638 East 6 Street
Meg Fidler	315 West 106th Street, apt 16C, New York NY 10025
Susan De Vries	60 Cooper Street,4A NY 10034



Sabrina Spssov	10 Liberty street
Valentin Spassov	10 Liberty street
Marcy J Gordon	1758 Dean Street
Jason Parker	40 W 67th St
Pui See Teh	99 John Street Apt 1710 New York, NY10038
Ryoko tawa	80 John st
Mitchell A Grubler	20 Confucius Plaza, Apt. 40C
Lucy Koteen	138 Lafayette Av, Brooklyn, NY 11238
Jessica Scher	15 Broad Street
Dennis M. Goldstein	455 Diamond Spring Road
Katherine O'Sullivan	1825 Riverside Drive
Sherry Kane	80 La Salle St, Apt 17H
Shira Stember	208 East Broadway
Bonnie Webber	1155 Park Ave 5SE
Frank Eadie	1155 Park Ave 5SE
Annie	10144 SE Steele St
Michelle Barbeau	3 Hanover Square
RC McBeth	Brooklyn, NY
Jennifer Ferreira	
Kathy Wieliczko	6 Greenhill Ct
Alison Hewitson	3 Hanover Square, 15H 10004
Jim Leong	100 Beekman St, #14E New York NY 10038
Robert grossman	7 chesley rd, White Plains, NY 10605
Robert Lesko	28 Avenue B
Rinn & Karen Wright	P.O. Box 1155 Grass Valley, CA
Gina Pollara	
Hannah heinrich	
Ryan Marcinik	
Peter Alfano	1699 Feuereisen Ave. Bohemia N.Y 11716
Michelle S Davis	8 Spruce Street, Suite 14V
Meg	819 N 148th St Omaha NE 68154
Barbara Burrell	343 Thrall Street Cincinnati OH 45220
Jason Parker	40 W 67th St
Elizabeth Gaynes	268 Water Street NY NY 10038
Danielle	268 water st
Paul Tschinkel	138 Prince street



Sarah Berry Tschinkel	138 Prince St NYC
Truman Gaynes	268 water st apt 3 10038
Norma Stanford	Normastanford3@gmail.com
Joyce Crespo	100 Beekman Street, 21D, NY NY 10038
Regina McCormack	333 Pearl Street New York NY 10038
Selwyn Raab	90 gold st. 14c
Jennifer Cho	316 E 55th St, Apt 4C, New York, NY 10022
Beth Goldsmith	90 Gold Street
Patricia sunshine	3 Hanover Sq
Linda West	135 E. 54th Street, NY, NY 10022
Eli Gilbert	545 West End Avenue New York, NY 10024
Susan Gilbert	545 West End Avenue, NY NY 10024
Pauline Wong	109 Beekman St apt 13B, new you're, ny 10038
Aixa O Torres	7 St. James Place
JOHN F RUDY	187 Pinehurst Avenue
Lyana Fernandez	65 Park Terrace West
ian berry	116 JOHN ST, APT 3402
Richard Gross	2711 NE Siskiyou St Portland, OR 97212
Jennifer Caruso	299 Pearl Street 5M New York, NY 10038
Lorraine Fittipaldi	90 Beekman St 6H New York, NY 10038
Taylor Caruso	299 Pearl St NYC 10038
Finnegan Laister Smith	268 Water Street
Elizabeth Haag	100 Beekman Street
judith calamandrei	172 west 79th street new york ny 10024
181 Broadway	45 Peck Slip
Justin Berkowitz	220 Water St
Lorraine Aufforth	77 Fulton Street 27A New York NY 10038
Taylor Caruso	299 Pearl St NYC 10038
Mandy Huang	299 Pearl Street, New York, NY
Alfred McCormick	5b Garden Terrace
Susan Keith	16 Crosby Street, New York, N.Y. 10013
Elizabeth Haag	100 Beekman Street
Philip Schneider	88 Jane St NYC
Truman Gaynes	268 water st apt 3 10038
Susan tao	77 fulton street apt 18d
Robin Haag	



Edward Haag	
Rachel Pfeffer	
Mercedes Haag	
Cindy lee	80 gold street
Cassandra Alvarez	
Even Warde	
Xu ling zhang	100 Beekman st apt 26h
John Lane	41 Van Brunt Manor Rd., E. Setauket, NY 11733
Gretchen Dean	395 South End Ave, #14J, NY, NY 10280 77 Fulton Street, Apt. 8F, NY, NY 10038 - I
Samuil Anshin - I oppose	oppose
Alan Drexler	90 Gold Street
Katherine Issel	99 John St.
Ann Zaccarelli	333 Pearl St. , New York, NY 10038
Rebecca Joyce	578 17th Street, 1R, Brooklyn NY 11218
Insoo Joh	100 Beekman Street
Xu ling zhang	100 Beekman st apt 26h
Richard Letizia	100 Beekman Street 15c
Victor Pascarelli	100 Beekman street New York NY 10038
Lisa Vazzano	66 Frankfort Street. New York. New York 10038
Joan Guidetti	90 Beekman Street. New York New York 10038
Christoph Knoess	121 Nassau Street
Tanya Zaben	121 Nassau Street
Tanya Zaben	121 Nassau Street
Kenneth Merlo	264 Water St., Apt Ph-C; NY 10038
Carol Davidsen	100 Beekman st, #15N
Michael Kaufman	395 S End Ave, New York NY 10280
Michael Fields	366 Broadway Apt. 3A NY, NY. 10013
Bernadette Gay	299 Pearl Street
Louis Levitt MD	121 Nassau Street. Apt 39B, NY, NY 10038
Martha Rhodes	11 Jay Street NYNY 10013
Henry Minskoff	130 William Street
Julianne Cantore	295 Greenwich St
Jill zilker	90 beekman street
Allyson Weinstein-Rosen	10 Liberty Street, NY NY 10005
Laura Goldman	39 worth st, ny ny 10013
Aleksandr Yarovoq	90 Gold Street, 22e, New York, NY 10038



Olena Gapon	90 Gold Street, 22 E, New York, NY 10038
Christopher Keating	90 William Street NY NY 10038
Zada Rose	40 Harrison St., NYC, 10013
Nancy Adelson	25 N Moore Street NYC NY 10013
margaret stocker	3 West 87 Street 3A
martha Handler	1 York Street PH
Elizabeth DeMayo	91 Payson Ave. NY NY 10034
Regina Lombardi	300 north end avenue
Tim Koelle	91 Payson Ave NY NY 10034
Olivia Ly	
Doris Chan	
Mark Palumbo	274 Water St. NY 10038
Connie Shum	100 Beekman Street, New York, NY 10038
Thomas Caruso	299 Pearl St NY NY 10038
Frank Fittipaldi	90 Beekman Street 6H New York 10038
Robert Volmer	25 West 13th St., New York, NY 10011
Azucena Volmer	25 West 13th St., New York, NY 10011
Rahul Patel	299 Pearl Street
Fran O'John	14 Riverview Ave, Lincoln Park, NJ 07035
CHAY COSTELLO	80 BEEKMAN ST
John Ost	333 Pearl Street Apt. 27 K 207 West Shearwater Ct Apt 84 Jersey City NJ 07305
Nancy M Karron	
Cynthia Crane Story	8 SPRUCE ST APT 38F
Fe Ong	100 BEEKMAN ST 3C
Gary Crosse	100 Beekman Street, NY, NY 10038
Eric Yu	90 Beekman Street #5L Ny, Ny 10038
Nancy Yu	90 Beekman Street #5L New York, NY 10038
Lia Dudine	122 North Street, Apt. C1, Bayonne NJ 07002
Judy Kang	
Joomee Lee	80 John Street, 14E
Richard Corman	335 Greenwich Street
David brink	453 West Apt #802 100 South Bountiful, Ut 84101
Karen Uzzi	3586 Freer Hollow RD, Walton, NY 13856
Tiffany Chung	100 Beekman St. Apt. 3C, New York, NY 10038
May Chu	90 Gold St, Apt 21B
Chuey Kew Liu	100 Beekman Street, 21E, NY, NY 10038



Kathryn Arntzen	17 Cornelia Street NYC 10014
Kelly Chang	77 Fulton St.
Joomee Lee	80 John Street, 14E
Mark Palumbo	274 Water St., NY, NY 10038
Cathryn Swan	221 East 3rd Street Brooklyn, N.Y. 11218
Teymour El Derini	99 John street
Tavia KOWALCHUK	41-42 50TH ST APT 4A, Woodside, NY 11377
Dana Gae Hanchard	110 Seaman Ave #81 NYC NY 10034
Xu ling zhang	100 Beekman st apt 26h
Joseph A Morrone	90 Gold St. Apt 10K
Sui Chan	77Fulton Street
Erhan Tuncel	
Zeynep Tuncel	
Alper Tuncel	
Mariella Lagana	100 Beekman St., Apt. 22D, NY, NY 10038
Tom Lagana	100 Beekman St., Apt. 22D, NY, NY 10038
Anita Segal	333 pearl St 22A. NYC 10938
Deborah Mills	457 FDR Dr
Carol Davidsen	100 Beekman st, #15N, New York, NY 10038
Beth Goldsmith	90 Gold St 765 North Broadway. Hastings On Hudson NY 10706
John McDermott	
David Friedlander	16 Prospect Park SW Brooklyn NY 11215
Amanda Yaggy	13 West 129th Street Apt 2 10027
Tracy	80 metropolitan ave
Déborah Posternak assayag	101 wall street
Henry Minskoff	130 William Street
louis consalvo	90 beekman street
Carole Ashley	49 Beach Street, NYC 10013
Jules Grogan	55 water st New York
Laura Saponaro	100 Beekman Street. New York, NY 10038
Olga Arias	90 Gold St. Apt 19L , NY. NY 10038
Aaron Sosnick	143 Avenue B PHA
Ryan F Kefer	100 Beekman St., 24D
Lisa Chung	
Patricia sunshine	3 Hanover Sq
Sandy Imhoff	55 Ann Street 2nd Floor



joseph lerner	
Lynne Von Pang	185 Park Row 16B
Steven Pang	185 Park Row
Gail Von Schlichting	215 Park Row
Lisa Von Pang	165 Park Row
Daniel Bartolomeo	85 John Street 14C New York, NY 10038
Caleb Davison	463 Greenwich Street
Dirk Kaufman	720 Decatur Street, Brooklyn, NY 11233
143 Avenue B	143 ave b
Rebecca Kreinen	104 e 98 th nyc 10029
Michelle Barbeau Noguchi	3 Hanover Square
John F. Manning	6901 Narrows Avenue, Brooklyn, NY 11209
Regina Muster	
Ruth Siekevitz	160 W 71 St
Kari Sigerson	720 Decatur Street
Steven Kanzer	90 Gold Street 25N, New York NY 10038
Greg Cooper	100 Beekman Street 14525 Spanish Breaks Trail, Gallatin Gateway MT 59730
Doug Rand	
Fred Murphy	117 Beekman St. New York, NY 10038
Julie M. Finch	165 West 26th st., NY, NY 10001
Eric Mehler	
Rona Kluger	100 Beekman Streer
Jenna Mehler	
Lucinda L. Cisler	[ex:] 49 Fulton Street, 13-F, NY, NY 10038 [St Margaret's House; dir. across Water Stargaret's House, dirWater from 250]
Lucy West	165 Park Row 18A
Jennifer Jager	274 Water st NY, NY 10038
Annamarie de la Cruz	356 East 13th St, NY, NY 10003
Beth Goldsmith	
Nina Questal	333 Pearl St. NY
Christoph Knoess	121 Nassau Street, NY, NY 10038 14525 Spanish Breaks Trail, Gallatin Gateway MT 59730
Ruth Angeletti	
marckle myers	265 water st, nyc ny 10038
Michelle LaRocca	150 BEEKMAN ST, NY, NY
Matt Cowan	80 John Street



Sunny Shen	100 Beekman St, Apt 12D
Bridget A Schuy	100 Beekman Street, 20C, NY, NY 10038
Janine Cirincione	299 Pearl Street, nyc 10038
Victoria Hillstom	385 Greenwich aka 71 North Moore
Pamela Wan	333 Pearl Street, NY, NY 10038
MICHAEL KRAMER	143 AVENUE B, NEW YORK, NY
LESLIE GRUSS	143 AVENUE B, NEW YORK, NY
Warren Green	333 Pearl Street 16M, NYC 10038
Robert D. Rustchak	340 E. 61st Street, New York NY. 10065
Zada Rose	40 Harrison St
Michael Flynn	33 High Street, Katonah, NY, 10536
Edward Greenfield	601 Third Street, Brooklyn, NY 11215
Carl Feinman	100 Beekman St, 12J New York, NY 10038
Lauren Woo	77 Fulton St New York, NY 10038
Brad Koetz	395 South End Ave New York NY 10280
Emily Raphael	601 Third Street, Brooklyn, New York 11215
Wendy Frank	255 W 148th Street
Barbara Mensch	274 Water Street 5R NYC 10038
Roberta Belulovich	100 Beekman Street, NY NY 10038
Simeon Bankoff	232 East 11th Street
Ellen Weiss	333 pearl Street apt. 13N New York 10038
Howard Gluck	4997 Cason Cove Dr
Jean Standish	308 E 6TH ST
Patricia Rosenblum	312 Hicks Street, Apt. 1, Brooklyn, NY 11201
Angel Chavez	100 Beekman street. New York, NY 10038
Carol Cole	333 Pearl Street, NYC, NY 10038
Carol chavez	100 Beekman street. New York, NY 10038
Adam chavez	100 Beekman Street. New York, NY 10038
Andrew Chavez	100 Beekman Street. New York, NY 10038
Carol Mirra	100 Beekman Street
Rosemary McCann, Lenore Horowitz, executor	100 Beekman Apt 15E NY, NY 10038
Marc-Alain Galeazzi	117 Beekman Street
John Parker	117 Beekman Street, apt 3cd, 10038
Roselle stolfa	77 Fulton Street New York NY
Kerry Glendinning	77 Fulton Street Nwe York NY
Anne Tjaldal	100 Beekman St. Apt 22G NYNY



Carol Harrison	100 Beekman Street
Nancy Linden	1601 Guilford Ave, Apt 1-S, Baltimore MD 21202
Louis Linden	1601 Guilford Ave Unit 1-s
Anne Fealey	
Beth Robbins	100 Beekman St
Marion Esparza	42 Peck Slip, Apt 4A
Mary Ann Fastook	455 North End Avenue, New York, NY 10282
Leroy Austin D'Souza	15 William St., Apt 8A, New York, NY 10005
Daniel Boyar	100 Beekman St 65 West 90th Street, Apt. # 18C, New York, NY 10024
Raphael Tomkin	
Renée Monroe	542 Broadway, NY, NY 10012
Victoria Lee	343 Grand Street NY NY 10002
Kelly Grace Price	534 w 187th st #7 NY NY 10033
Ingrid Wiegand	48 Grand St, New York, NY 10013
Jeanne Wilcke	10 Bleecker St, NY, NY 10012
Donna Robin Lippman	521 E 14th StApt 4G
Selena Chan	
Olivia Ly	
Kiet Ly	
Marla Pinsky	117 Beekman st 6a ny ny 10038
Doris Chan	
Phillip Chan	
Mandy Huang	299 Pearl Street, Apt. 5H, New York, NY 10038
Rika Welsh	616 Green Street, Cambridge ma
Charles welsh	614 Green Street Cambridge ma 02239
Sui Chan	77 Fulton street NY NY 10038
Sung Yu Han	100 beekman street
Wong LiChen	
Jing yuan	
Ruth Han	
Deborah Abel	1818. 72nd Street
Amanda Naglich	10 Hanover Square, Apt 18D ny ny 10005
Michaela Deiss	117 Beekmanstreet, 6e
Roi Sasson	65 Nassau St Apt 4C 185 St. Mark's Place Apt 11K, St George, Staten Island, NY 10301
Mx. Joe-Anthony Sierra	



Rebecca dole	90 Gold Street, New York, ny 10038
Ralph Bishop	90 Gold Street New York, ny 10038
Linda Morrison	90 gold st. NY. NY. 10038
Mark Shek	90 Gold Street, Apt 27N, NY NY 10038
Michael Trenner	3 Hanover Square
E. Richard Stanley	380 Riverside Drive Apt 1H NY NY 10025
Donna padula	333 pearl street ny ny 10038
JOHANNA MORRONE	299 PEARL St, NY, NY 10038
Kristi Truong	8738 20th Avenue , Brooklyn, NY 11214
Steven Tray	100 Beekman St.
melissa krawitz	65 Carmine St.
Linda Schleimer	100 Beekman St.
Martin Chen	514 60th street
MDavid Levin	100 Beekman St. #10L
Bruce A. Center Ph.D.	90 Gold St. #18C, New York, NY. 10038
Abigail Kong	333 Pearl Street
Erica Baum	81 Grand Street
James Stith	333 Pearl St. #12J NY, NY 10038
CATHERINE LEMBER	131 Rymrock Rd Unit 29 Kingston NY
Andrea Wagner	621 N Coronado St. 865 West End Avenue #10-D, New York, NY 10025
Dayle Vander Sande	333 Pearl Street Apt 12j NYC, NY 10038
Anne Kong	542 Broadway NY, NY 10012
Renee Monroe	273 Water Street
Linda Hellstrom	273 Water St NYC
John P Hellstrom	15 Broad Street
Claudia Ward	99 John St
Megan Malvern	332 East 11th St., #10
A. Colby	90 gold street Apt. 21M ny ny 10038
carl litt	90 gold street Apt 21M new york ny
rena Litt	69-16 Ingram Street, Forest Hills, NY 11375
Zeke Luger	
Deborah Mills	
Sky Marsicano	100 Beekman St New York, NY 10038
joanne gorman	NY NY 10038
Toni	333 Pearl Street
Robyn Ryan	333 Pearl St., Apt. 13B NY, NY 10038



John Rossi	333 PEARL ST APT 5D
May Park	324 Pearl Street 5D
Daniela Gallo	299 pearl street
RISA M STEINBERG	299 PEARL STREET APT 6L
Ryan Marcinik	100 Beekman St #26N, New York, NY 10038
Vincent Aparo	100 Beekman Street 17C
Mitchell A Grubler	20 Confucius Plaza, Apt. 40C,
Meg Fidler	315 West 106th Street, apt 16C, NYC 10025
Beatrice Aparo	100 Beekman Street 17C
William payne III	100 Beekman Street, 27n ny, ny 10038
Rachel Dole	
Richard Waxman	333 Pearl St. Apt. 21B
Glenn R Williams	16 Park Place, Brooklyn NY 11217
Eileen Keeffe	100 Beekman Street, 23F, New York, NY 10038
Nick Zaccarelli	100 Beekman Street
Jody Wolfson	77 Fulton Street apt 17C New York, 10038
Jason Martuscello	36 Peck Slip Apt 4b
Carole Ashley	49 Beach St, Apt 7, NYC 10013
Jennifer Jager	274 Water St NY, NY10038
Carol Mirra	100 Beekman Street
Dennis Gorman	Ny NY 10038
Ed Stemmler	429 E High St, philadelphia pa 19144
Linda Roche	333 Pearl St #20L New York NY 10038
Jenna Mehler	100 Beekman Street #4K, New York NY 10038
Jeannine Kiely	121 Mercer St., #5, NY, NY 10012
Lisa Chung	
Leslie Warren	104 Pine Top Trail
Warren Green	333 Pearl Street, Apt 16m, NYC 10038
Mary P.	333 Pearl Street
Linnea Sage	100 John st
Donna	333 pearl street
Briar Winters	157 Rivington St 10002
Hannah Lee	111 Murray st.
Colleen Robertson	62 PEARL STREET APT 5
Daniel Robertson	62 Pearl Street
Liam Robertson	62 PEARL STREET APT 5



Charlie Robertson	62 PEARL STREET APT 5
Henry Minskoff	130 William Street
Brittany Sugarman	322 East 77th St NY NY 10075
Society For Clinton Hill	300 Dekalb Ave, Brooklyn, NY 11205
Enid Braun	116 Adelphi Street, Brooklyn, NY 11205
Anne Bush	478 Washington Ave., Brooklyn, NY 11238-1821
Elizabeth Martin-Ruiz	66 Frankfort St.
Wendy Frank	255 West 148 street
Daniel Bartolomeo	85 John Street
KATHY Lewin	100Beekman St. 23e
Mary Lou Imbornone	333 pearl street ny ny 10038
Deborah Wong	333 Pearl Street
Bruce A. Center	90 Gold St. (#18C) New York, NY 10038
Susan Spiller	1 Hanson Place BKLN 11243
Michael Fields	366 Broadway apt. 3A, NY, NY. 10013
Paul Handlarz	100 Beekman St. N.Y. N.Y. 10038
Carol Puttre-Czyz	306 E 5TH ST
Pamela Lehrman	
Wendy Cassidy	100 Beekman st
Marcela Cona	333 Pearl St -15d NYC 10038
Antoinette Geyelin	230 East 79th Street, 3B NY, NY 10075
Rose Romano	Formerly100 Beekman Street
Olena Gapon	7 Pamela Lane, Staten Island NY 10304
Katherine O'Sullivan	90 Gold Street, Apt. 22e
Ryan Shollenberger	1825 Riverside Drive, #6A
Margaret Maugenest	2 Gold St
James E Schry	280 Nevins Street, Brooklyn NY 11217
linda laViolette	299 Pearl St apt 1a NY, NY 10038
robin schorr	385 1/2 Union St
Steven Vince	333 Pearl St
Jen Chantrtanapichate	100 Beekman St. N.Y, NY 10038
James Michael Dolan	638 E 6th Street, NY, NY 10009
Nancy Preston	60 FIRST AVE, NYC, NY
Kristiana riggio	17 Seaman Avenue
Judith Waletzky	333 pearl street
Marcy J Gordon	980 Sterling Place, Brooklyn NY 11213
	1758 Dean Street



Keith Gillespie	77 Fulton street
Arlene Gillespie	146 Beverly hill rd, Clifton nj 07012
Keith Gillespie	77 Fulton st, apt 13d, ny ny 10038
Amy Lehr	77 Fulton Street New York, NY 10038
Judith Davidsen	689 Columbus Ave #17g
Diane Harris Brown	333 Pearl Street - Apt. 20-C
dung minh chao	77 fulton st apt 18d ny ny 10038
Jack Lappin	80 Warren St, NY, NY 10007
Vittoria Fariello	225 Broadway, Suite 2900
Adrienne Mellen Ramstack	Hanover Square
Amanda Yaggy	13 West 129th Street, NY 10027
Felita Hugo	100 Beekman Street #8-G, New York, NY 10038
Angela Sama	90 Gold Street New York, NY 10038
Sandy Reiburn	100 South Elliott Place Brooklyn, NY
Sean Sweeney	125 Greene Street, NY, NY
Lindsay Simon	36 Peck Slip New York, NY 10038
Rose Imperato	226 East 83rd Street
Kelly Carroll	8415 4th Avenue
Anthony Laudando	10 lisa lane Staten Island NY
Mildred Santiago	77 Fulton Street Apt. 18J
Theresa M Zdazenski	18050 Tiverton Ct
Sally Young	235 East 5th Street Apt.7 NY NY 10003
MARTIN FLAMM	90 GOLD STREET #5E NEW YORK, NY 10038
Sandra Ng	77 Fulton Street, Apt 27D, New York, NY 10038
Ka Lee	77 Fulton Street, Apt 27D, New York, NY 10038
Deborah K. Paulus-Jagric	Rösetvägen 10, 43891 Landvetter, Sverige
Jennifer Adrian	264 Water St, Apt PH C
Kenneth Merlo	264 Water St., Apt Ph-C
Isabelle Letizia	100 Beekman St
Ann Hillman	333 Pearl Street
Joyce Crespo	100 Beekman Street, NY NY 10038
DANIELLE Bello	100 Beekman st NYC 10038
Aleksandr Yarovoy	
Jill Greenberg	698 W End Avenue, New York, NY 10025
Susan P Fino	
Milton Ruiz	66 Frankfort Street



Iris Zeller	90 Gold Street
Nancy Kong	170 Park Row
Frank Marrero	
Mitchel Cohen, Coordinator, No Spray Coalition against pesticides	2652 Cropsey Ave., Brooklyn NY 11214
Marna Lawrence	19 Cleveland Place
Bob Schulof	140 Cadman Plaza West
Danielle Cyr	172 Union Street
Janet LeMoal	130 water street New York NY 10005
Connie Shum	100 Beekman Street, #14E, NYC 10038
randy polumbo	181 Broadway
Jimmy Leong	100 Beekman Street, #14E, NYC 10038
Sandy Imhoff	55 Ann Street NYC, NY. 10038
Diane Andreaala	1 Brighton St Danbury CT 06811
Will Van Dorp	118-14 83rd Ave Kew Gardens NY
Arnold Gore	34 Plaza Street East
Howard Brandstein	638 E 6th St
Paul Bronstein	100 Beekman Street
Jackie Goldstein	
Thelma Sandoval	333 Pearl St. Apt.27-A. New York, NY 10038
Patricia Cassidy	100 Beekman St.
Robert L Cassidy	100 Beekman St.
Peggy Tepper	
Zandra Cooper	79 East 10th Street, New York NY 10003
Kevin ramstack	113 Nassau St, 10G
Johanna Choy	333 Pearl St. Apt. 16D, New York. N.Y. 10038
David Mulkins	239 East Fifth Street, Apt 2B
Eileen Ho	100 Beekman street, NY NY 10038
Linda McCall	185 Park Row, #14D, New York, NY 10038
Marilyn Fiordilino	131 Wintergreen Drive
Henry Dombrowski	57 Spring Street
Betsy Nebel Schainholz	100 Beekman St
Rita Grolitzer	333 Pearl St #26B
Suzana Peric	117 Beekman Street
Oliver Zeller	100 Beekman Street
Liza Siu	90 Gold St. Apt 26C, NY NY 10038
Alison Weig	333 Pearl St



Amy Harlib	212 West 22nd St. #2N, N.Y., NY 10011
Jill Rapaport	341 W 24 St NY NY 10011
Phillip A Saperia	1 Hanson Place, 23E, Brooklyn, NY 11243
Loretta Letizia	58-02 207 St.
John Lane	41 Van Brunt Manor Rd., E. Setauket, NY 11733
Anne Kong	333 Pearl Street 12J NYC 10038
Margaret Moy	
Diana federman	100 Beekman St apt 9H, NY, NY 10038
Barbara Malmet	100 Beekman Street
Milagros Morales	333 Pearl Street NYC 10038
John Gillen	340 W. 28th St, Apt 4E, New York, NY 10001
Wanda Quock	90 Gold Street
Barbara Wasserman	
Joanne Fernando	130 Water Street Apt 6B NYC 10005
chloe Steinberg	35 Almadera Drive
Elisabeth Steinberg	336 East 81st Street
Daniel Bartolomeo	85 John Street
Yvette Reid	20 Exchange Place New York, NY 10005
Jennie lossmann	2 gold street
Barbara Burrell	343 Thrall St. Cincinnati Ohio 45220
Richard Dorfman	9931 64th Ave. #D4 Rego Park, NY 11374
Sante Scardillo	268 Elizabeth Street, New York, NY 10012
Karen & Rinn Wright	Grass Valley, CA 95945
Elizabeth Williams	10 Fieldstone Lane ,MA 02738
Layla	77 Fulton st 10038
Linda Gonzalez	77 Fulton Street
Matthew Reininger	25 Broad Street, Apt. 3F 10004
Theresa Russo	90 Gold Street 9C New York 10038
Ellen Datlow	8 Stuyvesant Oval 9G
Dennis Devine	333 Pearl Street unit 17N NYC NY 10038
Cynthia Morali	145 72 Street Brooklyn, NY 11209
Sarah Berry Tschinkel	138 Prince Street, 3rd Floor
Sarah Berry Tschinkel	138 Prince Street, 3rd Floor
Michael Yamin	206 East 30 St, NY NY 10016
John Drake	77 Fulton Street Bld 2 Apt. 23J
Ben Katchor	240 west 102 St, nyc 10025



Leigh Behnke	543 Broadway NYC 10012
Donald Eddy	543 Broadway NYC
Veronica Ryan Silverberg	77 Fulton Street, 24C. 10038
Ellen Schaffer	11 Riverside Drive, NYC, NY
Ralph Lewis	206 Bowery, NY, NY
J Sandy Eames	303 Mercer Street
Nanci Lanza	350 W 50 ST, 29i, NY 10019
Danielle Romano	
Margaret Maietta	
Elizabeth Poreba	430 East 6th Street. 14C. NYC NY 10009
Robin Warshay	90 Gold Street #10C, New York, Ny10038
Olivia Lehrman	
Gabby Goldstein	Long Island City, NY 11104
Jen Harv	90 Gold Street
Marge Othrow	417 Washington Ave Brooklyn NY 11238
Opposed to Howard Hughes Corp plans for: 250 Water Street zoning relief action... Totally against it. Luba Holowinskyj	Totally against HH Corp. Plan for 250 Water Street
Totally against to Howard Hughes Corp	77 Fulton Street, Apt 15k, NY, NY 10038
Tiffany Chung	100 Beekman St. Apt. 3C, NY, NY 10038
Elizabeth Brudniak	77 Fulton Street Apt. 6A
Gilda Pervin	
Robert C Adler	364 S Main St
Pamela Warshay	90 Beekman Street #6B NY NY 10038
RICHARD Moschella	180 Park Row
Fe Ong	100 BEEKMAN ST 3C
Michelle	232 East 11th Street
Sheila Kendrick	10 West 66th Street
Glenda Lee	100 Beekman Street apt 3M
michele campo	184 Bowery. nyc, ny 10012
Leslie Chung	410 E. 6th Street, NY NY 10009
Kathleen Finneran	40 Great Jones St., NY,NY 10012
Elizabeth Quint	564 10th St
William OHalloran	1032 Linden Gate Ct
Wallace Dimson	80 Beekman St. New York, NY 10038
Lorraine Dimson	80 Beekman St. New York, NY 10038
W Y NG	



Mandy Huang	299 Pearl Street, New York, NY 10038
Mariella Lagana	100 Beekman St., Apt. 22D, NY, NY 10038
Veronica Ryan Silverberg	77 Fulton St. 24C 10038
Lorena Jordao	59 John St., 8D, NY NY 10038
Gretchen Dean	395 South End Ave #14J, New York, NY 10280
Vera Kondo	10 Hanover Square 18A, 1005 NYC
Patrick Tully	100 Beekman Street, #20A
Jessica Dimson	66 Frankfort St. New York, NY 10038
Kyle Wenz	66 Frankfort St. New York, NY 10038
Christopher Huh	21200 Dorsey Spring PL
Susie Lodise	229 Front Street
Frank A Fanelli	299 Pearl Street Apt 4FG NY, NY 10038
Melineh Ounanian	50 Pine Street
Dinella AscensoAyala	90 Gold Street
Ellen Tepfer	99 John St apt 1602, ny, ny 10038
Diana Davis Parker	162 East 80Th Street
Sabrina Spassov	10 Liberty street, 10005, NY
Matthew Goldfeder	New Jersey
David Soule	110 Dundee Ave
Barbara Mensch	274 Water Street 5R New York 10038





August 9, 2021

To Whom It May Concern:

This letter is from the Southbridge Towers, Inc (“Southbridge” or “SBT”) Board of Directors, who represent the roughly 5000 residents who live across the street from the 250 Water Street development. In addition to living next to the development, many of our residents’ children and grandchildren attend the Peck Slip School or Blue School. We are strongly against this project and hope that City Planning arranges for SBT to be compensated for the potential damages outlined in this letter. In addition, we don’t consider the Environmental Impact Statement complete and would request the additional study of winter shadows and shadows on the entire Southbridge Towers property.

Impact on Children

We are deeply concerned about the impact on children’s’ health and learning during the remediation and prolonged construction, which is expected to last two and a half years, due to the 324’ height of the tower as opposed to the zoned 120’. Sadly, it is our firm belief that this project will result in many families leaving the neighborhood or finding other schools for their children and will irreparably harm the Peck Slip School which has been one of the most welcome additions to this community and is beloved by everyone.

Negative Financial Impact on SBT

Southbridge is unique among New York City coops, in that a substantial part of the operating budget comes from flip tax which is dependent on apartment sales. In our latest budget, we have forecasted \$9 million dollars in flip tax revenue. We worry that being next to an active construction site for 4.5 to 5 years will substantially depress the number of sales and effect sale prices. It is anticipated that this will cost Southbridge \$4-5 million dollars a year in operating income and will require us to significantly raise maintenance fees. Our budget subsidizes maintenance for 70 units who pay reduced fees and are not subject to increases. Therefore, SBT has as many affordable housing units as are proposed in the new development. The flip taxes also help to keep maintenance costs down and make SBT still truly affordable for many of the residents who are on various State and City tax relief programs. This development will have a net negative affect on affordable housing. **Who will reimburse SBT for this pending budget shortfall and resident displacement?**

Once the project is complete, we expect increased foot traffic walking through Southbridge Towers property on their way to the Fulton Street Subway station since the most direct path is up Beekman Street and through the complex between 55 and 77 Fulton Street, a common pathway already. This will create noise, pollution, greater wear, and tear and increase Southbridge’s liability insurance premiums.

Negative Shadow Impact

The environmental impact study called out the impact of new shadows which will darken the Southbridge open spaces. However, the study failed to account for shadows generated on other areas of Southbridge Towers property. In particular, the playground located in the courtyard between 333 Pearl, 299 Pearl, 100 Beekman and 90 Beekman would have shadow effects until 1pm, at least 2 hours longer than the report mentioned. That playground is currently being used by over 300 families in our complex and by the Bright Beginning's Preschool located at 80 Beekman Street. The study only calls for the impacts from March through September. **What about during the winter months when sunlight is a precious commodity?** With less sun during the winter, we expect more icing and salt required to cleanup up after storms.

Southbridge Towers also has plantings along Pearl Street and we anticipate that many of those shrubs and trees will die once the new building starts casting shadows. In addition to the Southbridge maintained plants, we expect adverse effects on our shareholders' plants. Southbridge Towers is currently actively pursuing proposals to place solar panels on the roofs of our low-rise buildings. Three of those buildings (299 Pearl, 90 Beekman, 66 Frankfort) will have significant shadows from the 250 Water Street development which threatens the viability of that project. **Who will reimburse SBT for these damages?**

Negative Traffic Impacts

We are concerned about safety from increased traffic on Pearl Street during construction. One of SBT's parking garages is on 299 Pearl Street, directly across from the lot where the vast majority of cars exiting make left turns. We expect those turning vehicles to be at increased risk and have great difficulty safely navigating this turn but the DEIS traffic analysis makes no mention of this impact nor does it provide potential solutions to this problem. The intersection of Pearl/Dover/Frankfort Street, prior to Covid, during rush hours, is frequently backed up without the planned construction. Residents of 333 Pearl Street on the corner of Pearl/Frankfort and Dover, part of SBT's property, experience the noise and congestion of rush hour on a regular basis.

No attempt is made to mitigate the AM and PM rush hour or the Dover/Frankfort/Pearl intersection which is the most congested with hundreds of vehicles entering or exiting the Brooklyn Bridge and FDR hourly either during construction or after development. Why? The only reference to this intersection is in the DEIS Pedestrian Analysis, "Significant adverse impacts were identified for the Southeast corner of Pearl Street and Frankfort Street, during the weekday, midday and PM peak hours. Proposed mitigation would include a six-foot curb extension on the Frankfort/Dover Street side of the corner which would fully mitigate the identified impacts at this corner." **How is a six-foot curb extension going to help the traffic or the pedestrians entering what may be the most dangerous crossing in the downtown area?**

Several bus lines transverse Pearl Street going north and south daily. The DEIS anticipates the removal of traffic lanes along Pearl St to accommodate "staging concrete operations along Pearl Street..." and we are assuming all the heavy equipment as well to avoid or place "as far away from the Peck Slip and Blue Schools as possible." This is a good thing for the schools but the impact on Pearl Street will be unavoidable and significant and should be re-examined. The **bus transit along Pearl Street needs to be rerouted or will be subject to interminable delays.** This would have a significant

impact on the elderly and disabled who rely on this bus line and would have to make other accommodations for their transportation.

The DEIS transportation analysis goes on to state, “An evaluation of area parking conditions determined there would be no parking shortfall.” We have counted as many as 400 cars parked in the 250 Water Street lot on a daily basis. **What happens to these parkers?** Will there be public parking available in the new project? We did not see any indication of that in the planning. The most impact will be felt in the SBT Icon Parking Garage at 299 Pearl Street directly across the street from the lot. How could this not impact all the already overcrowded area parking garages? Under normal conditions (not Covid shutdowns) our garages are already at capacity. SBT residents will have longer waits to get in and out of our garage as it is with all the construction on Pearl Street, but overcrowding of our garage could result in downright dangerous conditions. What does HHC plan to do about this, besides tell us parking is not a problem? What happens when there are concerts again on Pier 17 and other large events at the Seaport and the downtown community? This parking lot has been denigrated by the HHC PR machine as useless and an ugly “blight on the Seaport,” but it has served an important function in this community for the last 25 years and its important function cannot be overlooked.

The DEIS correctly forecasts that the proposed development would impact Pearl Street and Beekman Street, Dover Street and Robert F. Wagner Sr. Place which would experience significant adverse traffic impacts in the weekday, AM, midday, and PM peak hours. Proposed mitigations include “signal timing at the intersection of Pearl and Beekman Streets, which would fully mitigate the identified impact during the weekday midday peak hour.” Would such a signal timing adjustment cause increased delays, horn honking and pollution on the streets running east/west such as Frankfort, Beekman, Fulton etc.? The DEIS also says, “**the remaining identified impacts would remain unmitigated with the Proposed Project.**” Why? And why does this study fail to recommend other mitigation measures such as hiring additional TEAs for some of these intersections?

SBT residents along Pearl Street experience excessive noise from construction on a daily basis. Currently construction work is ongoing under the ramp of the Brooklyn Bridge and begins at 7:30 and continues throughout the day. Rush hour traffic noises continue well into the night due to the large intersection of the Brooklyn Bridge and FDR exit and entrance ramps. As previously discussed, the remediation, construction and development will cause significant impacts on traffic, which must be considered as compounding the actual noise from the construction and need to be seriously taken into consideration. Every effort to mitigate the impacts of noise from the actual construction itself to the inevitable consequences of that construction must be included in the construction noise plan and made available to the community in advance of the proposed project.

Conclusion

Bottom line is that this document fails to adequately identify mitigation measures needed to address the projected impacts and other impacts that this study minimizes. SBT is also entitled to and expects to receive full compensation from HHC for the costs they will incur replacing plants and trees. In addition, SBT needs to be compensated for diminished sales which will create a hole in our budget. This will increase maintenance and cause a rapid increase in the gentrification of the neighborhood. How will HHC compensate SBT and our children for the loss of their precious and very limited play areas? SBT is not a wealthy community and is filled with many seniors and others living

on limited fixed income and government subsidies. It cannot afford nor should it be expected to pay a large and unfair price for the construction of a new and inappropriate tower at 250 Water Street that will surely further enrich HHC and its shareholders. The City of New York needs to take the needs of Southbridge Towers much more into account, as it deliberates on whether this proposed building truly benefits this community or the City, or whether it will have the opposite effect. We expect City Planning to enforce all mitigations agreed to as part of the ULURP process.

We would also like the following additional analysis added to the EIS report:

1. Analysis of Shadows on SBT Pearl Street vegetation and SBT Playground
2. Winter Shadow Studies

Regards,

Southbridge Board of Directors

From: [M. Walker](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] IN FULL SUPPORT 250 Water Street project, Museum District proposals
Date: Friday, September 3, 2021 8:14:46 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@cyber.nyc.gov as an attachment (Click the More button, then forward as attachment).

Good evening,

My name is Mellonee Walker, President of Ahsas Interiors NY. I thank you for allowing me to share my thoughts.

Once again, I am in full support of the 250 Water Street project and South Street Seaport Historic Museum District proposals.

I feel that the Howard Hughes Corporation has the best interest of the community on bringing new life back to the Seaport, assisting to revive small businesses and build affordable housing for all.

I am in full support and favor of these projects and look forward to working with you in the future.

Kind regards,

Mellonee Walker
Ahsas Interiors NY



**COMMENTS FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT
250 Water Street**

Olga Abinader, Director (212) 720-3493
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10271

Project Identification Lead Agency

CEQR No. 21DCP084M

ULURP Nos. 210439ZRM, 210441ZAM, M130053BZSM, 210445ZAM, 210438ZSM

SEQRA Classification: Type I

Dear Ms. Abinader,

On behalf of our South Street Seaport Coalition Inc., Attorney Reed Super has drafted a memorandum summarizing our comments on this land use item. We wish to put City Planning on notice of serious defects in this draft FEIS for 250 Water Street.

1. We ask that City Planning return this critical "work-in-progress" to the applicant (the Howard Hughes Corporation), in order to correct these deficiencies now.
2. We are also asking that your office extend the public comment period to review the corrected DEIS, before proceeding to a Final Environmental Impact Statement.

Sincerely,

Michael Kramer, President

South Street Seaport Coalition, Inc.

SUPER LAW GROUP, LLC

WRITER'S DIRECT DIAL: 212-242-2273
EMAIL: reed@superlawgroup.com

September 13, 2021

Via email (21DCP084M_DL@planning.nyc.gov)

Marisa Lago, Chair
City Planning Commission
City of New York
120 Broadway, 31st Floor
New York, New York 10271

New York City Department of City Planning
Attn: Olga Abinader, Director
Environmental Assessment and Review Division
120 Broadway, 31st Floor
New York, New York 10271

Re: **250 Water Street - Draft Environmental Impact Statement**
CEQR No. 21DCP084M

Dear Ms. Lago and Members of the City Planning Commission:

These comments on the Draft Environmental Impact Statement (“DEIS”) for the proposed development at 250 Water Street are submitted on behalf of South Street Seaport Coalition, Inc., Save Our Seaport, Seaport Coalition, Children First, Linda Hellstrom, Jay Hellstrom, Emily Hellstrom, Zette Simmons, and Colleen Robertson. Our clients previously submitted comments on the draft scope for the DEIS, appeared at the September 1, 2021 public hearing before the City Planning Commission (“CPC” or “Commission”), and are submitting written comments on the DEIS. Please consider this letter in conjunction with their separate comments. In addition, our clients and/or their representatives intend to submit further written comments on the pending land use applications prior to the Commission’s vote.

In light of the numerous failures to meet mandatory requirements of the State Environmental Quality Review Act (“SEQRA”),¹ SEQRA regulations,² and City Environmental Quality Review (“CEQR”)³ discussed below, the Commission erred when it accepted the DEIS as “adequate with respect to its scope and content for the purpose of commencing public review”⁴ in the May 17, 2021 Notice of Completion of the DEIS. Instead, pursuant to Section 617.9(a)(2)(i) and (ii) of the SEQRA regulations, the CPC should have returned the DEIS to the project sponsor, 250 Seaport District, LLC, an affiliate of The Howard Hughes Corporation (“HHC”), to correct those deficiencies, and then determined whether the resubmitted DEIS was adequate. Having failed to do that in May 2021, the Commission should return the DEIS to HHC to correct the deficiencies now, reopen the public comment period on the corrected DEIS, and only then proceed to a final EIS.

¹ Environmental Conservation Law (“ECL”), Art. 8.

² 6 NYCRR Part 617.

³ Mayoral Executive Order No. 91 of 1977, as amended, 62 RCNY § 5-01 *et seq.*

⁴ 6 NYCRR § 617.9(a)(2).

As you are no doubt aware, the lead agency is responsible for the adequacy and accuracy of the EIS regardless of who prepares it. The Commission should resist HHC’s pressure to rush its applications through the approval process without proper scrutiny, as the ULURP timing provisions do not supplant a lead agency’s substantive obligations under SEQRA.

The following comments are organized into three major sections, with the primary DEIS chapters relevant to each discussion listed under each major heading.

I. The DEIS’s Description of the Project and its Purpose and Need Is Fundamentally Flawed, the Proposal to Fund the Museum Through HHC’s Purchase of Development Rights Is Infeasible and Will Not Occur Because It Violates the City Charter, the Amended and Restated Lease Marketplace Lease Is Not a Type II Action, and the Project Has Been Improperly Segmented.

(Project Description and Analytical Framework / Alternatives; DEIS Chs. 1, 3)

The first item that every DEIS must contain is “a description of the proposed action” along with its “purpose, public need and benefits, including social and economic considerations.”⁵ Importantly, the “purpose” of a proposed project is legally distinct from any “public need and benefit” it might have, as the SEQRA Handbook explains:

“Purpose” is a goal or objective to be achieved. *The purpose of most privately sponsored projects is to make a profit from some development activity on their property. . . .*

“Need” is a lack of something required, desirable, or useful. The need for an action may be public, private, or a combination of both. *Public need may apply to publicly or privately sponsored projects that satisfy a societal need. . . .*

“Benefit” is something that promotes well-being. The benefits of an action relate to satisfaction of need. . . .

* * *

In reaching a decision on whether to undertake, fund, or approve an action that is the subject of an EIS, each involved agency is *required to weigh and balance public need and other social, economic, and environmental benefits of the project against significant environmental impacts*. Thus, for an agency to approve an action with potential to create a significant environmental impact, or to adversely affect important environmental resources, the agency must be able to conclude that the action that the agency will approve, including any conditions attached to that approval, avoids or minimizes anticipated adverse impacts to the maximum extent practicable, or that public need and benefit outweigh the identified

⁵ ECL § 8-0109(2)(a); 6 NYCRR § 617. 9(b)(5)(1).

environmental impact. *Where public need and benefit cannot be shown to outweigh the environmental impacts of a project, the agency may be compelled to deny approvals for the action.*⁶

Further, “[t]his balancing process must be documented in the written SEQRA findings that each involved agency is required to make for a project that has been the subject of an EIS.”⁷ Accordingly, if an EIS understates environmental impacts or overstates the public benefits and need of a proposed project (both of which have occurred here), the lead agency will lack a sound basis on which to undertake the balancing process required by SEQRA and make the written findings statement required by Section 617.11 of the SEQRA regulations.

A. The Public Benefits that HHC’s DEIS Purports Will Result from its Development Project Are Illusory and Will Not Occur.

The SEQRA “purpose” of HHC’s Proposed Project—from that private developer’s perspective—is to maximize its revenues from the proposed development.

The earliest DEIS Scope of Work for the Proposed Project (November 12, 2020) described the proposed project as an approximately 912,762-gsf mixed-use building that would include approximately 640,186 gsf of residential uses. It further stated that the applicant intends to construct approximately 360 dwelling units, of which 25 percent (90) would be affordable, 257,886 gsf of office uses, 9,690 gsf of retail uses, 5,000 gsf of community facility uses, and 128 parking spaces. The building would consist of a seven-story, full-block base with mixed uses (approximately 100 feet tall) on which towers would be set. North and south towers, each containing residential uses, would rise from the base to 37 and 38 stories respectively, with both towers reaching a total height of approximately 470 feet).

In contrast, the May 17, 2021 DEIS states that the “Proposed Project is an approximately 680,500-gsf mixed use building” with “a total height of up to approximately 395 feet,” proposed to be constructed at 250 Water Street.⁸ And the August 2, 2021 Project Description attached to HHC’s revised land use application states that the current application is for a “324-foot tall, 550,000 zoning square foot mixed-use” development. Yet another figure is given in a subsequent document, the August 17, 2021 Technical Memorandum 001, which states that the “amended application would facilitate the development of an approximately 616,483 gsf mixed-use building.” Thus, nearly four months after the DEIS was issued for public comment, the size of the proposed development remains unclear and in flux. HHC should have determined the size of its proposal before seeking to rush it through the approval process.

⁶ NYSDEC, The SEQRA Handbook (4th Ed. 2020) at 113–114 (emphasis added).

⁷ *Id.* at 114.

⁸ DEIS at S-4.

As a City agency conducting a SEQRA analysis, the Commission does not (or, at least, should not) have the same profit-maximizing objective as the developer. Instead, the CPC must consider whether and the extent to which the proposed project would fulfill any public need or provide any public benefit. For that reason, in hopes of gaining CPC approval, HHC appended to its project description several items that, it contends, would provide some measure of public benefit. These purported benefits are, however, completely illusory and cannot be given any consideration by the CPC because they will not come to fruition and/or would not provide any public benefit, due to insurmountable legal obstacles, as explained below.

1. The Proposed Project Will Not Provide the Purported Benefit of Funding the South Street Seaport Museum Through HHC’s Development Rights Purchase Because the City Charter Section 109 Prohibits that Proposed Funding Mechanism.

The DEIS states, repeatedly, that “[t]he Proposed Project would also facilitate the restoration, reopening, and potential expansion of the South Street Seaport Museum.” Indeed, this statement appears three times within the first six pages of the Executive Summary.⁹ The DEIS, however, is very short on details as to how the development project at 250 Water Street would “facilitate” the museum’s “restoration, reopening, and potential expansion,” other than stating that:

Funding provided to the Museum would stabilize and strengthen its finances, setting the stage for its potential expansion.¹⁰

The mechanism for providing funding to the Museum to “stabilize and strengthen its finances” and the amount of any such finding is left entirely unexplained. Notably, the Alternatives chapter of the DEIS speculates that “the Museum is assumed to permanently close under the No-Action Alternative, and no restoration, reopening, or potential expansion would occur.”¹¹ As the No-Action Alternative is defined as a 327,000-gsf mixed-use building that uses only the development rights presently on the 250 Water Street site, it is clear that HHC is taking the position that any purported public benefits to the museum from its 250 Water Street project would come from funding generated by HHC’s purchase of development rights on Pier 17. Indeed, outside of the DEIS, HHC has frequently claimed that \$50 million from its purchase from the City of Pier 17 development rights would be provided to the museum. In her testimony on this matter in front of the City Planning Commission on September 1, 2021, the Manhattan Borough President stated that:

⁹ DEIS at S-1, S-4, S-6.

¹⁰ DEIS at S-6; *see also id.* at 1-4 (same).

¹¹ DEIS at 18-2; *see also id.* at 2-14 (“Without the zoning changes proposed, the Development Site would be developed as-of-right under the existing C6-2A zoning and it is not anticipated that the Museum would be restored, reopened, or expanded.”).

It has been my intention to support this project 250 Water Street, but, as you heard from Anna Levin, at least from my perspective, that support has been *contingent on securing the \$50 Million for the South Street Seaport Museum*. And at this time as I understand it, *the final mechanism for approval and for delivery has not yet been established*. I'm aware, the negotiations are continuing over approval of the \$50 Million to establish an endowment for the museum but I am waiting for conclusion of these discussion before I support this application, (and I am very conscious of the fact that this is not a land use item, but it is what I care about).¹²

Because the \$50 million figure first arose in the context of HHC's original proposal, for a 912,762-gsf mixed-use building, which would have needed approximately 585,000 gsf of development rights from Pier 17, the current smaller proposal for a 550,000 gsf project needing only closer to 200,00 gsf of development rights from Pier 17 would result in a much lower dollar amount for development rights—that is, *assuming* a Large-Scale General Development could be used to move development rights to 250 Water Street and that HHC was using a correct unit price for the development rights. In fact, both of these assumptions are very much doubt. (As discussed below, the Zoning Resolution *prohibits* the expansion of a Large-Scale General Development as proposed by HHC.)

Moreover, apart from the estimated dollar amount of any development rights proposed to be purchased at Pier 17 and used at 250 Water Street, there is a more fundamental legal impediment to HHC's proposal to direct *any* of that money to the South Street Seaport Museum. Section 109 of the New York City Charter 109 provides in full:

§ 109. General fund. All revenues of the city, of every administration, department, board, office and commission thereof, and of every borough, county and other division of government within the city, from whatsoever source except taxes on real estate, not required by law to be paid into any other fund or account shall be paid into a fund to be termed the “general fund.”

NYC Charter § 109.

The Charter requirement to pay all revenues of the City into the General Fund plainly prohibits any New York City agency or department, or any person or entity acting on the City's behalf, including the New York City Department of Small Business Services or the New York City Economic Development Corporation (“EDC”) from paying any revenues from the sale of City-owned development rights appurtenant to the City-owned Pier 17 site to the South Street Seaport Museum (or to any other corporation, not-for-profit corporation, charity, project, or

¹² DCP transcript MBPO Brewer testimony 09.01.21; *see also* written recommendation of Borough President Brewer, 09.01.21, at 9 (recommending that the applicant “[p]resent a legal mechanism that will ensure the Seaport Museum obtains its \$50 million in funding. This mechanism should be in place before the ULURP application receives final approval”), available at <http://www.manhattanbp.nyc.gov/wp-content/uploads/2021/09/MBP-Brewer-ULURP-Recommendation-N210439ZRM-250-Water-2021-09-01.pdf>.

enterprise). The Charter mandates that such funds must be paid into the General Fund and nowhere else. (Once in the General Fund, it is the right and responsibility of the City Council to appropriate all moneys.)

Because the DEIS has not explained how one of the primary purported “public benefits” is supposed to result from the Proposed Project, and why those benefits would not accrue from the No-Action Alternative, and because the mechanism for museum funding that HHC has proposed outside of the DEIS is plainly not possible, the DEIS has failed to comply with SEQRA’s requirement to describe the Proposed Project’s “purpose, public need and benefits, including social and economic considerations.”¹³

2. Other Purported Benefits of the Proposed Project Are Illusory and/or Inadequately Explained in the DEIS.

According to the DEIS, other public benefits of the Proposed Project are that it would distribute unused floor area from the waterfront, helping to preserve and maintain its low-scale character, and facilitate the development of the Proposed Project on the currently underutilized Development Site, introducing new mixed-uses and affordable housing (the first affordable units under Mandatory Inclusionary Housing in Manhattan Community District 1) on a previously contaminated site that is undergoing remediation. None of those purported public benefits are legitimate.

First, the “unused floor area” on Pier 17 is not “unused floor area” and could not be used at the waterfront anyway. The low-scale character of the South Street Seaport Historic District and South Street Seaport Subdistrict under the Zoning Resolution would forever be altered by a tower of up to 395’ tall (or even 324’ tall) at 250 Water Street. If what HHC refers to as “unused floor area”¹⁴ remains where it is, it will not be used at the waterfront (*i.e.*, it cannot be used there). Thus, adding that floor area to a development in an Historic District a few short blocks from the waterfront is not a public benefit but a detriment.

Second, this would NOT be the “first” affordable units in CB1. 7 Dey Street is a current example of such housing that has already been constructed. The DEIS does not explain why affordable units could not be included in an as-of-right development that complies with the current zoning, or why a development as large as the Proposed Project is necessary to include

¹³ ECL § 8-0109(2)(a); 6 NYCRR § 617.9(b)(5)(1).

¹⁴ There are no “unused floor area from the waterfront” under the guidelines of the Seaport Transfer District of 1972. Although there are currently eligible “receiving sites” designated by the Urban Renewal Plan of 1969, there are no currently eligible “transmitting sites” from the waterfront. The developer seeks to “invent” a new TDR mechanism to solve an imaginary problem. There is no public benefit. Other restrictions, zoning and otherwise, prevent the floor area from being used at Pier 17. The Air Rights implied by the applicant are currently “land-locked.” The applicant has already purchased the remaining Air Rights from CHASE Bank and transferred almost all of them to 80 South Street. Other developers, outside the South Street Seaport Historic District have also evinced an interest in transferring Air Rights (CB1 brought one such offer to the MBPO Brewer and CM Chin earlier this year at \$175 psf).

affordable housing. Moreover, since the size of the project is constantly evolving, has the amount of affordable housing been reduced proportionately?

Third, as as-of-right development would introduce mixed-uses on a previously (currently) contaminated site. That is not a benefit of the Proposed Project compared to the No-Action Condition as defined in the DEIS.

Fourth, the DEIS lacks a basis for its assumption that the Museum would close but for the project. With respect to environmental impacts, the DEIS (and the Response to Comments on the Draft Scope) states that assuming closure of the Museum is a conservative assumption which results in a larger increment of environmental impacts from Museum expansion being analyzed. However, that is not a proper assumption when it comes to assessing public benefits. A “conservative” public benefits assumption would be that the Museum will remain open and be able to expand using funds other than those that HHC suggests, incorrectly, could come from the Proposed Project. This Museum has managed “on a shoe-string” for much of its history. Other funding sources have been proposed and discussed. There is no record basis to support a finding by the CPC that the Museum would close but for the Proposed Project.

B. The Proposed Disposition of City-Owned Property in the Third Amended and Restated Lease with HHC in 2020 and the Currently Proposed Fourth Amended and Restated Lease Are Not Type II Actions, and Have Been Improperly Excluded from SEQRA Review and Segmented from the Scope of the 250 Water Street DEIS.

The DEIS’s Project Description and Analytical Framework chapter describes one of the “discretionary actions [sought] in connection with the development of the Proposed Project” as follows:

[T]he New York City Department of Small Business Services (SBS) is filing an application seeking approval of the disposition of leasehold and easement interests with respect to various city-owned properties located within the South Street Seaport area, which would allow for the renewal and extension of the term of an existing lease [with HHC or one of its affiliates] for 99 years, until 2120.¹⁵

That same page of the DEIS then states: “The renewal and extension of the lease is a Type II action pursuant to 6 NYCRR Part 617.5(c)(32).”¹⁶ That is incorrect.

What may become the Fourth Amended and Restated Lease currently, which is currently being negotiated between an HHC affiliates and SBS (and which is already going through ULURP, in a separate ULURP proceeding from the 250 Water Street applications, *despite the absence of a proposed lease agreement for anyone to review*) is not Type II because it involves

¹⁵ DEIS at 1-1.

¹⁶ DEIS at 1-1, n.2.

material changes in permit conditions or the scope of permitted activities. There are two important aspects to this. First, the forthcoming Fourth Amended and Restated Lease is expected to itself include changes to the 2020 version of the lease arrangements. Second, the Fourth Amended and Restated Lease, when released, will also include material changes in the lease that were negotiated in 2020 as part of Third Amended and Restated Lease, but those changes have not yet been subjected to SEQRA review (or ULURP, despite it being a disposition of City-owned property).

Discretionary actions are subject to SEQRA unless they are on the Type II list of exempt actions. Section 617.5(c)(32) of the SEQRA regulations, exempts as Type II “license, lease and permit renewals, or transfers of ownership thereof, *where there will be no material change in permit conditions or the scope of permitted activities.*”¹⁷ As the SEQR Handbook explains:

In its basic form, each activity described in this section [617.5(c)(32)] consists of a *name or date change* on a permit form. There is no environmental impact.

*If the action does involve a material change, then it is no longer Type II. . . .*¹⁸

In the July 26, CPC meeting to certify the ULURP application for the forthcoming amended and restated lease DCP staff told the Commission that consideration for the new lease was still being negotiated and is expected to include improvements to City-owned properties. Community Board 1 (“CB1”), which, under ULURP, is presently tasked with making a recommendation on the proposed lease amendment, has asked for a copy of the proposed lease agreement to review, and was told that it is still being negotiated. And the EDC has summarized expected proposed changes to the lease in a slide attached hereto as Exhibit 1. Accordingly, the forthcoming amended lease is not merely a change to the names or dates on the lease; it involves material changes and is therefore not Type II. Indeed, the DEC’s Zoning Application Portal (“ZAP”) states that the amended lease is a “Type I” action.¹⁹

Second, the Third Amended and Restated Lease, which is available (*see* Exhibit 3, attached hereto) also involves material changes. For example, as staff told the Commission on July 26, and as EDC previously told CB1, the Third Amended and Restated Lease adds 133 Beekman Street to the leasehold premises and makes other changes to rents, uses of leased properties, and other aspects of the lease. We are not aware of the Third Amended and Restated Lease ever having gone through ULURP or being subjected to SEQRA review. That is improper.

¹⁷ 6 NYCRR § 617.5(c)(32) (emphasis added).

¹⁸ NYSDEC, The SEQR Handbook (4th Ed. 2020) at 39 (emphasis added).

¹⁹ <https://zap.planning.nyc.gov/projects/2021M0422> (last visited, Sept. 13, 2021); *see also* Exhibit 2 hereto.

The amendments to the Marketplace Lease that have been made or are proposed to be made to the October 2017 Second Amended and Restated Lease²⁰ (including both the Third Amended and Restated Lease and any Fourth Amended and Restated Lease) must now go through ULURP and be reviewed under SEQRA.

Two further serious SEQRA deficiencies relating to the lease are that (i) they have been improperly “segmented”²¹ from the 250 Water Street DEIS, and (ii) despite including the lease amendment/extension as part of the discretionary approvals needed for and sought in connection with the Proposed Project, the 250 Water Street DEIS does not explain the relevance of the amended lease and which aspects of the Proposed Project it would facilitate.

In enacting SEQRA, the State Legislature declared its intent “that, to the maximum extent feasible, a comprehensive project review approach shall replace separate and individual permit application reviews.”²² Segmentation is prohibited except in limited circumstances.²³ The Commission should not have treated the lease amendment as a separate application subject to its own ULURP process and its own SEQRA determination unless it is “functionally independent” from the 250 Water Street development project.²⁴ Furthermore, the relationship between the lease amendment and the development project has not been adequately explained in the DEIS.

* * *

All of these legal deficiencies in the DEIS’s Project Description and related chapters and related aspects of the SEQRA process should be corrected in a revised DEIS.

²⁰ The first amendment was dated January 2017. These are amendments to a lease first with HHC’s affiliate dated June 2013, which was itself an amendment to a 1981 lease between the City and another lessee.

²¹ “Segmentation” is “the division of the environmental review of an action such that various activities or stages are addressed under [SEQRA] as though they were independent, unrelated activities, needing individual determinations of significance.” 6 NYCRR § 617.2(ah).

²² ECL § 70-0103(5).

²³ NYSDEC, The SEQR Handbook (4th Ed. 2020) at 54.

²⁴ *Id.*

II. The DEIS’s Discussion, Analysis, and Conclusions Regarding the Adverse Impacts of Approving a Development Nearly Triple the Height and with Nearly Twice as Much Zoning Floor Area as Permitted at 250 Water Street Is Wholly Inadequate.
(Land Use, Zoning, and Public Policy / Historic and Cultural Resources / Urban Design and Visual Resources / Neighborhood Character / Mitigation / Unavoidable Adverse Impacts; DEIS Chs. 2, 6, 7, 16, 19, 20)

The 250 Water Street development site is in the South Street Seaport Historic Subdistrict (within the Special Lower Manhattan Subdistrict) under the Zoning Regulation, and in the South Street Seaport Historic District under the Landmarks Law. The lot is zoned C6-2A, with a maximum building height of 120 feet,²⁵ and maximum Floor Area Ratio of 6.0 to 6.5 (depending upon the type of use).²⁶ 250 Water Street is not a Receiving Lot under the transfer-of-development-rights rules of the Subdistrict, and is not included in any Large-Scale General Development (“LSGD”). Yet, HHC is proposing to build a development that (in its present iteration) is up to 395 feet tall with allowances for Coastal Resiliency and Mechanical Voids — nearly triple the maximum height limit—and has an FAR of 11.45 (550,000+ gsf) — nearly double the density limit of 6.0 – 6.5 FAR (313,000) gsf. HHC is seeking to do so not with a map change to up-zone the lot, but through a proposed amendment to the Pier 17 LSGD that is infeasible because it is prohibited by the Zoning Resolution. Further, as discussed below, authorizing a development of that size at that location, and, in particular, doing so through the particular discretionary approvals that HHC is seeking, would have significant adverse environmental impacts with respect to land use, zoning, public policy, historic and cultural resources, urban design, visual resources and neighborhood character that have not been analyzed and mitigated as required by SEQRA.

A. The Certificate of Appropriateness the Landmarks Preservation Commission Voted to Approve on May 4, 2021, Is Invalid and Is Subject to Being Invalidated in the Pending Article 78 Proceeding.

As an initial matter, the New York City Landmarks Law prohibits the CPC from issuing permits for this project unless and until the Landmark Preservation Commission (“LPC”) has first issued a Certificate of Appropriateness (“CoA”).²⁷ On May 4, 2021, the LPC voted to grant a CoA to HHC for the 250 Water Street Proposed Project. That approval is being challenged in *South Street Seaport Coalition, Inc. v. Landmarks Preservation Commission of the City of New York*, Index No. 154812/2021 as having been made in violation of lawful procedure, affected by an error of law, and arbitrary, capricious, and/or an abuse of discretion. If the CoA is invalidated in that case or any other case, on those or any other grounds, HHC would not be permitted to proceed with its applications before the CPC in light of NYC Admin. Code §25-305(b)(1), and,

²⁵ ZR § 91-661.

²⁶ ZR §§ 91-21, 91-22.

²⁷ NYC Admin. Code § 25-305(b)(1).

furthermore, there will be no basis on which the EIS could conclude that there will be no significant adverse impacts on the historic district.

B. The Proposed Zoning Actions Are Not Feasible Because the Zoning Resolution Prohibits a Large-Scale General Development that Uses the Demapped Streets to Connect 250 Water Street to Pier 17.

To construct a 324-foot-tall building in zoning district with a 120-foot maximum building limit and with far more zoning floor area than allowed by the FAR limits, HHC proposes to, first, make 250 Water Street a “Receiving Lot” for South Street Seaport Subdistrict transferable development rights and transfer the 30,216 sf of development rights remaining from what was the Seaport Development Right Bank. For the other 195,784 sf of additional development rights that the Proposed Project would require, HHC proposes to obtain a Special Permit under Section 74-743 of the Zoning Resolution to expand the Pier 17/Tin Building LSGD to include 250 Water Street and the demapped portions of Fulton Street, Front Street, and Water Street to connect the Pier 17/Tin Building site and 250 Water Street. By expanding the LSGD in this gerrymandered fashion, HHC hopes to be able to disregard the 120-foot height limit and use development rights from Pier 17/Tin Building site at 250 Water Street. However, the Zoning Resolution does not permit HHC to do this.

Two different applicable provisions of the Zoning Resolution prohibit the expansion of the LSGD that HHC proposes. First, ZR § 12-10 includes the definitional requirement that the LSGD:

A “large-scale general development” contains one or more #buildings# on a single #zoning lot# or two or more #zoning lots# that are contiguous or would be contiguous but for their separation by a #street# or a #street# intersection . . . and:

* * *

- (b) has been or is to be used, #developed# or #enlarged# as a unit:
 - (1) under single fee ownership or alternate ownership arrangements as set forth in the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#; or
 - (2) under single fee, alternate or separate ownership, either:
 - (i) pursuant to an urban renewal plan for a designated urban renewal area containing such #zoning lots#; or
 - (ii) through assemblage by any other governmental agency, or its agent, having the power of condemnation; . . .

The LGSD proposed by HHC does not meet these requirements for several reasons. First, HHC (and its corporate affiliates) do not own the all the zoning lots and proposed zoning lots²⁸ in the proposed expanded LSGD. The City of New York owns the demapped streets, which are both “Streets” and “Designated Pedestrian Ways” under the Zoning Resolution.²⁹ Neither the Marketplace Lease, nor any other instrument, has given HHC a sufficient property interest in the demapped streets to qualify HHC as the owner of those streets, as is required by § 12-10 of the Zoning Resolution. This is not only a matter of the term length of the lease but, perhaps more importantly, that the limited lease rights HHC has on the demapped streets is plainly not enough to constitute ownership of those streets.³⁰

Another provision of the Zoning Resolution, ZR § 74-742, imposes a similar ownership requirement:

74-742 Ownership

Except as otherwise provided in this Section, any #large-scale general development# for which application is made for a special permit in accordance with the provisions of Section 74-74 (Large-scale General Development) shall be on a tract of land which at the time of application is *all under the control of the applicant(s) as the owner(s) or holder(s) of a written option to purchase. No special permit shall be granted unless the applicant(s) acquired actual ownership (single fee ownership or alternate ownership arrangements according to the #zoning lot# definition in Section 12-10 (DEFINITIONS) for all #zoning lots# comprising the #large-scale general development#) of, or executed a binding sales contract for, all of the property comprising such tract.* * * *³¹

This ownership requirement also prevents the CPC from granting the Special Permit HHC is seeking because the limited lease rights HHC has on the demapped streets is not enough to constitute ownership of those streets for purposes of Section 74-742. As HHC itself states in the “Applicant’s Discussion of Conditions” appended to its Land Use applications:

The City of New York is the single fee owner of the zoning lots comprising Pier 17 (parts of Lots 8 and 10 and all of Lot 11 on Block 73 and p/o Marginal Street) (the “Pier 17 Zoning Lot”) and the demapped portion of Fulton Street between South Street and Water Street, the demapped portion of Water Street between

²⁸ The demapped streets are not presently a zoning lot, but HHC seeks a text amendment that would allow them to be considered a zoning lot for purposes of the LSGD.

²⁹ ZR §§ 91-68, 91-62, 12-10.

³⁰ As a further problem, the proposed enlarged LSGD does not meet the requirement of ZR § 12-10 that it “has been or is to be used, #developed# or #enlarged# as a unit.”

³¹ ZR § 74-742 (emphasis added).

Fulton Street and Beekman Street, the demapped portion of Front Street between Beekman Street and John Street (collectively the “Demapped Street Portion”).³²

Accordingly, given the lack of common ownership over the parcels proposed to be included in the LSGD, the Proposed Project is completely infeasible and the DEIS is also inadequate for failing to provide any basis on which the Commission could even consider issuing the Special Permit requested by HHC.

C. The DEIS Did Not Take the Required “Hard Look” at Zoning and Related Impacts in that it Completely Fails to Analyze the Significant Conflicts Between the Proposed Project and the “Contextual C6-2A Zoning” Purposely Enacted in 2003 to Replace the High-Density Commercial District Mapped in the 1961 Zoning Resolution.

Even if there was an available mechanism to allow use of Pier 17 development rights on 250 Water Street and to disregard the height limit, doing so would cause significant adverse impacts on the South Street Seaport Subdistrict’s zoning, land use, public policy, historic and cultural resources, urban design, visual resources and neighborhood character, given that in 2003, the CPC downzoned the 250 Water Street Development Site—as part of a 10-block area entirely within the South Street Seaport Subdistrict—was from C6-4 (10 FAR, no height limit) to its current C6-2A (6 FAR, with building heights capped at 120-foot limit), and did so for important reasons explained at length by the Commission.³³ The DEIS utterly fails to acknowledge the downzoning and to analyze the obvious the conflict of the Proposed Project with that carefully crafted set of zoning controls.

The 2003 downzoning was initiated in an application filed CB1, which received “widespread support from not only area residents and business owners, but also from elected officials, area developers, and various civic groups” and was opposed only by the then-owner of 250 Water Street and the Real Estate Board of New York. “The principal objective of [the 2003 zone change was] to adjust the underlying zoning of the area to be more consistent with the existing buildings and historic character of the Seaport area” and “to *ensure that future development in the area would occur at the appropriate scale.*”³⁴ As the Commission explained in its report:

The buildings within the area are predominantly four and five stories tall and date back to the 18th and 19th centuries. . . . The applicant [CB1] has stated that the proposed C6-2A contextual zoning district would strengthen the existing neighborhood context by mandating a built form similar to that of the surrounding

³² Applicant’s Discussion of Conditions, 250 Water Street, Special Permit pursuant to ZR § 74-743, at 2–3.

³³ ULURP No. C020213ZMM. *See* CPC Law Use Reports, Exhibits 4 and 5, attached hereto.

³⁴ This and the other quotations in this section are from Exhibit 4, hereto.

buildings while allowing medium-density residential and commercial development.

The area contains 91 buildings which average approximately 50 feet, or four to five stories in height. . . . New buildings since the 1960s . . . were all designed to be consistent with the existing massing and scale of buildings in the district. . . .

The existing underlying zoning of C6-4 dates back to 1961. The C6-4 district is a high-density commercial district that allows a base maximum FAR of 10 . . .

The proposed contextual rezoning would decrease the maximum allowable floor area ratio in the rezoning area from 10 to 6 FAR for commercial, 6.02 FAR for residential, and 6.5 FAR for community facilities. . . . Building heights would be capped at 120 feet.

C6-2A districts are medium-density, contextual commercial zones . . . typically located outside the core of central business districts.

CB1’s attorney and other representatives testified at the 2003 public hearing that: “[their] primary concern was that the bulk and height allowed by the [1961] C6-4 zoning generate buildings that are out of character with the existing physical context” and that the intention was to “rezone so that developers, *such as owners of the 250 Water Street site*, would have a reasonable set of parameters to use in development efforts. . . .[A] financial feasibility study for the 250 Water Street site, prepared by the EDC, . . . demonstrated the financial viability of a 6 FAR project with or without the use of Liberty Bonds.”³⁵

“The Community Board’s . . . environmental consultant noted that the proposed C6-2A district is a contextual district that has proven successful, in both architectural and economic terms, in neighborhoods such as Greenwich Village, Chelsea, and Tribeca . . . and that a mandatory contextual envelope for future development would help reinforce the historic appeal of the Seaport. *The architectural consultant presented the C6-2A building envelope as a viable building envelope for the 250 Water Street site.*”³⁶

“Those who spoke in opposition to the application included two attorneys for Milstein Properties, owner of the site known as 250 Water Street.”

Following the public hearing, the Commission voted to approve the proposed the contextual C6-2A zoning district for reasons it articulated at length in its report as follows:

³⁵ *Id.* (emphasis added).

³⁶ *Id.* (emphasis added).

The Commission views the South Street Seaport as one of the city’s most treasured historic places. It serves as an important reminder of the early commercial development and history of New York, and indeed of the nation. The character of the area is largely defined by low-rise 18th and 19th century mercantile buildings flanking narrow, stone-paved streets. The unique character of the Seaport is enhanced by the *juxtaposition of its low-rise historic buildings to nearby modern skyscrapers*. The Commission supports the Community Board's efforts to better protect the Seaport by adjusting the underlying zoning to be more compatible with the existing scale and character of the historic neighborhood.

The Commission believes that the existing C6-4 zoning district is *inappropriate in the historic Seaport area*. The area of rezoning includes all but two blocks and three piers of the historic district, and is largely composed of four and five story 18th and 19th century buildings. . . .

The Commission believes that the C6-4 zoning district reflects obsolete planning goals for the area. The C6-4 district dates back to 1961, when the planning objectives envisioned substantial clearing of historic buildings and their replacement by highrise [sic] towers along the Seaport’s waterfront. The past four decades of public policy has demonstrated a marked shift away from promotion of high rise development and towards goals that reinforce the low-scale character, of the Seaport. . . . The Commission believes that the density allowed by the proposed C6-2A zoning district more accurately reflects the built density in the surrounding area.

At the public hearing, the Commission heard testimony from speakers in opposition to the applications that the zoning need not be modified since the Landmarks Preservation Commission is required to review all proposed developments for appropriateness. However, the mere fact that there exists a backstop to protect against inappropriately scaled development does not justify the retention of an inappropriate zoning district designation.

The historic Seaport area simply is not an appropriate place for high density development. In fact, the Commission firmly believes that the Seaport will make a more valuable contribution to the revitalization of Lower Manhattan if its existing character is enhanced, not contradicted, by new development.³⁷

The DEIS fails entirely to mention any of this. The Proposed Project would allow development on the 250 Water Street that is not in line with the contextual zoning that this Commission enacted after careful consideration, and would revert to 1961-style high-density development that the CPC rejected for the Seaport subdistrict generally and for 250 Water Street specifically. It would make 250 Water Street a receiving site for development rights, whereas

³⁷ *Id.* (emphasis added)

this Commission recognized that such transfers should be made only to sites outside the historic district. To comply with SEQRA/CEQR, an agency must properly identify the “relevant areas of environmental concern,” take a “hard look” at them, consider project alternatives, and make a “reasoned elaboration” of the basis for its determinations. Because the DEIS does not take into account the 2003 contextual rezoning, it fails to take the required “hard look” at zoning and related impacts of the Proposed Project and violates SEQRA.

III. The DEIS Also Fails to Take a “Hard Look” at Impacts from Hazardous Materials, and the CPC Violates SEQRA by Delegating its Responsibilities to Other Agencies to Address Through Future Reports and Plans. *Hazardous Materials / Public Health / Construction / Mitigation (DEIS Chs. 9, 15, 17, 19)*

250 Water Street is heavily contaminated with hazardous materials such as elemental mercury, chlorinated solvents, volatile organic compounds (“VOCs”), polychlorinated biphenyls (“PCBs”), metals, pesticides, petroleum and tar-related products, and per- and polyfluoroalkyl substances (“PFAS”) released from thermometer factories and other industrial operations that historically occupied the site. Under the existing conditions, the surrounding community—including the two adjacent schools and a large number of residences in the immediate vicinity—are *not* at risk of exposure to, or harm from, these subsurface hazardous materials because the current use of the site is as a parking lot and the entire lot is covered by asphalt.

However, as the DEIS acknowledges, by removing that protective asphalt layer and excavating the contaminated soil during construction, the Proposed Project may threaten human health and the environment by creating “exposure pathways”—including vapors or fugitive dust—through which human “receptors” in the neighboring community may ingest, inhale, or dermally contact the hazardous materials at harmful levels.³⁸

Unfortunately, the DEIS fails to fully and properly analyze these adverse environmental impacts, improperly delegates and defers its SEQRA obligations with respect to hazardous materials, concludes in the absence of evidence and analysis that the impacts will be insignificant, and fails to require necessary and appropriate mitigation measures to prevent or minimize those impacts.

A. SEQRA Does Not Permit the Commission to Delegate its Responsibilities to Any Other Agency or to Defer Mitigation to Future Plans and Reports.

Under SEQRA, a lead agency must exercise its own critical judgment on all issues presented in the DEIS—including the risks to human health and the environment from hazardous materials—and may not delegate its responsibilities to the NYSDEC, NYSDOH, or any other agency.³⁹ Instead, to comply with SEQRA and CEQR (which can be not less stringent than

³⁸ See DEIS at 9-1.

³⁹ *Penfield Panorama Area Community, Inc. v. Town of Penfield Planning Bd.*, 253 A.D.2d 342, 350 (4th Dept. 1999), and cases cited therein; *id.* at 349 (“We agree with petitioner . . . that the Planning Board improperly deferred

SEQRA), the Commission must make its own independent determination, based on evidence and analysis, as to whether the proposed project may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts.⁴⁰ If significant adverse impacts are identified, SEQRA and CEQR require that the impacts be disclosed and mitigated or avoided to the greatest extent practicable.⁴¹

This is not to say that lead agencies cannot benefit from the expertise of other agencies; they should do so by consulting with them and drawing upon available analyses, but they may not simply assume that compliance with another agencies' regulations or direction will necessarily avoid all significant adverse environmental impacts, many not defer investigation of impacts and development of mitigation to future plans and programs outside the SEQRA process—including the New York State Brownfield Cleanup Program (BCP)—and cannot depend upon other agencies to impose and enforce necessary mitigation measures.⁴²

B. The Commission DEIS Improperly Assumes that Compliance with the Brownfield Cleanup Program Will Necessarily Avoid All Significant Adverse Environmental Impacts Related to Disturbance of Contaminated Soils During Construction.

The DEIS improperly takes the position that 250SD's participation in the BCS program, administered by NYSDES with assistance from NYSDOH, will necessarily eliminate all significant adverse impacts that could be caused by the Proposed Project's soil-disturbing activities. A Public Meeting on the draft RAWP by NYSDEC will not take place until AFTER the deadline for DEIS comments (September 21, 2021) and written comments on the draft RAWP are not due to the NYSDEC until September 30, 2021. Therefore, the DEIS lacks a basis for its conclusions on hazardous materials, and the public's comments on the DEIS's Hazardous Materials and Construction chapters may be incomplete. Specifically, and without evidence or analysis, the DEIS merely assumes that "the potential for significant adverse impacts related to hazardous materials resulting from the Proposed Project *would be avoided through compliance with existing regulatory requirements* and conforming to New York State Department of

resolution of the hazardous waste remediation issue. The Planning Board conditioned its approval of the project on [the applicant's] agreement to get approval of a site remediation plan from the NYSDEC and MCDOH [Monroe County Department of Health] before any construction begins. In our view, however, deferring resolution of the remediation was improper because it shields the remediation plan from public scrutiny, and thus the [trial] court properly annulled the determination of the Planning Board.").

⁴⁰ CEQR Technical Manual at 12-1.

⁴¹ *Id.*

⁴² *Matter of Bronx Comm. for Toxic Free Sch. v. N.Y.C. Sch. Constr. Auth.*, 86 A.D.3d 401, 403 (1st Dept. 2011), *aff'd*, 20 N.Y.3d 148 (2012) (citing *Town of Penfield*, 253 A.D.2d at 349) (in matter concerning remediation of contaminated soil and groundwater at the Mott Haven School Campus in the Bronx, courts held that "relying on BCP procedures" did not allow School Construction Authority to "defer consideration" of "a known remediation issue").

Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP) requirements.”⁴³ The DEIS reaches this same unsupported conclusion in the Hazardous Materials, Construction, and Public Health chapters.⁴⁴ This is improper under SEQRA and CEQR for the reasons given by the courts in the cases cited above and for the additional reasons discussed below.

1. In Lieu of the Required Hard Look, the DEIS Merely Cuts and Pastes a Bullet-Pointed List of “Conceptual Remedial Elements” from a Draft BCP Plan that Remains Very Much in Flux.

Instead of analyzing the extent to which the Proposed Project will increase the exposure of people and the environment to hazardous materials, the resulting significant public health and environmental impacts, and mitigation measures for those impacts, and making an independent determination of the sufficiency of mitigation to eliminate or minimize impacts—as required by SEQRA—the DEIS merely repeats a bullet-pointed list of “conceptual” remedial elements copied from the *draft* Remedial Investigation Report (RIR) being prepared under the BCP and early reports (a Phase I ESA and Phase II ESI) that were even more preliminary.⁴⁵ This is improper because, among other things, the DEIS lacks sufficient detail and analysis of these issues and, as discussed below, the BCP plans that the DEIS cuts and pastes from are themselves incomplete and inadequate.

2. The BCP Cleanup Plans and Reports Are Incomplete.

The Commission may have originally assumed that a complete and final Remedial Action Work Plan would be available to it for use in the DEIS. But that did not happen. The Response to Comments on the Draft Scope of Work stated that “[t]he Remedial Action Work Plan [RAWP] is *anticipated* to be submitted to NYSDEC before completion of the DEIS.”⁴⁶ However, a *final* RAWP has not yet been prepared and neither the *draft* RAWP nor the draft Remedial Investigation Plan (RIR) was released to the public until well *after* the Commission accepted the DEIS as adequate. Thus, the DEIS refers only to a “Conceptual Remedy” and

⁴³ DEIS at 15-2 (emphasis added).

⁴⁴ *Id.*; DEIS at 9-9 (“With the [BCS] measures outlined above . . . no significant adverse impacts related to hazardous materials would be anticipated to occur during or following construction of the Proposed Project.”); DEIS at 17-41 (“with the implementation of a variety of [BCS] measures prior to and during construction . . . no significant adverse impacts related to hazardous materials would be expected to be associated with the Proposed Project”). The DEIS similarly assumes that, in the absence of NYSDEC oversight, two other city agencies would necessarily ensure that all significant adverse impacts relating to hazardous materials would be eliminated. DEIS at 9-9 (“[S]hould the developer not perform the remediation under the BCP . . . , the developer would be required to perform these activities . . . under the oversight of the [NYC]DEP and/or [NYC]OER.”).

⁴⁵ DEIS at 9-4 to 9-7.

⁴⁶ Response to Comment 59 (emphasis added).

“conceptual remedial elements,”⁴⁷ and states that, in the future, “a Remedial Action Work Plan . . . will be prepared. . .”⁴⁸

Moreover, the “conceptual remedial elements”—like the entire Brownfield cleanup—remain in a significant state of flux as NYSDEC is only now accepting comments on the draft RAWP and has not yet held the public meeting required by the Brownfield program’s public participation plan. NYSDEC must take those comments into account before making its determinations as the remedy. For example, the NYSDEC has not yet determined whether the remedial track proposed in the draft RAWP (Track 2), or one of the two alternative tracks presented in the draft RAWP (Tracks 1 or 4) should be implemented. Further, the final RIR and draft RAWP admit that yet another set investigation—including a Remedial Design Work Plan for a Remedial Design Investigation (RDI) and a Remedial Design Memorandum (RDM)—must still be completed in the future to, among other things, provide a “[s]upplemental site-wide waste characterization sampling to further define contaminant source areas and obtain data sufficient for off-site disposal facility approvals.”

Accordingly, while, as lead agency, the CPC may consider and utilize expertise of other agencies to assist it in its analysis, the various plans and reports, and the investigation of hazardous materials on the site, and the selection and design of a remedy remains inchoate and insufficiently developed for the CPC to rely on for its own legally-mandated analysis.

3. The BCP Cleanup Plans and Reports Are Inadequate.

Furthermore, as the comments on the draft RAWP will demonstrate, that work plan and the remedy proposed therein remain inadequate for several important reasons. For one thing, a test pit investigation should have been conducted during the Remedial Investigation, instead of merely using soil borings. Test pits aid in the visual identification of the anomalies of potential concern and should have been excavated during the RI to as to screen larger soil samples for mercury and monitoring for mercury and VOC vapor. Notably, 250SD’s engineering firm, Langan Engineering, has recognized that excavation of test pits may be necessary in order to investigate subsurface anomalies identified during the geophysical survey, further investigate potential contaminant sources, further characterize the nature and extent of contamination at the site, support the qualitative human health exposure assessment, to provide sufficient information to evaluate remedial alternatives.⁴⁹ Langan also admits that the results of the test pit investigation may require revision to the HASP [Health and Safety Plan], CAMP [Community Air Monitoring Program] and/or QAPP [Quality Assurance Project Plan].⁵⁰

⁴⁷ DEIS at 9-6.

⁴⁸ *Id.* (emphasis added).

⁴⁹ Remedial Investigation Work Plan (May 13, 2020) at 20.

⁵⁰ *Id.* at 21.

These test pit excavations should have been done already for several reasons. For one, the extremely narrow diameter of the soil borings conducted during the Remedial Investigation are not an adequate proxy for what will occur when the asphalt is removed during any remediation because the surface area exposed by those borings is tiny compared to the area that would be exposed during implementation of the Proposed Project. In contrast, the test pits would more closely replicate conditions that would be occur during remediation and construction. While test pit excavations may now be conducted during the next stage of investigation by Langan—*i.e.*, the Remedial Design Investigation—the fact that they have not been done yet leaves the DEIS with a significant gap in data and analysis. This is particularly significant given that, as discussed below, the Remedial Investigation showed troubling levels of mercury vapor and particulates in soil boring samples and ambient air samples at the perimeter of the site at Pearl Street and Peck Slip—facts that were not even mentioned in the DEIS.

4. The DEIS Failed to Disclose and Analyze Critical Facts from the Remedial Investigation.

While the DEIS notes that “[m]ercury associated with the historical thermometer factory/workshops was detected in soil samples at levels above [Soil Cleanup Objectives],”⁵¹ the DEIS completely omits the crucially important facts that, during the Remedial Investigation, mercury vapor concentrations in excess of the mercury Action Level were recorded at the perimeter of the Development Site and the edge of Pearl Street near Peck Slip, and that mercury vapor levels screened from samples of extracted soil were, at times, more than 600 percent of the Action Level.⁵² Particulates in excess of the Action Level were also measured at the perimeter monitoring station on Peck Slip closest to the Peck Slip School.⁵³ These highly significant results of the investigation were not even mentioned in the DEIS.

The potential for exposure pathways for mercury vapor and other contaminants to reach “sensitive receptors” (*i.e.*, children and other human beings) during remediation and construction is extremely troubling given the DEIS’s recognition in the Response to Comments on the Draft Scope of Work that, “[i]n accordance with the CEQR Technical Manual, operable windows on

⁵¹ DEIS at 9-5 to 9-6.

⁵² Final RIR at PDF p. 269 (Soil Vapor Sampling Log Sheet reporting “maximum initial mercury vapor concentration of 1.13 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) was observed” on 7/9/20); *id.* at PDF p. 296 (Site Observation Report reporting “Mercury vapor concentrations above background were identified at a maximum concentration of 6.63 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$)” on 7/27/20); *id.* at PDF p. 40 (soil findings for mercury: “highest mercury vapor screening value of 6.63 $\mu\text{g}/\text{m}^3$ ”); *id.* at PDF p. 302 (“Mercury vapor concentrations above background were identified . . . at a maximum concentration of 1.72 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$)” on 7/28/20); *id.* at PDF p. 422 (Daily Air Monitoring Report showing mercury concentration of 1.4 $\mu\text{g}/\text{m}^3$ in ambient air at perimeter monitoring station PM-1 (on Pearl Street near Peck Slip) on 7/27/20); *id.* at PDF p. 434 (Daily Air Monitoring Report showing mercury concentration of 0.9 $\mu\text{g}/\text{m}^3$ (just under Action Level) in ambient air at perimeter monitoring station PM-5 (on Peck Slip) on 7/27/20).

⁵³ Final RIR at PDF p. 434 (Daily Air Monitoring Report showing PM10 particulates in dust measured at 525.9 $\mu\text{g}/\text{m}^3$ (approximately 500% of Action Level) at perimeter monitoring station PM-6 (on Water Street) on 7/27/20).

schools are considered sensitive receptor locations” and that “Peck Slip adjacent to the Development Site is a low traffic street that closes during certain school hours to accommodate a ‘play-street’ [for students at Peck Slip School].”⁵⁴

The failure of the DEIS to even mention these mercury and PM10 findings is a critical omission, and like so many of the DEIS’s legal shortcomings, not one that can be corrected in a FEIS after the comment period has closed. Instead, a revised DEIS must be circulated for public review and comment.

5. The DEIS Fails to Undertake a Public Health Assessment of Hazardous Materials Impacts.

The DEIS notes that “The *CEQR Technical Manual* states that a public health assessment is warranted for a specific technical area if there is an unmitigated significant adverse impact found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise.”⁵⁵ The Public Health chapter of the DEIS did not, however, conduct a public health assessment for hazardous materials based on its improper assumption that significant adverse impacts related to hazardous materials resulting from the Proposed Project would be avoided through compliance BCP requirements.⁵⁶ For the reasons discussed above, this was improper. A public health assessment should have been conducted for hazardous materials.

6. The DEIS Improperly Defers and Excludes Long-Term Monitoring Plans from the SEQRA Process.

Long-term maintenance and monitoring of remediation measures for contaminated soil and groundwater must be analyzed in an EIS, particularly where, as here, contaminants may be left in the ground after remediation and construction. The two of the proposed “conceptual remedial element” bullet points copied from the draft RIR into the DEIS are described as follows:

- If required, recording of an environmental easement to memorialize the remedial action the institutional controls (ICs) to prevent future exposure to remaining contamination at the Development Site. If engineering controls (ECs) are part of the final remedy the ECs will be memorialized in the environmental easement; and
- If required, development of a Site Management Plan for long-term management of remaining contamination as may be required by the

⁵⁴ Response to Comments 66 and 89

⁵⁵ DEIS at 15-1.

⁵⁶ DEIS at 15-2.

environmental easement, including plans for: (1) ECs and/or ICs, (2) monitoring, (3) operation and maintenance, and (4) reporting.⁵⁷

It is highly likely, however, that all of these institutional and engineering controls and related plans and easements will, in fact, be required because 250SD is proposing a Track 2 remedy under the BCP, which would leave contaminants in the soil after remediation and construction.

By failing to describe these long-term monitoring plans in any detail in the DEIS and failing to analyzing whether they will be adequate, the DEIS for this project commits the same error that the School Construction Authority (the “Authority”) committed in the Brownfield school site in the *Bronx Committee for Toxic Free Schools v. N.Y.C. School Construction Authority* case cited above.⁵⁸ In that case, which involved a contaminated former railroad yard which was to be remediated and used as a new school campus in the Bronx, the Court of Appeals considered whether the Authority violated SEQRA “by failing to discuss in an EIS the methods it adopted for long-term maintenance and monitoring of the controls it used to prevent or mitigate environmental harm.”⁵⁹ The Authority went through the SEQRA process *after* getting NYSDEC’s conditional approval of the RAWP, but *before* preparing the site management plan required by NYSDEC. Neither the draft nor final EIS described the long-term maintenance and monitoring procedures to be used. The Authority then made findings that the project’s adverse environmental impacts will be minimized or avoided to the maximum extent practicable by incorporating mitigation measures. But there had been no discussion in the EIS of the long-term monitoring plans, which had not yet been developed at that time.⁶⁰

On those facts, the Court of Appeals found that the Authority had violated SEQRA and was required to supplement its EIS to describe those remedial measures because they were “too important not to be described in an EIS” and “were ‘essential’ to protecting the site’s occupants from dangerous contaminants.”⁶¹ The court explained further:

Nor does the submission of the site management plan to the DEC, or the approval of that plan as part of the Brownfield process, justify short-circuiting SEQRA review. The Brownfield Program and SEQRA serve related but distinct purposes. SEQRA is designed to assure that the main environmental concerns, and the measures taken to mitigate them, are described in a publicly filed document identified as an EIS, as to which the public has a statutorily-required period for review and comment.⁶²

⁵⁷ DEIS at 9-7.

⁵⁸ *Matter of Bronx Comm. for Toxic Free Sch. v. N.Y.C. Sch. Constr. Auth.*, 20 N.Y.3d 148 (2012).

⁵⁹ *Id.* at 153.

⁶⁰ *Id.* at 153-54.

⁶¹ *Id.* at 156.

⁶² *Id.* at 156-57.

In comparison here, while there is no proposal to build a new school on a Brownfield in South Street Seaport, given the very close proximity of the two existing, adjacent schools to the contaminated site—across extremely narrow cobblestone streets (one of which, Peck Slip, is a play-street for the school)—as well as other vulnerable adults in low-rise homes within the South Street Seaport Historic District and in nearby Southbridge Towers just outside the South Street Seaport Historic District, the facts are highly similar to those in the *Bronx Committee* case.⁶³ Moreover, while the Authority in that case waited until there was an RAWP approved by NYSDEC, here the DEIS was issued for public comment even before the draft RAWP was released by NYSDEC for public comment. Although, given the particular manner that the *Bronx Committee* case worked its way up from the Supreme Court to the First Department and Court of Appeals, the high court in that case directed the Authority to supplement its EIS with the long-term monitoring plans, here the Commission should include the required analysis in a revised DEIS before proceeding to finalize the EIS and make findings. By failing to describe in detail and analyze the adequacy of the entire Brownfield remedy, including the long-term monitoring plans, the DEIS fails to comply with SEQRA.

C. The Commission Must Impose Mitigation Measures.

The Response to Comments on the Draft Scope of Work stated that “[t]he DEIS . . . will include requirements to minimize potential exposures during excavation to workers and the community.”⁶⁴ However, the DEIS did not do so. Instead of including such requirements, the DEIS merely assumes that compliance with whatever Brownfield cleanup plan NYSDEC ultimately arrives at will necessarily avoid all significant adverse environmental impacts related to hazardous materials and excavation of contaminated soils during remediation and construction. As a result, the Mitigation chapter of the DEIS is inadequate.

Beyond the potential public exposure to hazardous substances, the Brownfield remediation would impose significant other environmental impacts on the community relating to noise, vibration, dust, odors, construction traffic, and other impacts in addition to those resulting from the building construction itself. These impacts are a result of the proposed development project and the CPC must fully analyze and mitigate these as well.

The Commission should mandate the following mitigation measures as enforceable requirements of the project:

⁶³ Teachers and others at the Mott Haven, Bronx site adjacent to P.S. 156 reported headaches, rashes, and other health complaints during pre-construction activity. Reportedly, there was a limited amount of soil disturbance during that activity, but the Seaport Coalition does not have adequate information to evaluate any relationship between the activity and the complaints. We note that the applicant is planning, for its major excavation projects, full dust containment and monitoring, but it is likely that, during both excavation and construction, dust, vehicle fumes, and noise from the 250 Water Street site, will be an inconvenience or distraction, even if not a significant health threat, at the existing Peck Slip and Blue Schools.

⁶⁴ Response to Comment 59.

- **Test Pits.** The test pit excavations that were not completed during the Remedial Investigation must be done before any other work is done on the site and before the Remedial Action Work Plan and Remedial Design are approved.
- **Negative-Pressure Tent.** All remedial work, particularly excavation of mercury-impacted soils, must be conducted under a tent with negative air pressure.
- **Schedule Investigation/Remediation Only When School Not In Session.** The community appreciates that, thus far, the Remedial Investigation has been conducted largely during the summer or on nights and weekends when school is not in session. This must continue for the Remedial Design Investigation and, to the extent possible, for the remediation itself. In particular, any remediation should start on approximately July 1 of the year in which it starts. That would provide several important benefits. First, it would ensure that *at least* three months of the remediation are while school is not in session. Second, since the excavation of mercury-impacted soil is planned to commence first, that would align that work with the schools' summer vacation. Third, if the remediation takes less than 12 months, it would be contained within one school year, rather than straddling two school years. Fourth, if, alternatively, the clean-up was to extend for more than a year (*e.g.*, 15 months), then six months of that work would occur over the schools' summer breaks. Fifth, it would allow families to decide whether to return to their schools in the fall and to plan for it.
- **No Stockpiles of Contaminated Soil.** HHC must be prohibited from stockpiling any excavated soil on or near the Site. Instead, all excavated soil must be loaded immediately into outgoing trucks and transported (after tarping) off-site.

The Commission must make the mitigation measures enforceable conditions of the project.

Sincerely,



Reed Super

Attachments: Exhibits 1–5

cc: Susan Amron, General Counsel, City Planning

Exhibit 1

Land Use Action

Seeking authority to negotiate terms of new 99-year Marketplace Lease

Proposed Lease Modifications

- New 99-year term expiring in 2120
- Additional rent reset in 2097; 3% annual increases in between
- Remove John Street Lot ROFO
- Swap retail space on Schermerhorn Block with Seaport Museum to occupy prime corner location

Proposed Public Benefits

- HHC to construct or fund esplanade improvements north of leasehold (\$8.8M)
- HHC to perform Titanic Park improvements (\$1M)
- HHC continues to offer Fulton Stall Market free space in 133 Beekman through April 2031

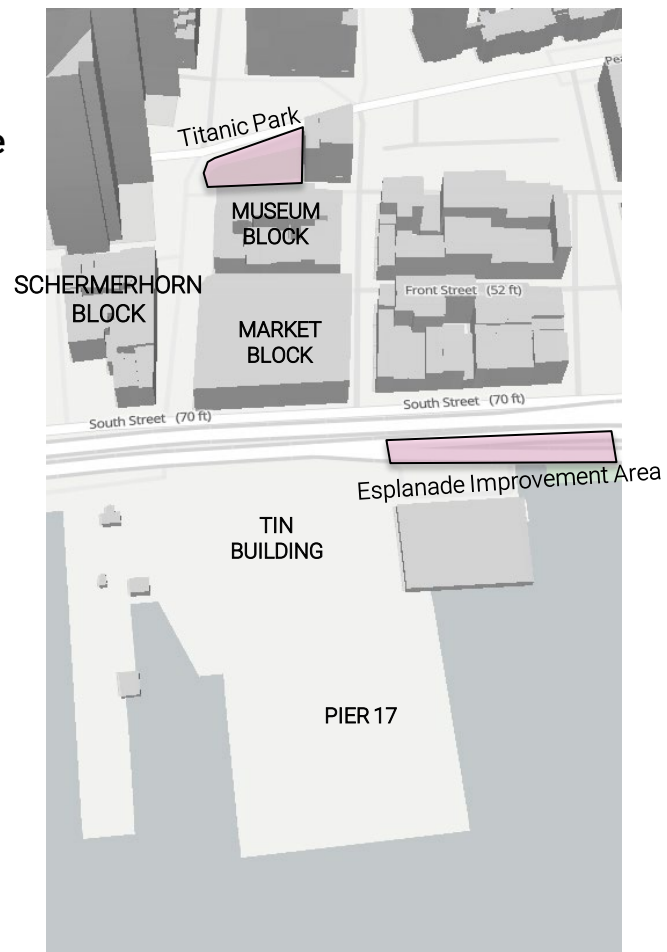


Exhibit 2

Disposition of Seaport Properties

Applicant Team:

[Share Project](#)

SBS - NYC Small Business Services (Primary Applicant)

Project Brief:


NYC Department of Small Business Services (DSBS) seeks approval for the disposition of leasehold and easement interests to extend the term of the existing lease agreement for 99 years, until 2120, with respect to various city-owned properties located within the South Street Seaport area (Block 73, p/o Lots 8, 10, and Lot 11; Block 74, p/o Lots 1, 20; Block 95, Lot 101; Block 96, Lot 1, p/o Lots 5, 8, 12, 13; p/o Marginal Street; and the Seaport pedestrian streets), Manhattan, Community Board 1.

Public Documents

Status: In Public Review

ULURP

Actions

 **Disposition of Non** ⁱ
ULURP Number: 210444PPM
Certified

Milestones

▶  **Completed**

▼  **In Progress**

Community Board Review ⁱ
August 4 – October 4, 2021

▼  **Not Started**

Borough President Review ⁱ

Borough Board Review ⁱ

**Review Session - Pre-Hearing
Review / Post Referral**

**City Planning Commission
Review** ⁱ

**Post Hearing Follow-Up /
Future Votes**

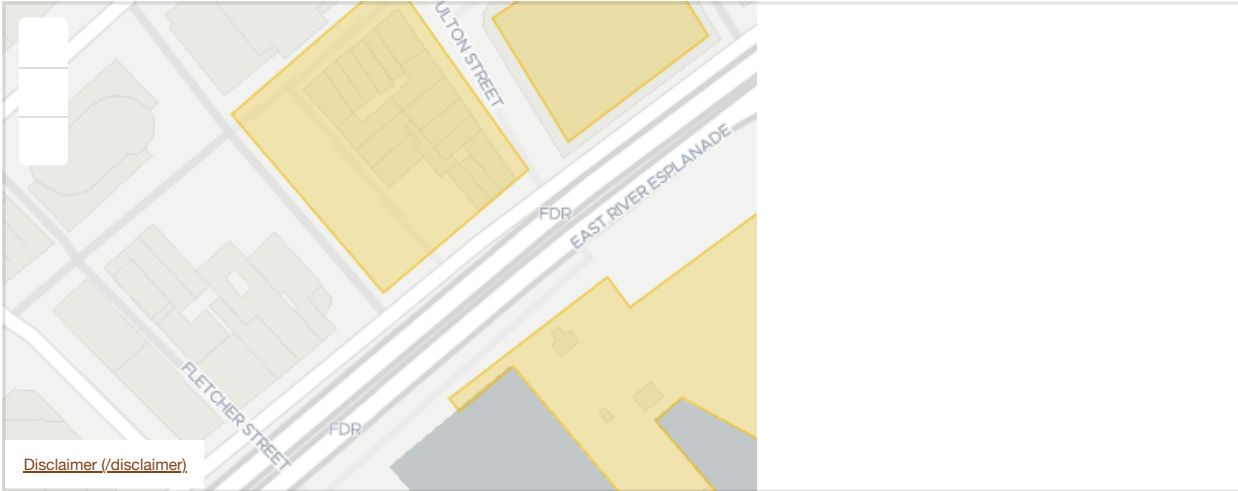
City Planning Commission Vo

Need Support

City Council Review ⁱ

Mayoral Review ⁱ

Approval Letter Sent to Responsible Agency



CEQR ⁱ: Type I [21DCP084M](https://a002-ceqraccess.nyc.gov/ceqr/) [↗](#) (<https://a002-ceqraccess.nyc.gov/ceqr/>).

FEMA Flood Zone: Zone A Zone Shaded X

WRP Number ⁱ: 21-056

LPC Number ⁱ: 21-03235

Borough: Manhattan

Community Districts: Manhattan | CD [1](http://communityprofiles.planning.nyc.gov/manhattan/1) (<http://communityprofiles.planning.nyc.gov/manhattan/1>).

Addresses:

BBLs: 1000730008 1000730010 1000730011 1000740001 1000740020 1000950101 1000960001
1000960005 1000960008 1000960012 1000960013

Exhibit 3

**THIRD AMENDMENT TO
AMENDED AND RESTATED AGREEMENT OF LEASE**

This THIRD AMENDMENT TO AMENDED AND RESTATED AGREEMENT OF LEASE (this "Third Amendment") is dated as of this ___ day of October, 2020 (the "Translux Building Commencement Date"), by and among THE CITY OF NEW YORK (AS SUCCESSOR IN INTEREST TO THE SOUTH STREET SEAPORT CORPORATION), a municipal corporation of the State of New York, having an address at City Hall, New York, New York 10007, as landlord (the "Landlord"), and SOUTH STREET SEAPORT LIMITED PARTNERSHIP (AS SUCCESSOR IN INTEREST TO SEAPORT MARKETPLACE, INC.), having an address at c/o The Howard Hughes Corporation, One Galleria Tower, 13355 Noel Road, 22nd Floor, Dallas, Texas 75240, as tenant (the "Tenant").

RECITALS

1. Landlord and Tenant are parties to an Amended and Restated Agreement of Lease dated as of June 27, 2013 (the "Original Lease") with respect to the South Street Seaport Project as more particularly described therein, as amended by that certain First Amendment to Amended and Restated Agreement of Lease dated January 11, 2017 (the "First Amendment"), and by that certain Second Amendment to Amended and Restated Agreement of Lease dated October 3, 2017 (the "Second Amendment"), and the Original Lease as amended by the First Amendment and Second Amendment, the "Marketplace Lease").

2. Pursuant to Section 23.9 of the Marketplace Lease, Tenant has the option to lease certain Option Premises, including the first and second floors of 133 Beekman Street from Landlord, and Landlord and Tenant desire to modify the Marketplace Lease to add the first floor and a portion of the second floor of 133 Beekman Street, as more particularly described on Exhibit 1 annexed hereto ("Third Amendment Premises") to the Premises demised under the Marketplace Lease and to make certain other changes in relation to such addition.

3. Landlord and Tenant also desire to modify certain provisions of the Marketplace Lease with respect to the Former Streets (as defined in the Marketplace Lease).

NOW, THEREFORE, in consideration of the foregoing and the covenants of the Parties set forth herein and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

Section 1. Definitions.

(a) Unless otherwise defined herein, all capitalized terms used herein shall have the respective meanings given to such terms in the Marketplace Lease.

(b) Article 1 of the Marketplace Lease is hereby modified as follows:

(i) The definition of "Restrictive Declaration" is deleted in its entirety, and replaced with the following: "Restrictive Declaration" means that

certain Restrictive Declaration dated as of June 27, 2013 and entered into by and between the City of New York and SSSLP, as amended and restated by that certain First Amended and Restated Declaration dated as of January 11, 2017, and as further amended from time to time.”

(ii) The following definitions shall be added to Article 1:

“Former Streets Liquidated Damages” has the meaning provided in Section 23.4 hereof.

“Former Streets Notice” has the meaning provided in Section 23.4(a) hereof.

“Stall Market Operator” means Fulton Market Association, Inc. currently doing business as the Fulton Stall Market, or any other public market operator as mutually agreed to by Landlord and Tenant, together with its successors and/or assigns.

“Stall Market Operator Agreement” has the meaning provided in Section 10.9 hereof.

“Stall Market Premises” means that certain portion of Parcel II of the Premises identified on Exhibit 2 attached to this Third Amendment.

“Translux Rent” means annual rent in the amount of Two Hundred and Seventy Thousand and 00/100 Dollars (\$270,000.00).

Section 2. Amendments. The Marketplace Lease is hereby modified as follows:

(a) The diagrams in Exhibit A-4 to the Marketplace Lease are hereby deleted and replaced with the diagrams in Exhibit 3 annexed hereto.

(b) The legal description of Parcel II of the Premises set forth in Exhibit A to the Marketplace Lease is hereby deleted in its entirety and substituted therefor is the legal description of Parcel II of the Premises set forth in Exhibit 4 annexed hereto.

(c) Section 3.2(a)(i) of the Marketplace Lease is hereby deleted in its entirety and replaced with the following:

Base Rent Payments.

(i) Tenant shall pay Landlord annual base rent throughout the Term as follows: (A) commencing on July 1, 2013 (the “Amendment Commencement Date”), One Million Two Hundred Thousand Dollars (\$1,200,000); plus (B) commencing on January 11, 2017 (the “Tin Building Commencement Date”) \$0.00 for the Tin Building Area (the “Tin Building Rent”); plus (C) commencing on April 1, 2021, the Translux Rent.

Notwithstanding anything to the contrary set forth herein, from April 1, 2021 until the earlier to occur of (i) the termination of the Stall Market Operator Agreement (as defined in Section 10.9), (ii) the effective date under any sublease, license, permit or any other agreement that Tenant enters into allowing for the use of the Stall Market Premises or any portion thereof, by any Person other than the Stall Market Operator as provided in Section 10.9, (iii) provided that Tenant has not theretofore entered into a Stall Market Operator Agreement, the date that Landlord provides written notice to Tenant that (A) the Stall Market Premises or any portion thereof, may be repurposed for other uses consistent with the Marketplace Lease and (B) Tenant shall not be obligated to continue to use commercially reasonable efforts to enter into a Stall Market Operator Agreement pursuant to Section 10.9 (provided that Landlord shall not be permitted to send such notice until the date which is thirty-six (36) months from the date hereof unless Tenant waives such restriction in writing) and (iv) ten (10) years from the Translux Building Commencement Date, the Translux Rent shall be reduced by \$127,295 per annum (the "Reduction Amount"), which such Reduction Amount is the product of (x) \$36.37 per rentable square foot and (y) the aggregate rentable square footage of the Stall Market Premises, which Landlord and Tenant tentatively agree is approximately 3,500 rentable square feet, such that the resulting Translux Rent shall be \$142,705 per annum. Notwithstanding the foregoing sentence, the Translux Rent shall be adjusted upon confirmation of the Stall Market Premises rentable square footage by Tenant and Landlord. In addition to the foregoing, if Tenant has not entered into a Stall Market Operator Agreement and the Stall Market Premises are vacant for thirty-six (36) months or longer, then, provided that Tenant notifies Landlord, (1) Tenant shall not be obligated to continue to use commercially reasonable efforts to enter into a Stall Market Operator Agreement pursuant to Section 10.9, (2) Tenant may enter into Subleases in accordance with Section 10.2, and (3) Tenant shall pay to Landlord the Translux Rent without the reduction contemplated in the preceding sentence.

The amounts referred to in clauses (A), (B) and (C) of this subparagraph (i) shall increase on each anniversary of the Amendment Commencement Date by three percent (3%), compounded annually (subject to adjustment as provided in subparagraph (ii) and subsection (b) of the Marketplace Lease, "Base Rent") and shall be payable in equal monthly installments in advance on the first day of the month for which such monthly installment of Base Rent is due; provided, however, that the Translux Rent shall not increase pursuant to the terms of this paragraph until the anniversary of the Amendment Commencement Date occurring in 2021.

(d) Reserved.

(e) Section 10.2(b)(vi) of the Marketplace Lease is hereby deleted in its entirety and replaced with the following:

(vi) Enter into Subleases for the Premises (except for the Stall Market Premises) in accordance with this Section 10.2;

(f) Section 10.2(i) of the Marketplace Lease is hereby deleted in its entirety and replaced with the following:

Subleases. Except as provided in Section 10.9 below, nothing herein set forth shall require Tenant to obtain Landlord's consent to a Sublease which is not a Major Sublease so long as (A) the Sublessee is not an Unqualified Person, (B) the Sublease conforms to the requirements of Section 10.5(a) hereof, and (C) is consistent with Article 23 hereof.

(g) The following Section 10.9 is hereby added to Article 10 of the Marketplace Lease:

Section 10.9 Stall Market Premises. Tenant shall use reasonable efforts to enter into an agreement ("Stall Market Operator Agreement") with Stall Market Operator that allows for the use of the Stall Market Premises by such operator for a period of no less than ten (10) years from the Translux Building Commencement Date. The Stall Market Operator Agreement shall be subject to the reasonable approval of Landlord. The Stall Market Operator Agreement shall permit the use of the Stall Market Premises in a manner consistent with the uses outlined in Exhibit 5 annexed hereto. If either (x) the Stall Market Operator elects to terminate the Stall Market Operator Agreement or (y) the Stall Market Operator defaults under the Stall Market Operator Agreement beyond any applicable notice and/or cure periods (such termination or default being referred to as a "Stall Market Default"), then Tenant may elect to terminate the Stall Market Operator Agreement, provided, however, that in the case of a termination due to default by the Stall Market Operator, Tenant shall send a copy of any default notice or notice to cure to Landlord at the same time that Tenant serves such notice on Stall Market Operator, and (a) to the extent such default is monetary in nature, Landlord shall have an additional thirty (30) days from the expiration of Stall Market Operator's cure period, to cure such monetary default, and (b) to the extent such default is non-monetary in nature, Landlord shall have sixty (60) days from the expiration of Stall Market Operator's cure period, to cure such non-monetary default. In the event that the Stall Market Operator Agreement is terminated in accordance with this paragraph, Tenant may repurpose the Stall Market Premises for uses consistent with the Marketplace Lease. For so long as the Stall Market Operator Agreement is in effect and has not been terminated, Tenant shall not enter into a sublease, license, permit or any other agreement allowing for the use of the Stall Market Premises or any portion thereof, by any Person, other than Stall Market Operator, without the prior written consent of Landlord in Landlord's sole and absolute discretion in each instance; provided, however, that the foregoing shall not restrict Tenant from entering into a sublease, license, permit or other agreement allowing for the use of the Stall Market Premises or any portion thereof prior to the termination or

expiration of the Stall Market Operator Agreement so long as such sublease, license, permit or other agreement does not commence until a date which is after the termination or expiration of the Stall Market Operator Agreement.

(h) Section 2(b) of the Second Amendment is hereby amended by adding the following phrase to the end thereof:

“Notwithstanding anything to the contrary set forth above, provided that all applicable Requirements are satisfied, the third floor areas in the Market Block identified on Exhibit 6 annexed hereto, and up to 2,000 square feet of Gross Leasable Area on the ground floor of the Market Block in order to provide access to the third floor, may be used by Tenant or any Subtenant as general executive and administrative office space and the area used for such purposes in accordance with this paragraph shall not be counted as part of the Limited Office Use Area.”

(i) Section 23.4 of the Marketplace Lease is hereby replaced with the following:

Section 23.4 Liquidated Damages for Failing to Maintain a Right of Way. Tenant hereby acknowledges the vital importance to maintain the accessibility of the Former Streets to emergency vehicles in accordance with Sections 23.5(b) and (d) of the Marketplace Lease. Tenant acknowledges that Tenant’s failure to comply (or to cause its Subtenant(s), contractors and licensees to comply) with the requirements regarding accessibility to emergency vehicles of the Former Streets in Sections 23.5(b) and (d) will cause loss and damage to Landlord and jeopardize the safety of the public, the precise extent of such losses and damages being difficult to ascertain and, therefore, Landlord and Tenant desire to provide fair and reasonable compensation to Landlord for such losses and damages, which compensation shall not be construed as a penalty. It is therefore agreed that, without limiting any of Tenant’s obligations under Sections 23.5(b) and (d) of this Marketplace Lease, if Tenant (or its Subtenant(s), contractors or licensees) fails to maintain a minimum of a fifteen (15)-foot right of way in the Former Streets in accordance with Sections 23.5(b) and (d) of this Marketplace Lease, there shall accrue to Landlord liquidated damages (“Former Streets Liquidated Damages”) as follows:

(a) If at any time during the Term, Tenant fails to maintain at minimum a fifteen (15)-foot right of way in the Former Streets, or to cause its Subtenant(s), contractors or licensees to maintain at minimum a fifteen (15)-foot right of way in the Former Streets, Landlord shall notify Tenant in writing of such non-compliance (each such notice shall be referred to herein as a “Former Streets Notice”), and Tenant shall cure such non-compliance within the time periods provided under the Marketplace Lease. Upon receiving a Former Streets Notice from Landlord with respect to a second failure to maintain such right of way, Tenant shall pay Landlord

\$5,000. Upon receiving a Former Streets Notice with respect to a third failure to maintain such right of way, Tenant shall pay Landlord \$7,500. Upon receiving a Former Streets Notice with respect to a fourth failure to maintain such right of way, Tenant shall pay Landlord \$10,000. Upon receiving a Former Streets Notice with respect to a fifth failure to maintain such right of way, Tenant shall pay Landlord \$15,000. Upon receiving a Former Streets Notice with respect to a sixth failure to maintain such right of way, Tenant shall pay Landlord \$20,000. Upon receiving a Former Streets Notice with respect to a seventh failure to maintain such right of way, Tenant shall pay Landlord \$30,000. Subject to subsection (ii) below, Tenant shall pay Landlord \$40,000 upon receiving any subsequent Former Streets Notice. The amounts described above, shall be payable within thirty (30) days of receipt of a Former Streets Notice and such amounts shall be assessed, if at all, by Landlord on a "per violation" basis and not a "per diem" basis for each violation.

(b) If Landlord does not issue a Former Streets Notice for a period of nine calendar months after the date of any Former Streets Notice, then any Former Streets Notice sent by Landlord after such nine calendar month period shall be deemed to be the first Former Streets Notice, provided that Tenant has paid all Former Streets Liquidated Damages previously incurred.

(c) Commencing January 1, 2027, Former Streets Liquidated Damages amounts shall be increased annually to an amount equal to the product obtained by multiplying the amount of Former Streets Liquidated Damages in the immediately preceding Lease Year by the sum of one and the CPI Increase. All Former Streets Liquidated Damages payable shall constitute Rental hereunder.

(d) Nothing contained herein shall constitute a waiver of any other rights or remedies available to Landlord under the Marketplace Lease.

(j) Section 23.9(b) of the Marketplace Lease is hereby deleted in its entirety and replaced with the following:

(b) The term "Option Premises" shall mean the following portions of Landlord's Premises, as each is depicted on Exhibit A-4: (w) the first floor at Nos. 12 and 14 Fulton Street in Schermerhorn Row (except that then existing public circulation areas within No. 12 Fulton Street shall remain as public circulation areas), (x) certain space located on the second floor of 133 Beekman Street, (y) the first floors at 207, 209, 211 Water Street, and (z) the first and second floors of 213-215 Water Street, other than a portion of each of those floors at 213-215 Water Street to be retained by Landlord (the "Retained Areas") for access to the other floors in such buildings, which such Retained Areas shall (i) be large enough to allow for elevators and stairs (such elevator and stairs to be separately demised and to be compliant with all applicable laws, rules, regulations and codes), as determined by Landlord in its reasonable

discretion; and (ii) will be available for use by all tenants and occupants of the buildings, and their employees, guests and invitees.

Section 3. Miscellaneous.

(a) Neither this Third Amendment nor any provision hereof may be changed or canceled except by agreement in writing signed by the party (acting by a duly authorized partner or officer thereof if the party is a partnership or corporation) against whom any purported change is sought to be enforced.

(b) This Third Amendment shall be governed by, and construed in accordance with, the laws of the State of New York.

(c) Each of the signatories below represents that it has authority to sign on behalf of the party for which it signed and has the power to bind such party.

(d) Except as expressly stated in this Third Amendment all terms and conditions of the Marketplace Lease shall remain in full force and effect, and upon execution of this Third Amendment, any references to the Marketplace Lease shall include this Third Amendment. In the event of a conflict between the terms of this Third Amendment and the Marketplace Lease, the provisions of this Third Amendment shall be controlling.

(e) This Third Amendment may be signed in counterparts, all of which counterparts, when taken together, shall be deemed a fully-executed instrument.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

STATE OF NEW YORK)
: SS.:
COUNTY OF NEW YORK)

On December 4 2020, before me, the undersigned, personally appeared Andrew Schwartz personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

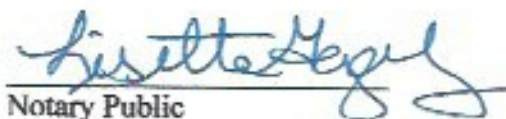


Notary Public

Carlos A. Guerra
Notary Public, State of New York
No. 01GU6292830
Qualified in New York County
Commission Expires 11/12/20 21

STATE OF NEW YORK)
: SS.:
COUNTY OF NEW YORK)

On September 30 2020, before me, the undersigned, personally appeared Saul Scherl personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.



Notary Public



STATE OF NEW YORK)
 : SS.:
COUNTY OF NEW YORK)

On _____, 2020, before me, the undersigned, personally appeared _____ personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is (are) subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), and that by his/her/their signature(s) on the instrument, the individual(s), or the person upon behalf of which the individual(s) acted, executed the instrument.

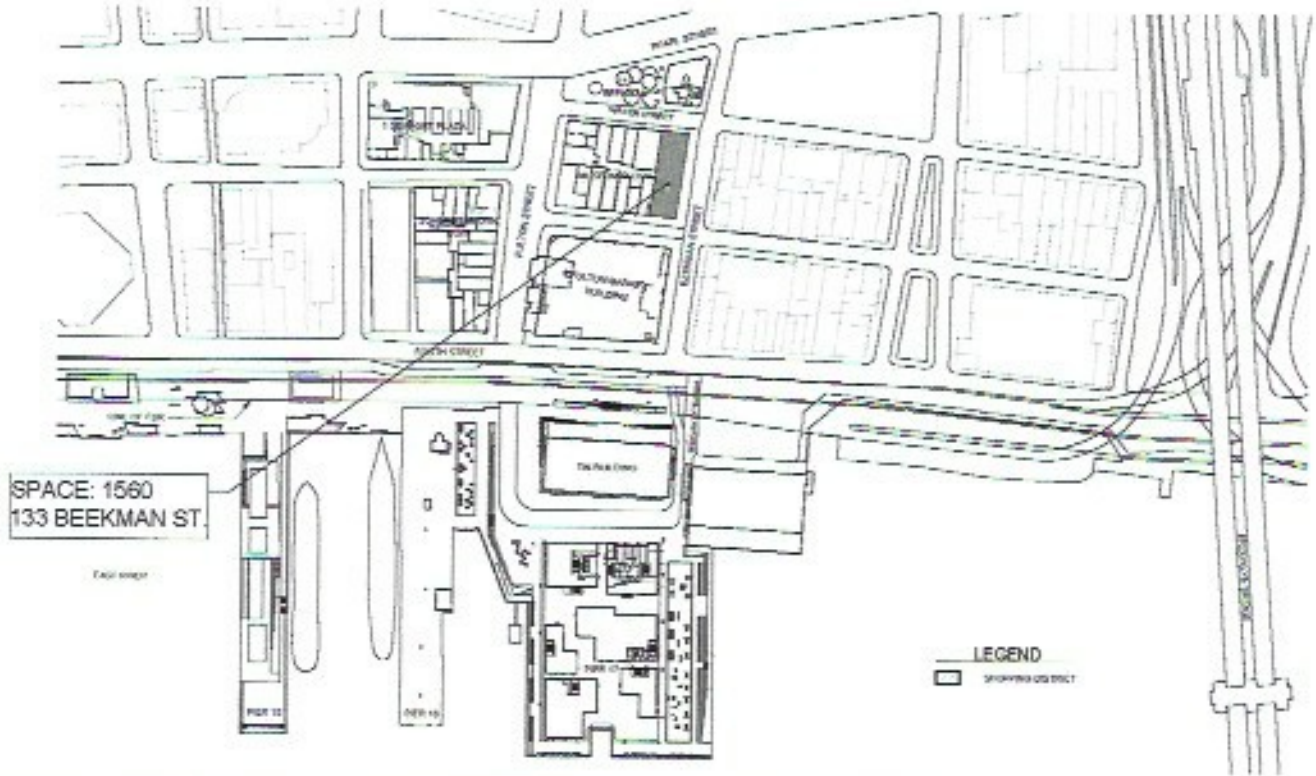
Notary Public

EXHIBIT 1

Third Amendment Premises

[See attached]

LOCATION KEY PLAN



SOUTH STREET SEAPORT
LIMITED PARTNERSHIP

SITE PLAN

SCALE 1" = 20'-0"

DATE: 10-31-18

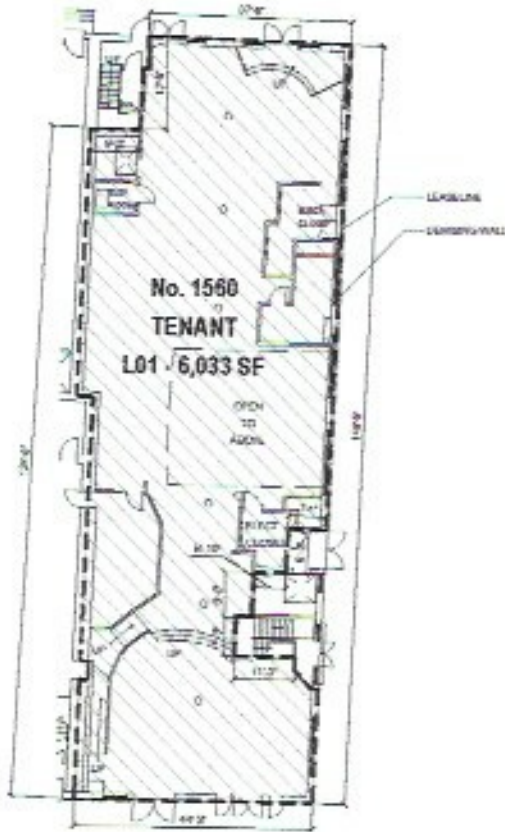


SPACE: 1560

EXHIBIT 1

THIRD AMENDMENT PREMISES

 TENANT PREMISES



LEVEL 1 GLA:	6,033 SF
LEVEL 2 GLA:	3,895 SF
TOTAL GLA:	9,928 SF

SOUTH STREET SEAPORT
LIMITED PARTNERSHIP

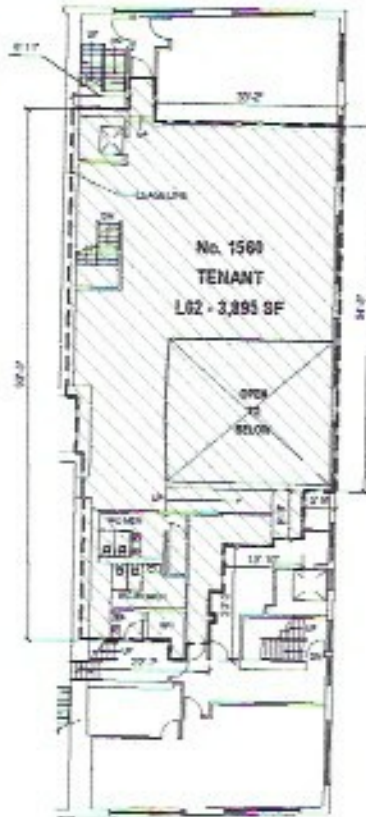
LEASE OUTLINE DRAWING
SCALE: N.T.S.
DATE: 10-31-18



SPACE: 1560

EXHIBIT 1

THIRD AMENDMENT PREMISES



LEVEL 1 GLA:	6,033 SF
LEVEL 2 GLA:	3,895 SF
TOTAL GLA:	9,928 SF

SOUTH STREET SEAPORT
LIMITED PARTNERSHIP

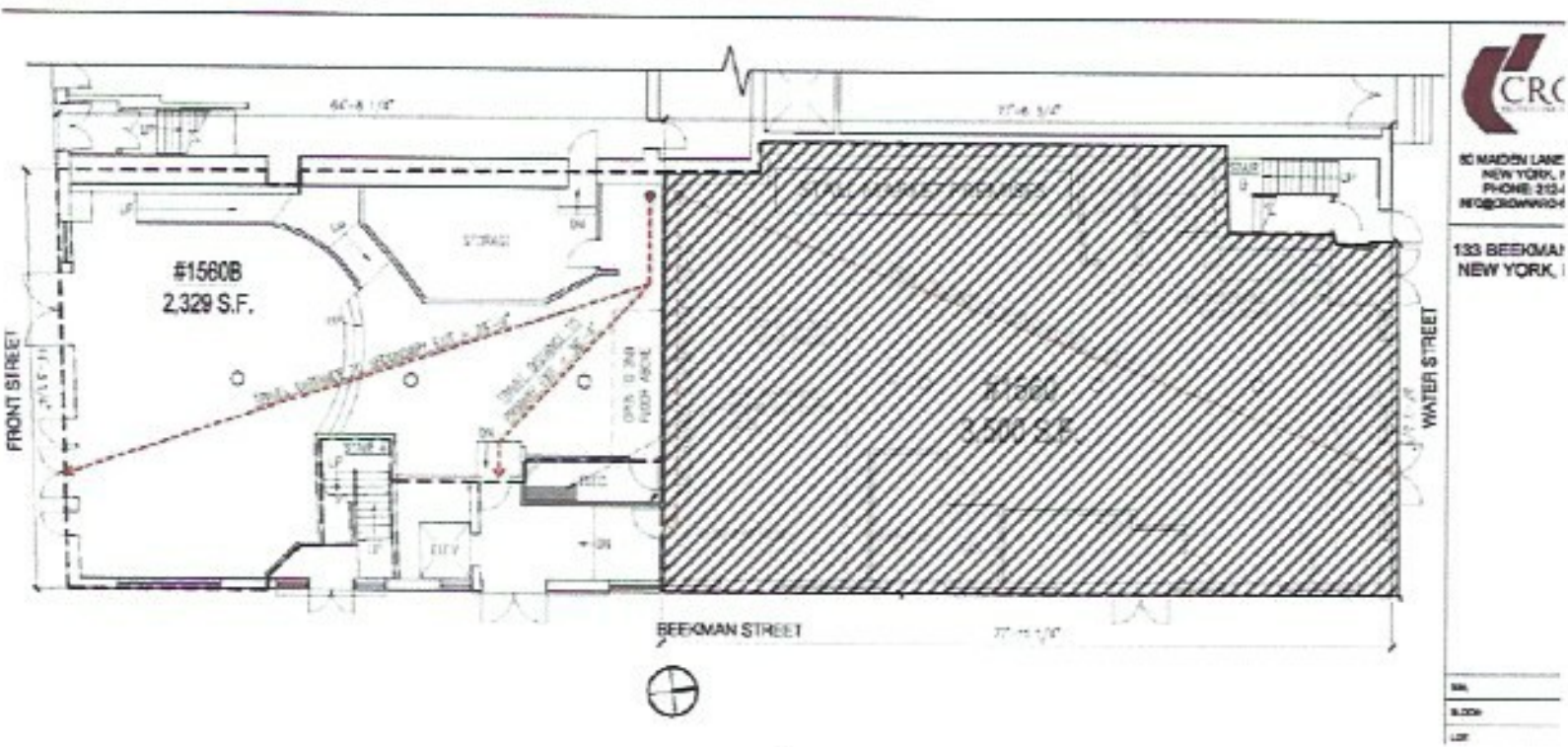
LEASE OUTLINE DRAWING
SCALE: N.T.S.
DATE: 10-31-18



SPACE 1500 - Level

EXHIBIT 2

Stall Market Premises



Stall Market Premises



EXHIBIT 3

Replacement Exhibit A-4 to Marketplacc Lease
New Diagrams of Option Premises

[See attached]

EXHIBIT 3

EXHIBIT A4 - OPTION PREMISES FIRST FLOOR

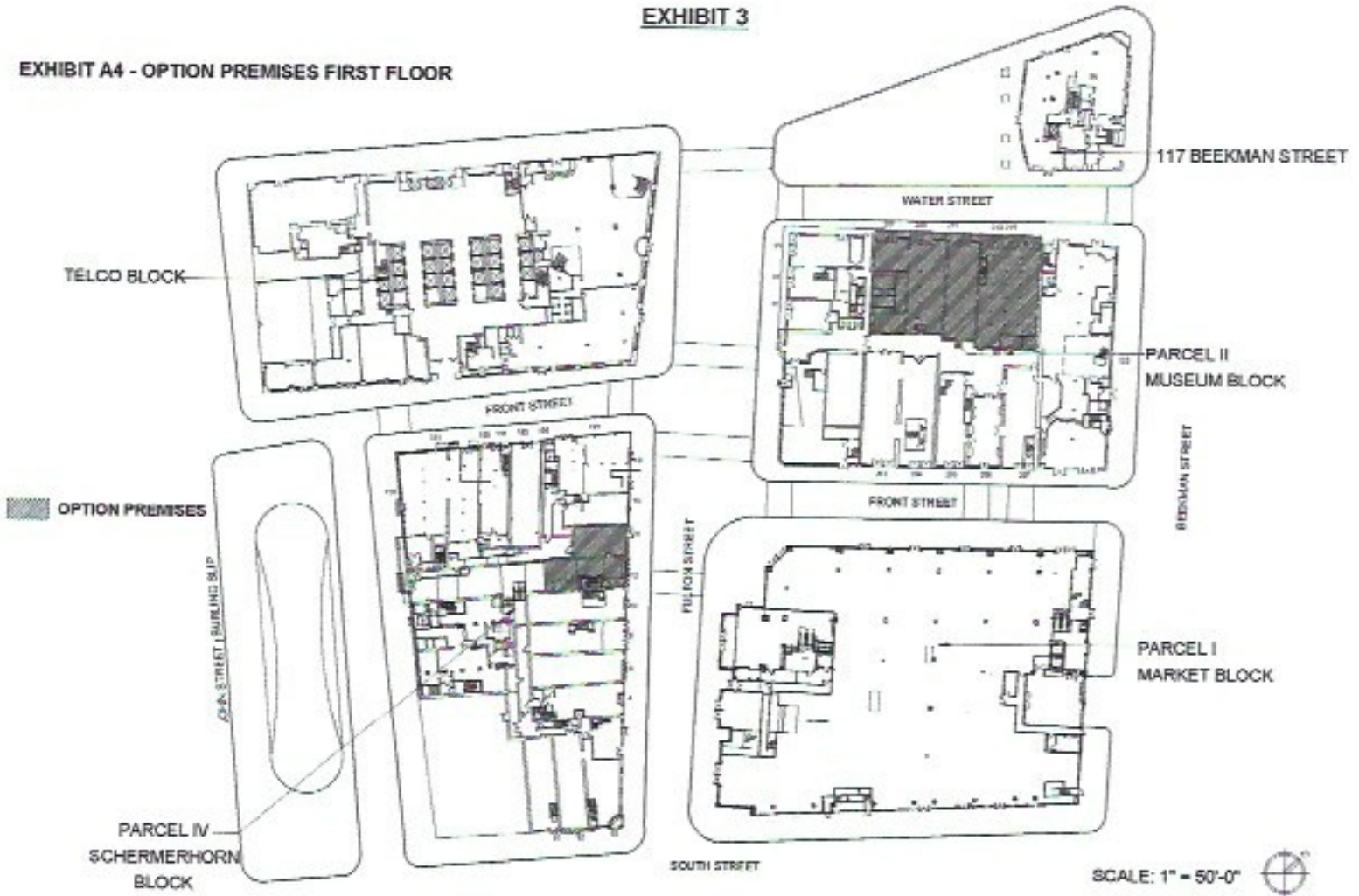


EXHIBIT 3

EXHIBIT A4 - OPTION PREMISES SECOND FLOOR

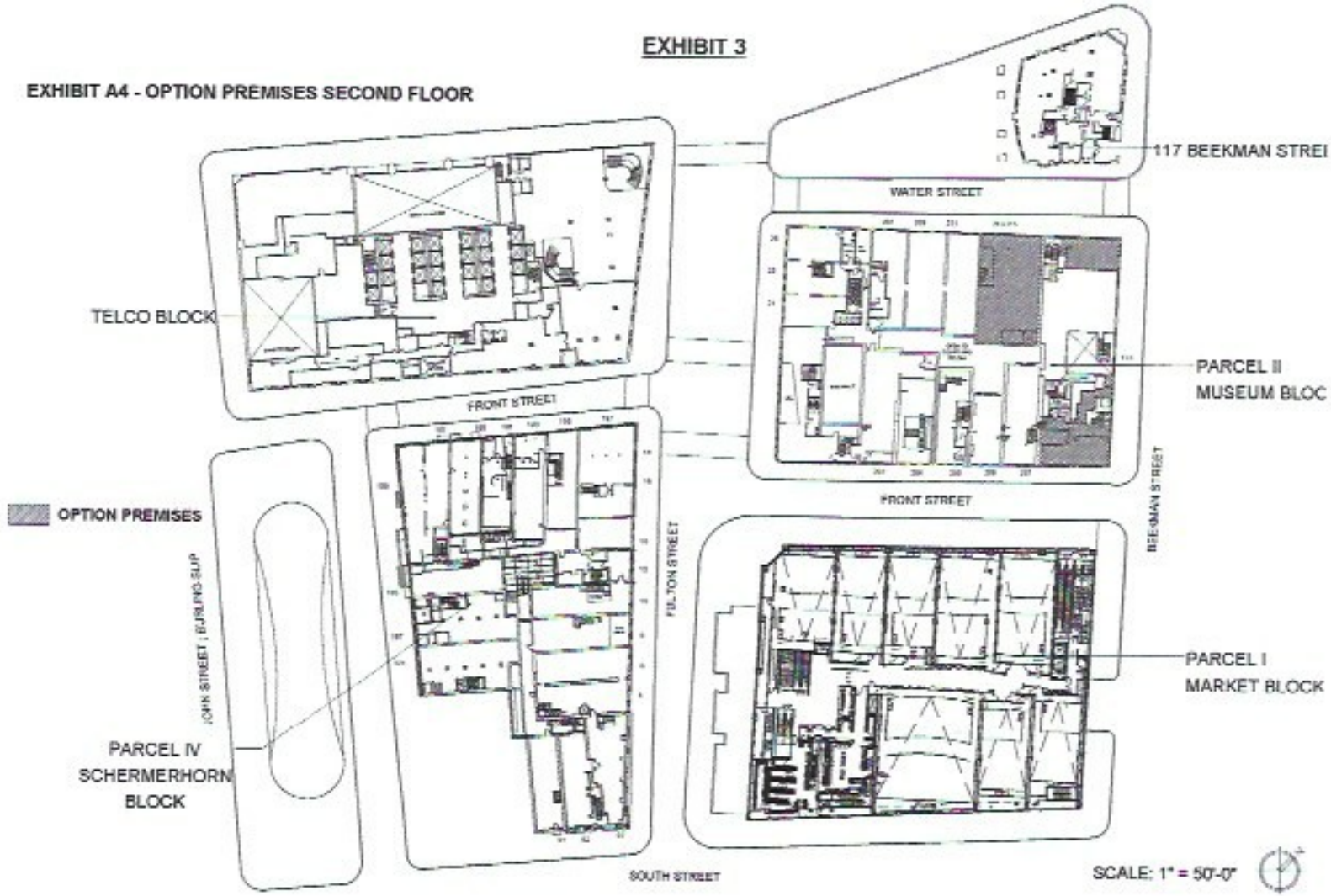


EXHIBIT 4

New Description of Parcel II

[See attached]

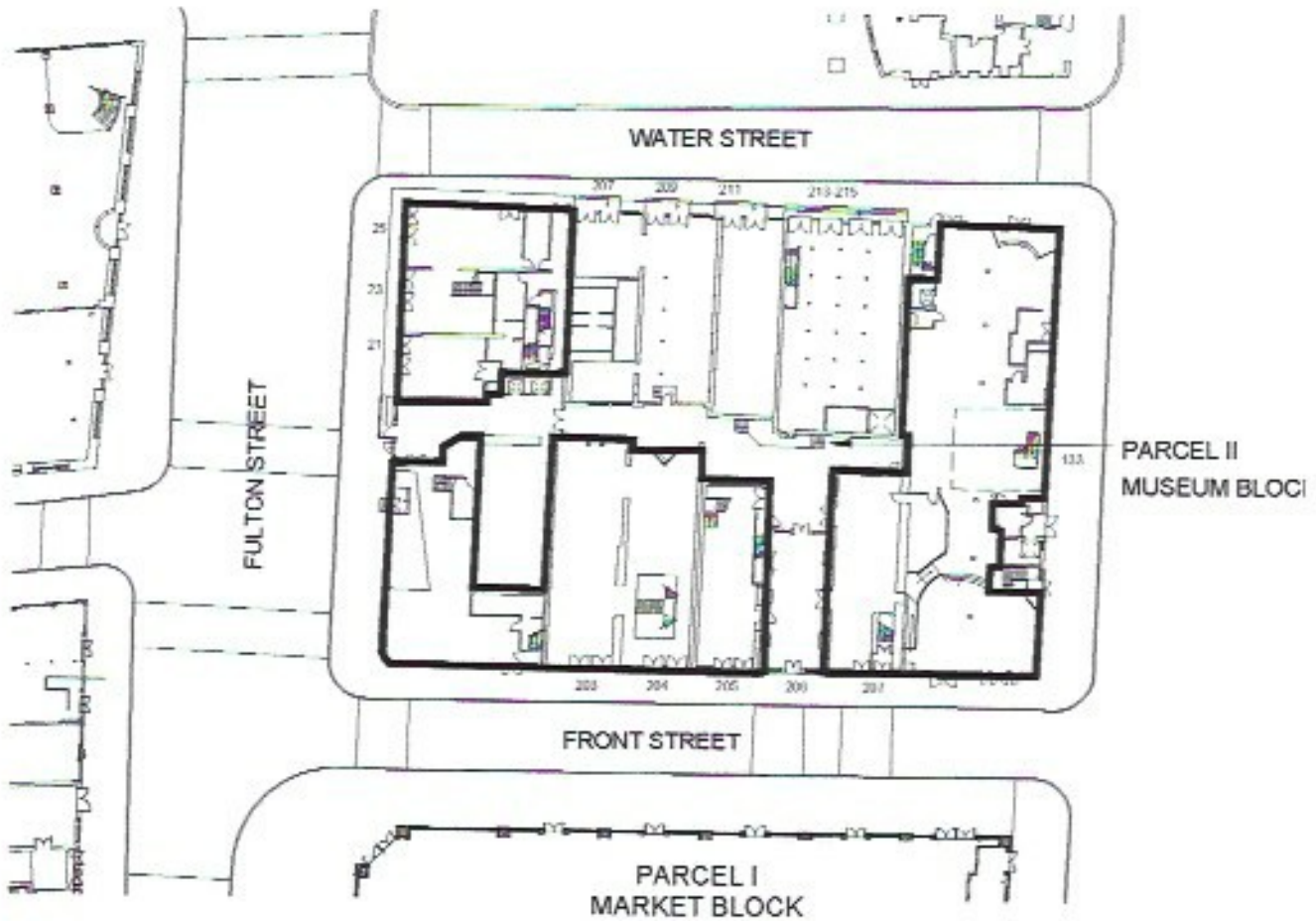


EXHIBIT 4

EXHIBIT A2 - MUSEUM BLOCK TENANT PREMISES - SECOND FLOOR

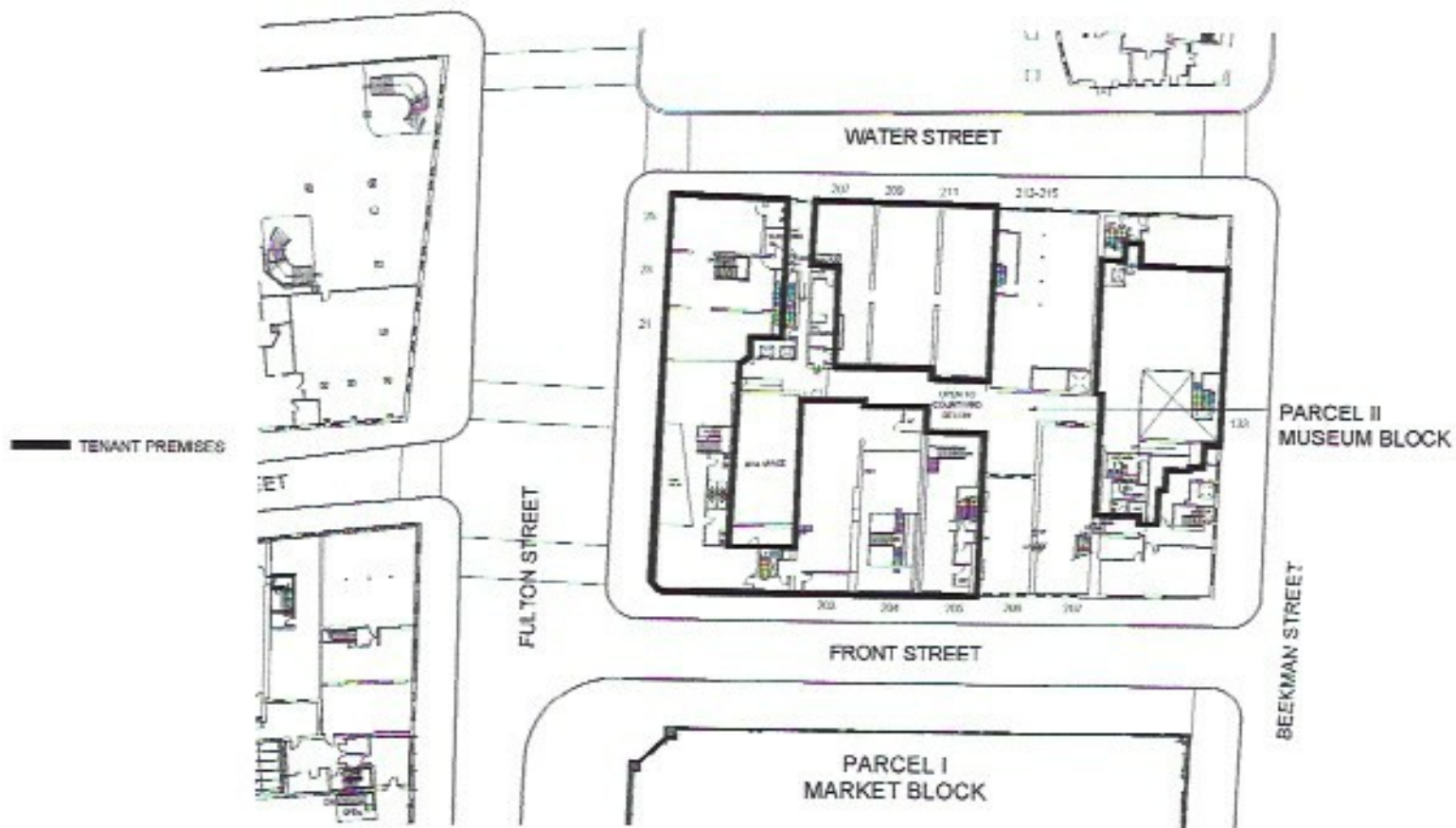


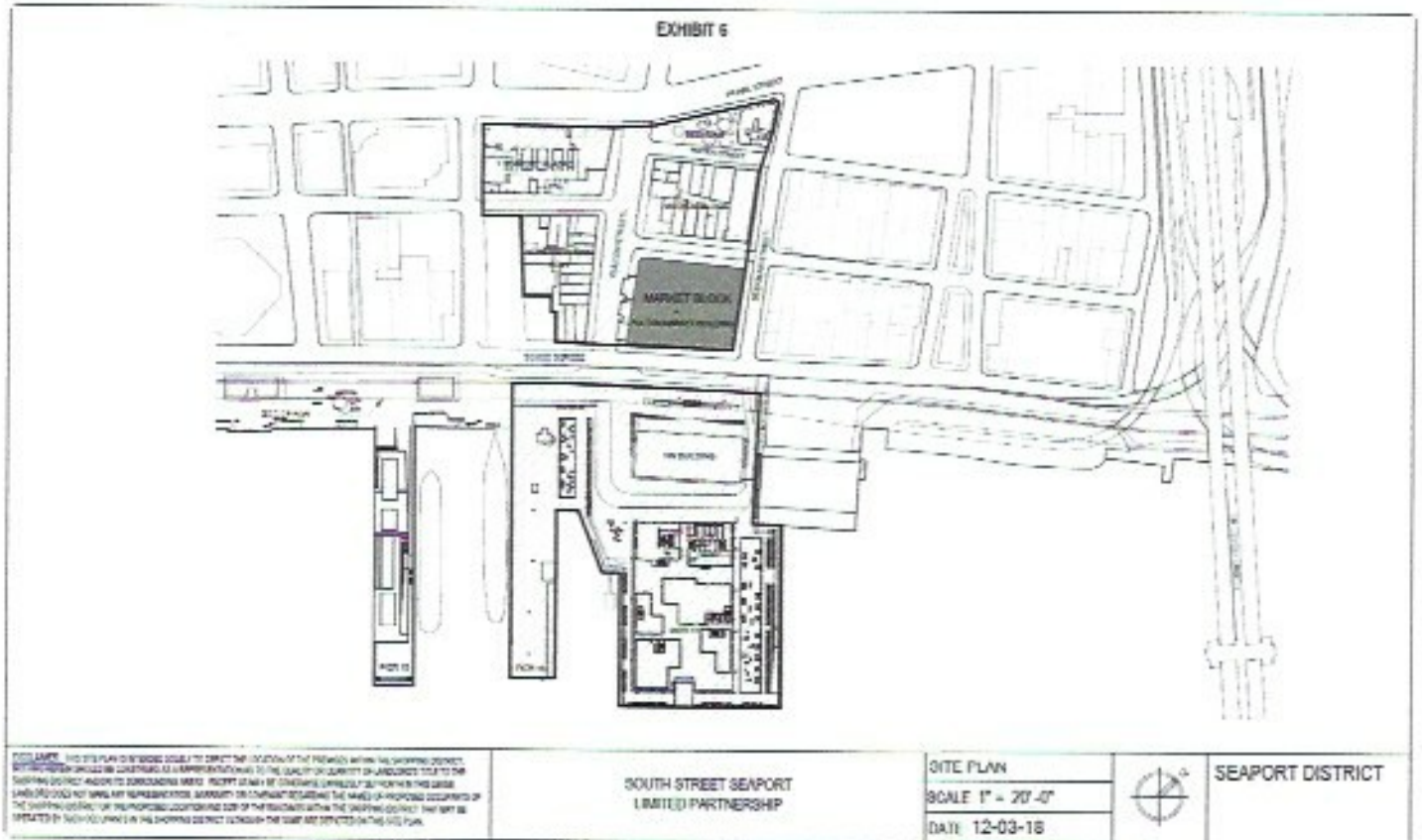
EXHIBIT 5

Stall Market Uses

A market offering items from multiple purveyors including, but not limited to, local and regionally sourced fruits and vegetables, baked goods, grocery items, curated assortment of non-food merchandise (including branded NYC Public Markets goods), fish, cheeses, and meats as well as some prepared food.

EXHIBIT 6

Third Floor Market Block



NOTES: THIS SITE PLAN IS PREPARED TO SHOW THE LOCATION OF THE PROPOSED SEAPORT DISTRICT. THE DISTRICT IS SHOWN AS A SHADDED AREA. THE QUALITY AND QUANTITY OF LANDSCAPE TO BE PROVIDED BY THE DISTRICT AND ITS SUBSEQUENT MAINTENANCE SHALL BE DETERMINED BY THE SEAPORT DISTRICT. THE SEAPORT DISTRICT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPE TO BE PROVIDED BY THE DISTRICT. THE SEAPORT DISTRICT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPE TO BE PROVIDED BY THE DISTRICT. THE SEAPORT DISTRICT SHALL BE RESPONSIBLE FOR THE MAINTENANCE OF THE LANDSCAPE TO BE PROVIDED BY THE DISTRICT.

SOUTH STREET SEAPORT
LIMITED PARTNERSHIP

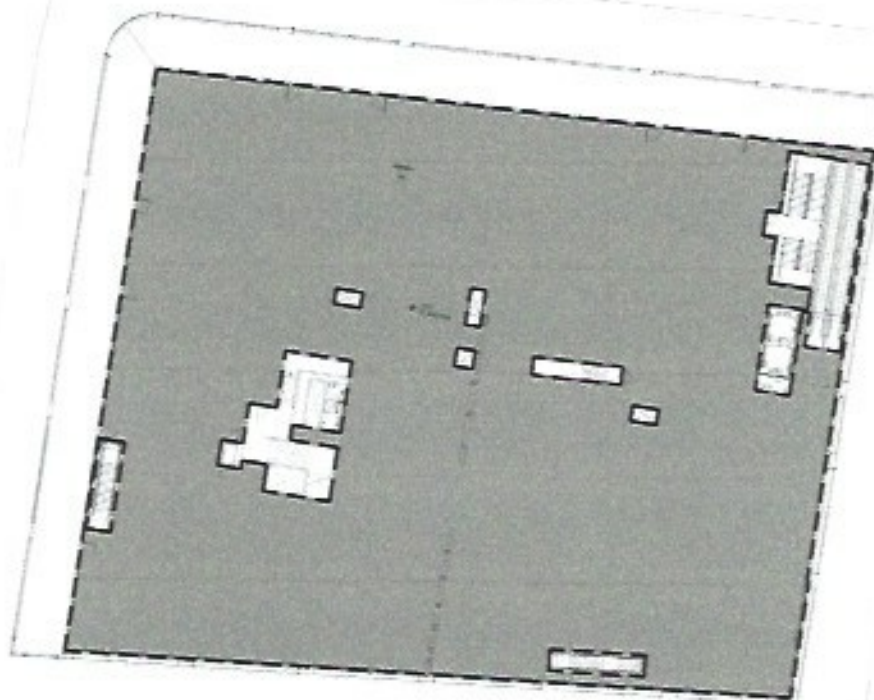
SITE PLAN
SCALE 1" = 20'-0"
DATE 12-03-18



SEAPORT DISTRICT

FULTON STREET

BEEKMAN STREET



DISCLAIMER: THIS SITE PLAN IS PROVIDED SOLELY TO DEPICT THE LOCATION OF THE PROPOSED IMPROVEMENTS. NOTHING HEREIN SHOULD BE CONSIDERED AS A REPRESENTATION AS TO THE QUALITY OR QUANTITY OF LAND INTEREST TITLE TO THE PROPERTY, WORK OR SUBSEQUENT AREAS. DESPITE ANY OTHERS OR OTHERWISE EXPRESSED FOOTPRINTS IN THIS PLAN, SHOWN DOES NOT MAKE AN REPRESENTATION, WARRANTY OR COVENANT REGARDING THE NATURE OF PROPOSED OCCUPANCY OF THE PROPERTY OR THE PROPOSED LOCATION AND USE OF THE BUILDING OR COMMON AREAS NEAR THE PROPERTY THAT MAY BE OPERATED BY SUCH OCCUPANTS OF THE PROPERTY IN ACCORDANCE WITH THE SHOWN AREAS DEPICTED ON THIS SITE PLAN.

**SOUTH STREET SEAPORT
FULTON MARKET BUILDING**

SITE PLAN

SCALE: 1" = 30'

DATE: 04-25-19



3RD LEVEL

CITY PLANNING COMMISSION

March 5, 2003 / Calendar No. 16

C 020213 ZMM

IN THE MATTER OF an application submitted by Community Board 1 pursuant to Sections 197-c and 201 of the New York City Charter for **an amendment of the Zoning Map, Section Nos. 12b and 12d**, changing from a C6-4 District to a C6-2A District property bounded by Dover Street, Water Street, Dover Street, South Street, a line 17 feet southeasterly of the northwesterly street line of South Street, the centerline of former Fulton Street, Water Street, Fulton Street, a line bisecting an angle formed by the northeasterly prolongation of the northwesterly and southeasterly street lines of Pearl Street, Pedestrian Street, and Pearl Street, within the Special Lower Manhattan District, as shown on a diagram (for illustrative purposes only) dated September 30, 2002, Borough of Manhattan, Community District 1.

The application for an amendment of the Zoning Map, Section Nos. 12b and 12d, was filed by Manhattan Community Board 1 on November 19, 2001, to change from a C6-4 district to a C6-2A district, a 10-block area within the South Street Seaport Subdistrict, bounded by Fulton Street, Pearl Street, Dover Street, and South Street.

RELATED ACTIONS

In addition to the amendment of the Zoning Map, Section Nos. 12b and 12d, which is the subject of this report, this project requires action by the City Planning Commission on the following application which is being considered concurrently with this rezoning application:

1. N 020214 ZRM **Zoning Text Amendment** to Sections 91-211, 91-212, 91-23, 91-30, 91-32, 91-42(e), 91-61, 91-65, and 91-66 of the Special Lower Manhattan District.

BACKGROUND

This is an application to rezone an area within the South Street Seaport Historic District from C6-4 (10 FAR) to C6-2A (6 FAR). The proposal affects a 10-block area north of Fulton Street and includes all but two blocks and three piers of the historic district. The buildings within the area are predominantly four and five stories tall and date back to the 18th and 19th centuries. The area is entirely within the South Street Seaport Subdistrict, a special purpose zoning subdistrict within the Special Lower Manhattan District. The subdistrict provides for the transfer of development rights held in the Seaport Development Rights Bank.

The principal objective of this application is to adjust the underlying zoning of the area to be

more consistent with the existing buildings and historic character of the Seaport area. The applicant has stated that the proposed C6-2A contextual zoning district would strengthen the existing neighborhood context by mandating a built form similar to that of the surrounding buildings while allowing medium-density residential and commercial development.

Area Description

The proposed area of rezoning is the 10-block area bounded by Dover Street to the north, South Street to the east, Fulton Street to the south, and Pearl Street to the west. The area is characterized by a variety of uses: commercial, residential, institutional, and wholesale market. Commercial uses include retail along Fulton Street and a branch of the U.S. Post Office on Peck Slip. There are a number of well known hotels, bars, restaurants in the area, including Carmine's and the Paris Hotel. Institutional uses include the Seaman's Church Institute and the Seaport Museum. A Con Edison substation is located within the area of rezoning. Part of the Fulton Fish Market is located within the area and is concentrated along South Street. Additional fish wholesalers are located on Peck Slip, Front and Water Streets. The Fulton Fish Market is expected to move to Hunts Point.

The area contains 91 buildings which average approximately 50 feet, or four to five stories in height. A large number of the structures were built for the shipping industry in the 18th and 19th centuries. New buildings since the 1960s, including the Fulton Market building, the Con Ed substation, the Seaman's Church Institute and the Jehovah's Witness Hall, were all designed to be consistent with the existing massing and scale of buildings in the district. Since the area is within a historic district, all developments are subject to approval by the Landmarks Preservation Commission (LPC). In 2001, a proposal for an 11-story hotel next to the Post Office (at 320 Pearl Street) was rejected by LPC and the proposal was modified to a building with a 7-story street wall, consistent with the adjoining buildings on the block.

Within the area are a number of vacant lots including an approximately 48,000 square foot site known as 250 Water Street. This site occupies the full block bounded by Peck Slip, Water,

Beekman, and Pearl Streets. 250 Water Street, currently occupied by a parking lot, has been the subject of numerous proposals submitted for approval at the LPC in the past two decades. Only one proposal, for a 7.9 FAR, 11-story office building was approved by the LPC in 1991.

In 2001, the city's Economic Development Corporation (EDC) issued a Request for Proposals for seven city-owned parcels comprising approximately 33,000 square feet along Front Street, between Peck Slip and Beekman Slip, on Block 97. A developer was chosen in May of 2002 to build a mixed-use project for Block 97 which would include ground floor retail, gallery space, nearly 100 residential units, and an expansion of the Seamen's Church Institute. A proposal has been accepted by EDC which complies with the proposed C6-2A zoning, except for regulations regarding zoning lot coverage on corner lots and quality housing.

The area surrounding the rezoning area also contains a wide variety of uses and densities. To the north is the Brooklyn Bridge. Immediately west of the rezoning area, across Pearl Street, is Southbridge Towers, 27-storied Mitchell-Lama residential buildings built under the Southwest Brooklyn Bridge urban renewal plan. The NYU Downtown Hospital, St. Margaret's Home for the elderly and the Fulton retail corridor are other notable uses further west of Seaport area. Immediately to the south of the rezoning area, across Fulton Street, is the historic Schermerhorn Row block. Further south and southwest is the densely developed Lower Manhattan commercial core, the nation's third largest central business district, and home to a number of skyscrapers. To the east of the rezoning area and under the elevated FDR (East River) Drive is the Fulton Fish Market, the landmarked "Tin Building," and the Rouse Seaport marketplace at Pier 17. The eastern edge of the surrounding area is the East River.

Zoning/Legislative History

The C6-4 zoning district was first mapped on the proposed area of rezoning in 1961. The C6-4 is a high-density commercial district with an FAR of 10. The Seaport area has been subject to evolving planning and policy goals throughout the past four decades, as summarized below.

- 1966 Lower Manhattan Plan and first preservation efforts** Commissioned by the Department of City Planning, the Lower Manhattan Plan called for high-density development along the waterfront. The first step towards preservation of the Seaport occurred in 1966 when State legislation created the South Street Maritime Museum Association which was responsible for developing the Schermerhorn Row block as a state maritime museum. Concurrent private efforts to create an historic Seaport district led to the creation of the South Street Seaport Museum as a private nonprofit corporation in 1967. The Schermerhorn Row buildings were designated a New York City landmark in 1968.
- 1968 Brooklyn Bridge Southeast Urban Renewal Plan** In 1968 the City Planning Commission adopted an urban renewal plan in the area to the southeast of the Brooklyn Bridge. The plan's objectives were to remove blight, and to encourage new construction, parks and recreational uses, retail shopping, and parking. The urban renewal plan was amended in 1970 to set forth the Seaport redevelopment plans in greater detail. It included a Seaport restoration project to be undertaken by the South Street Seaport Museum in the blocks bounded by Peck Slip to the north and John Street to the south, and Water and Front Streets to the west. The rest of the renewal area was to be developed with high-rise apartments and commercial buildings.
- 1972 Special South Street Seaport District** The Special South Street Seaport District was created as a special purpose zoning district to help implement the goals of the urban renewal plan. The goals were to preserve the scale and character of the Seaport area, while allowing for the transfer of excess development rights from specific lots in the historic core to designated receiving lots.

The special district designates granting lots from which development rights may be transferred, and receiving lots which are eligible to use the development rights. The granting lots include the blocks between Fulton, Beekman, Water and South Streets, and the Schermerhorn Row Block (Lots 6, 7, 9), as well as portions of Fulton, Front, and Water Streets that had been demapped and designated as pedestrian ways. The receiving lots include the three blocks north of Peck Slip, between Pearl and South Street (Lot 1), as well as the blocks immediately south and west of Schermerhorn Row block, bounded by Fulton, John, Water, and Front Streets (Lots 8, 20, 21), Piers 9, 11, 13 (Lots 15 and 16) and the block occupied by 55 Water Street (Lot 22) which was added in 2001. Lot 1 is the only receiving site located within the proposed rezoning area.

- 1973 South Street Seaport Development Rights Bank** The Seaport Development Rights Bank was established in 1973. Since then a total of 1,400,000 square feet of development rights have been transferred to Chase Manhattan Bank. To date, there have been a total of 920,925 square feet transferred to receiving sites; 479,075 sf of TDR remain available.

Seaport - Transfers of Development Rights		
Receiving Site	Amt Received	Year
180 Maiden Lane (Continental Center)	303,919 sf	1979
175 Water Street (Ronson Condos)	286,000 sf	1981
199 Water Street (One Seaport Plaza)	276,768 sf	1981
80 South Street	54,238 sf	2001
Total Transferred, to date	920,925 sf	

Starting Balance of TDR from Granting Lots	1,400,000 sf
Less Total Transferred to Receiving Sites	(920,925) sf
Balance Remaining	479,075 sf

1977 South Street Seaport Historic District In 1977 the NYC Landmarks Preservation Commission designated the South Street Seaport Historic District. The district included Schermerhorn Row, the blocks bounded by Maiden Lane, Fulton Street, Pearl Street, Peck Slip, Water Street, Dover Street, and South Street. Piers 15 and 16 were also included in the district. The historic district was subsequently expanded in 1989 to include the block bounded by Pearl Street, Dover Street, Water Street, and Peck Slip.

1998 Special Lower Manhattan District / South Street Seaport Subdistrict The Special Lower Manhattan District (SLMD) was created to allow for more flexible use and bulk regulations to promote development and conversions, and a more "24-hour" downtown. The SLMD also established controls for lot coverage, and height and setback. When the SLMD was created, the South Street Seaport District was incorporated as a subdistrict. There were no substantive changes made to the South Street Seaport Subdistrict regulations. The ability to transfer development rights within the Seaport remained intact, as did the C6-4 zoning designation. Certification by the City Planning Commission is required for a development to utilize transferred development rights. Modifications to bulk regulations, other than floor area, can be made by Commission special permit (Section 91-66).

PROPOSED ZONING MAP AMENDMENT (C 020213 ZMM)

This rezoning proposal would replace the existing C6-4 district within the Seaport Subdistrict with a C6-2A district.

Existing Zoning C6-4

The existing underlying zoning of C6-4 dates back to 1961. The C6-4 district is a high-density commercial district that allows a base maximum FAR of 10, and a wide range of residential, commercial and community facility uses. C6-4 districts are typically located in the heart of dense central business districts. The Special Lower Manhattan District imposes certain streetwall and setback requirements, but there is no building height limit for developments in a C6-4 district. The special district also prohibits floor area bonuses for plazas, arcades, and other privately-owned public spaces for developments within the Seaport Subdistrict.

The maximum floor area ratio for receiving sites with the Seaport Subdistrict under current zoning is 12 FAR. There is one receiving site, "Lot 1," within the area of the proposed rezoning. Lot 1 comprises the three blocks bounded by Peck Slip, Pearl, Dover, and South Streets, located at the north end of the Subdistrict, and includes that Post Office and Con Edison sites.

Proposed Zoning C6-2A

This proposal would rezone the C6-4 district within the Seaport Subdistrict to a C6-2A district. C6-2A districts are medium-density, contextual commercial zones equivalent to R8A districts. They are typically located outside the core of central business districts. Contextual districts are designed to maintain the built form of an existing neighborhood; they require that buildings be placed near the street line and within a prescribed building envelope. C6-2A districts have been mapped in Manhattan in historic neighborhoods such as Tribeca, Union Square, Chelsea and Greenwich Village, where they have successfully functioned to keep the size of new buildings consistent with the scale of historic buildings.

The proposed contextual rezoning would decrease the maximum allowable floor area ratio in the rezoning area from 10 to 6 FAR for commercial, 6.02 FAR for residential, and 6.50 FAR for community facilities. The C6-2A district also includes bulk regulations. Building heights would be capped at 120 feet. The C6-2A typically requires a streetwall base between 60 to 85 feet in height, however, the applicant has submitted a text amendment that would allow streetwalls to be

lower than 60 feet, to match the low streetwalls in the area.

The proposal would not alter permitted uses. Similar to C6-4 districts, the proposed C6-2A zoning is a general central commercial district allowing a full range of residential, community facility, retail and commercial uses (Use Groups 1 through 11). C6 districts are zoned for a wide range of medium to high-bulk commercial uses requiring central locations such as corporation headquarters, hotels, entertainment facilities, retail stores, and some residential development in mixed buildings.

The total amount of transferrable development rights would not be affected. All of the development rights from the Seaport granting lots were transferred to Chase Manhattan Bank in 1973 as an absolute amount. The remaining 479,075 square feet of development rights would not be diminished by the proposed downzoning. Receiving sites would still be able to utilize up to 2 FAR of development rights. The maximum FAR for receiving sites would decrease from 12 to 8.02 FAR. The proposed rezoning area includes one receiving site which comprises three block known collectively as Lot 1. Lot 1 is bounded by Peck Slip, Pearl Street, Dover Street, and South Street. Outside the rezoning area, four receiving sites remain eligible to receive the 479,075 sf of remaining development rights: a portion of Lot 21, Piers 11, 13, and Lot 22 (55 Water Street).

Under the existing C6-4 zoning, assuming a full build-out to 10 FAR, a total of approximately 660,200 square feet of floor area could be developed on the five vacant sites within the rezoning area identified in the Environmental Assessment Statement (EAS). Under the proposed C6-2A zoning, not counting potential utilization of development rights, 397,440 sf of residential (equivalent to 6.02 FAR) or 396,120 sf of commercial (6 FAR) could be developed.

PROPOSED TEXT AMENDMENT (N 020214 ZRM)

In conjunction with the proposed map amendment, the applicant is proposing a zoning text amendment to the Special Lower Manhattan District regulations. The affected sections would be

91-211, 91-212, 91-23, 91-30, 91-32, 91-42, 91-65, and 91-66.

The amendment would reflect the proposed rezoning of the 10-block area within the South Street Seaport Subdistrict from a C6-4 (10 FAR) district to a C6-2A (6 FAR) district. The applicant is also proposing a new provision relating to streetwall height in the proposed C6-2A district. The C6-2A district building envelope requires a streetwall height between 60 to 85 feet. The new provision would allow minimum base height to be less than 60 feet. The maximum streetwall height would remain at 85 feet. The removal of the minimum base height would give new developments in the Seaport area flexibility to match streetwall heights of existing neighboring buildings. The average streetwall height in the Seaport is less than 60 feet. This provision is similar to current zoning which allows the minimum streetwall heights for buildings in historic districts to be lower than the minimum base height in order to match adjacent buildings. Finally, certain corrections and clarifications would be made to the existing Lower Manhattan text, including to the Maximum Floor Area Ratio table in Section 91-23.

ENVIRONMENTAL REVIEW

This application (C 020213 ZMM), in conjunction with the applications for the related actions (N 020214 ZRM), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is. The lead is the City Planning Commission.

After a study of the potential environmental impacts of the proposal, a Negative Declaration was issued on September 30, 2002.

A Technical Memorandum discussed herein, was issued on February 28, 2003, in connection with modifications to the related application (N 020214 ZRM).

UNIFORM LAND USE REVIEW

This application (C 020213 ZMM) was certified as complete by the Department of City Planning on September 30, 2002, and was duly referred to Community Board 5 and to the Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules, along with the related non-ULURP text amendment application (N 020214 ZRM), and was sent to Community Board 1 and the Borough President for information and review.

Community Board Public Hearing

Community Board 1 held a public hearing on this and the related application (C 0020213 ZMM and N 020314 ZRM) on November 19, 2002, and on that date, adopted a resolution recommending approval of the applications by a vote of 27 in favor, 0 opposed, and 1 abstaining.

Borough President Recommendation

On January 8, 2003, the Borough President issued a recommendation for approval of the proposed map and text amendment (C 0020213 ZMM and N 020314 ZRM).

City Planning Commission Public Hearing

On January 8, 2003, (Calendar No. 4), the City Planning Commission scheduled January 22, 2003, for a public hearing on this application (C 0020213 ZMM).

The hearing was duly held on January 22, 2003, in conjunction with the hearing on related application (Calendar Nos. 9 and 10). There were 32 speakers in favor of the applications and 4 speakers in opposition. Written testimony was also received both in support of and in opposition to the applications.

Those speaking in favor of the applications included representatives of Community Board 1; City Councilmember of the 1st District; representatives from other elected officials including the Manhattan Borough President and the New York State Senator; the president of the Alliance for Downtown New York; representatives from various civic groups including the Municipal Art

Society, the Historic Districts Council, and the Landmarks Conservancy; and many residents, workers, business owners, and leaders of institutions located in the Seaport.

The Community Board was represented by its chairperson, its district manager, an attorney, and environmental and architectural consultants retained by the board especially for this project. Several members of the Community Board were also in attendance and spoke in favor of the map and text amendments. The first speaker in favor of the applications was the community board's attorney. He began by stating that the purpose of the proposed downzoning was not to deter development. Rather, it was to ensure that future development in the area would occur at the appropriate scale. The attorney briefly described the area of the proposed rezoning as a collection of low-rise, historic buildings that average 4 to 5 stories in height. He stressed that the applicant's primary concern was that the bulk and height allowed by the current C6-4 zoning generate buildings that are out of character with the existing physical context. He added that the proposed rezoning would allow buildings up to 120 feet, about two times the average height of existing buildings. The attorney concluded by stating that the rezoning project enjoyed widespread support from not only area residents and business owners, but also from elected officials, area developers, and various civic groups, many of whom were present to testify on behalf of the project.

The second speaker in favor of the application was the chairperson of Community Board 1. The chairperson began her testimony by discussing the two decade history of community efforts to reconcile the conflict between zoning and historic preservation efforts in the area. She spoke of the special character of the Seaport area that is defined not only by the historic buildings, but also by its waterfront location and its juxtaposition to nearby modern skyscrapers. She noted that throughout the years, many new developments within the Seaport have been built at densities well below the allowed FAR of 10. She cited the EDC Block 97 project as an example of new development occurring at the proper scale. The chairperson characterized Community Board 1 as a pro-development entity that has supported numerous high density projects throughout Lower Manhattan. She concluded by expressing strong support for the rebuilding of Lower Manhattan

after the tragedy of 9/11, but cautioned against development in inappropriate areas such as the Seaport.

The next speaker, the district manager of the community board, emphasized the long history of attempts to downzone the Seaport area. He reiterated the need to rezone so that developers, such as owners of the 250 Water Street site, would have a reasonable set of parameters to use in development efforts. He referred to a financial feasibility study for the 250 Water Street site, prepared by the EDC, that demonstrated the financial viability of a 6 FAR project with or without the use of Liberty Bonds. Both this speaker and the board chairperson expressed receptivity to the idea of designating the 250 Water Street site as a "granting site" of the South Street Seaport Subdistrict so that development rights in excess of 6 FAR could be utilized on receiving sites elsewhere.

The Community Board's professional consultants on environmental review and architecture elaborated on specifics of the rezoning. The environmental consultant noted that the proposed C6-2A district is a contextual district that has proven successful, in both architectural and economic terms, in neighborhoods such as Greenwich Village, Chelsea, and Tribeca. He added that the Seaport is a major tourist attraction, and that a mandatory contextual envelope for future development would help reinforce the historic appeal of the Seaport. The architectural consultant presented the C6-2A building envelope as a viable building envelope for the 250 Water Street site.

The developer who was designated by the city's Economic Development Corporation (EDC) to develop the Block 97 project also spoke in favor of the rezoning. He stated that he was able to develop a profitable mixed-use development at a density significantly below the maximum allowable FAR of 10. He added that the request for proposals issued by the EDC required that the proposal be designed to fit into the existing context. He concluded that any developer who chooses to work within a historic district should expect limitations in terms of development potential.

Next, a former chairperson of the Community Board's Seaport subcommittee and present head of the Seaport Community Coalition, gave a historic overview of the Seaport area, describing in further detail the contrast between the small-scale brick buildings and the skyscrapers nearby and the various industries that once thrived in the area.

The next speaker, City Councilmember for the 1st District, testified in support of the proposed rezoning, citing the importance of preserving landmarks and historic resources for present and future generations of New Yorkers. Other elected officials, United States Congressman of New York's 8th District, the Manhattan Borough President, and Assemblymember for the 62nd District submitted written testimony strongly encouraging the preservation of the Seaport area and supporting the downzoning.

The president of the Downtown Alliance, a business improvement district in Lower Manhattan, testified in support of the Community Board's application. He expressed the Alliance's desire to further Downtown as a diversified, mixed use 24/7 neighborhood and improve the overall quality of life. The president stated that once zoning and the historic district designation were made more compatible, consensus on 250 Water Street could be more easily achieved. The speaker also referred to a concept plan for the comprehensive development of the East River waterfront including the Seaport's waterfront. He noted that the plan itself calls for the rezoning of the historic district in order to ensure appropriate development adjacent to the waterfront, widely considered Lower Manhattan's greatest natural asset.

Several civic groups were in attendance to speak in favor of the rezoning application. A representative from the Municipal Art Society of New York (MAS) extended to the applicant its support for the board's community-based planning efforts. Its support dated back to efforts in the 1970s to help achieve historic district designation of the Seaport area. Next, the MAS argued that the C6-2A district would in fact allow up to 25% more density than surrounding buildings. It also referred to the EDC financial feasibility study which demonstrated profitability of a 6 FAR development on the 250 Water Street site.

Civic groups from the preservation community spoke at the hearing. The director of the New York Landmarks Conservancy encouraged the rezoning as the rational solution to end years of tension between the existing zoning and historic preservation goals for the area. He added that a burden has fallen on the Landmark Preservation Commission to modify development proposals that are "as-of-right" in zoning terms so that they are more harmonious with the historic district. This view was shared by speakers from other civic groups, namely the Society for the Architecture of the City and the Historic Districts Council. Finally, various civic groups spoke of the stabilizing quality of historic districts that help make cities more livable.

Many of the remaining speakers identified themselves as residents of the Seaport neighborhood. Most of them spoke about the special quality of the Seaport, the low-scale historic buildings, adjacency to the waterfront, and a dynamic collection of mixed uses that attracted them to locate there in the first place. Several of the residents expressed disapproval of the possibility for a tower to be located in the area of rezoning.

Those who spoke in opposition to the application included two attorneys for Milstein Properties, owner of the site known as 250 Water Street; an architect representing Milstein Properties; and the president of the Real Estate Board of New York (REBNY).

The first speaker in opposition, an attorney for Milstein Properties, asserted that the application was a case of "reverse spot zoning," stating that the purpose of the proposed rezoning was to prevent development on the 250 Water Street site. He noted that a development larger than 6 FAR could be appropriate on 250 Water Street and referred to other sites that under the Community Board's application would be able to achieve up to 8.02 FAR with the use of Seaport development rights. The attorney also corrected a statement made by a previous speaker regarding the height of the Milstein Properties project stating that the current design of the 250 Water Street was not a 43-story building, but a two-tower design at 24- and 13-stories.

The next speaker in opposition was also an attorney for Milstein Properties. He stressed that a

downzoning was the wrong message to send to the development community in the post-September 11th economic climate. He referred to the Mayor's recently announced initiative to increase housing production throughout the City, and in Lower Manhattan in particular. He also addressed an earlier suggestion of designating the 250 Water Street site as a "granting site" within the Seaport Subdistrict. He stated that such designation would not be an advisable idea given the large amount of development rights that are presently available in the Seaport bank and the lack of truly viable receiving sites. He concluded by emphasizing that the rezoning was unnecessary since the Landmarks Preservation Commission would determine appropriateness of any development in the Seaport area including the 250 Water Street site.

The third speaker in opposition was the president of the Real Estate Board of New York (REBNY), a broadly-based trade association of property owners, developers, and real estate professionals. He elaborated on the previous speaker's concern that the downzoning was bad for Lower Manhattan's post-September 11th revitalization efforts, stressing that the promotion of high-density development was urgent at this time given the city's plans to rebuild. He stated that based on the demonstrated track record at the LPC, a 10 FAR building would likely not be approved for the 250 Water Street site; nonetheless, that a reduction by 40% of allowable density, from 10 to 6 FAR, would be a poor message to send to the investment community.

The last speaker in opposition to the Community Board's application was the architect hired by Milstein Properties to design a building for 250 Water Street. The architect stated that according to his analysis, development of 250 Water Street under the proposed C6-2A zoning would not economically feasible. Additionally, due to the block's configuration, a building that complied with the applicant's proposal would be an inelegant, boxy building that would not be compatible with the existing zoning. He showed the Commission an elevation of the Milstein Properties' proposal and described it as a 7.5 FAR building with a low-rise base and two slender towers rising to 24 and 14 stories. He added that he and other representatives of the Milsteins have met on several occasions with the Landmarks Preservation Commission and that they continue to work towards an acceptable design.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed map amendment (C 0020213 ZMM) to rezone a portion of the South Street Seaport area from a C6-4 to a C6-2A district, in conjunction with related proposed text change as modified (N 020214 ZRM), is appropriate.

The Commission views the South Street Seaport as one of the city's most treasured historic places. It serves as an important reminder of the early commercial development and history of New York, and indeed of the nation. The character of the area is largely defined by low-rise 18th and 19th century mercantile buildings flanking narrow, stone-paved streets. The unique character of the Seaport is enhanced by the juxtaposition of its low-rise historic buildings to nearby modern skyscrapers. The Commission supports the Community Board's efforts to better protect the Seaport by adjusting the underlying zoning to be more compatible with the existing scale and character of the historic neighborhood.

Zoning Map Amendment

The Commission believes that the proposed zoning map amendment, in conjunction with the related action, is appropriate.

The Commission believes that the existing C6-4 zoning district is inappropriate in the historic Seaport area. The area of rezoning includes all but two blocks and three piers of the historic district, and is largely composed of four and five story 18th and 19th century buildings. The underlying C6-4 zoning, a high density district, allows an FAR of 10 which on a large development site could produce a tower of approximately 40 stories. The mismatch between zoning and built character is made especially clear when comparing the built character of the Seaport to other areas where the C6-4 is mapped: in Midtown along 42nd Street west of Eighth Avenue, and along Eighth Avenue from 41st to 56th Street, and in Lower Manhattan along portions of West Street/Rte 9, in the courthouse district to the north of City Hall, and along the

Fulton Street shopping corridor to the west of the Seaport.

The Commission believes that the C6-4 zoning district reflects obsolete planning goals for the area. The C6-4 district dates back to 1961, when the planning objectives envisioned substantial clearing of historic buildings and their replacement by highrise towers along the Seaport's waterfront. The past four decades of public policy has demonstrated a marked shift away from promotion of high rise development and towards goals that reinforce the low-scale character of the Seaport. The defining event of the preservation efforts took place in 1977 when the Landmarks Preservation Commission designated the South Street Seaport Historic District. This designation followed years of private and public preservation actions, including at the national level (portions of the Seaport were included on National Register of Historic Districts in 1972.) The Commission points out that far from being hampered by landmarks protection, the area has flourished. The Seaport is an active and dynamic home to residents, shops and restaurants, wholesalers, and cultural institutions, and attracts hundreds of thousands of visitors each year.

The Commission believes that the density allowed by the proposed C6-2A zoning district more accurately reflects the built density in the surrounding area. The C6-2A district is a medium-density contextual district with an allowable FAR of 6.0 for commercial development, 6.02 for residential development, and 6.5 for community facilities. More recent additions to the area such as the Rouse Marketplace, the ConEdison substation building, the Post Office, the Seamen's Church Institute, several residential coops and condos, and the proposed new Block 97 project are all designed at densities closer to the proposed 6 FAR than the currently allowed 10 FAR. The Commission notes that the LPC has not approved a development at the maximum allowable level. For the 250 Water Street site, the only Certificate of Appropriateness secured by the owner, in 1991, was for a 7.9 FAR commercial building that reached a height of approximately 150 feet.

The Commission believes that bulk controls of a contextual district can work to reinforce the built character of a historic district. However, in this case, the Commission believes that the

generic C6-2A standards would require developments to comply with certain bulk standards that may not be appropriate for the Seaport. These bulk regulations are discussed in detail in the Commission's consideration of the related text amendment below.

At the public hearing, the Commission heard testimony from speakers in opposition to the applications that the zoning need not be modified since the Landmarks Preservation Commission is required to review all proposed developments for appropriateness. However, the mere fact there that there exists a backstop to protect against inappropriately scaled development does not justify the retention of an inappropriate zoning district designation.

The Commission also heard testimony from a speaker in opposition to the rezoning that the application was a case of "reverse spot zoning," and that the rezoning was proposed in order to prevent development on a particular site, 250 Water Street. However, the application involves the replacement of the entire C6-4 portion in the Seaport with a C6-2A district. All properties within the area of rezoning would be subject to the regulations of the rezoning and the related text amendment, including other large potential soft sites such as the Post Office and ConEdison parcels at the northern end of the rezoning area. The purpose of the rezoning is to ensure that development at 250 Water Street and other sites occurs at the proper scale, not to "stop development."

The Commission heard testimony that the downzoning would result in an economically infeasible project for the developer of 250 Water Street. The Commission notes that new residential construction built at 6 FAR has been developed successfully in other C6-2A districts throughout the city, in Tribeca, Chelsea, and Greenwich Village. Within the Seaport area itself, there are several examples of new construction built well below the current maximum allowable FAR of 10, including virtually all developments since the establishment of the historic district. The area is a low density neighborhood that continues to see interest in new construction and renovation. Additionally, a financial feasibility study was undertaken by the Economic Development Corporation in order to assess the viability of a 6 FAR project on the 250 Water

Street site. The study showed that a 6 FAR project using market interest rates generated healthy returns for the developer. The return rate would be handsomely enhanced if a developer utilized Liberty Bonds.

Finally, the Commission heard testimony that the rezoning would send the wrong message about the City's commitment to rebuild Lower Manhattan after the tragic events of September 11th, 2001. The Commission is keenly aware of the devastating effects the terrorist attacks inflicted upon the City and its citizens. The call for rebuilding, however, is not cause for indiscriminate development throughout Lower Manhattan. The historic Seaport area simply is not an appropriate place for high density development. In fact, the Commission firmly believes that the Seaport will make a more valuable contribution to the revitalization of Lower Manhattan if its existing character is enhanced, not contradicted, by new development. As envisioned in the Mayor's Lower Manhattan Plan, the Seaport will have an important role to play as the eastern anchor of a revitalized Fulton Street which will connect the historic mercantile waterfront to a soaring new World Trade Center.

Zoning Text Amendment

The Commission believes that the proposed zoning text amendment (N 020214 ZRM) as modified herein, in conjunction with the related zoning map amendment (C 020213 ZMM), is appropriate.

The proposed text change would amend the Special Lower Manhattan District regulations to reflect the rezoning of the C6-4 district portion of the South Street Seaport Subdistrict to a C6-2A district. As detailed above, the Commission believes that the downzoning from a 10 to 6 FAR district is appropriate. References to the C6-4 regulations in the Seaport would be eliminated and replaced with C6-2A regulations. Other sections of the SLMD text including the Maximum Floor Area table in Section 91-23, also would be amended for sake of clarity.

Bulk Modifications

The Commission notes that the proposed amendment includes a provision in the South Street Seaport Subdistrict text that would allow all developments to have lower streetwall heights than what is usually required in a C6-2A district. The C6-2A building envelope mandates a minimum streetwall height of 60 feet and a maximum of 85 feet. The Commission notes that many of the existing streetwall heights in the Seaport area are less than 60 feet, and that a lower streetwall height may be more compatible with the built character. This new section is similar to an existing zoning provision which allows, as-of-right, the lowering of minimum base streetwall heights for developments in historic districts provided that the streetwall match the height of an adjacent building before setback. The existing section, however, does not apply to sites that have no contiguous neighbors. The proposed text would accommodate “freestanding” sites, such as the full-block 250 Water Street site, so that developments there could relate to other buildings in the historic district that are located across the street. The Commission believes that this provision to allow for more flexibility in the streetwall height is appropriate.

Inherent in the Community Board’s proposed text amendment to allow variation in streetwall height is the recognition that the generic C6-2A building envelope is not a perfect fit for the Seaport area. While the Commission firmly believes that the 6 FAR is the right density for the Seaport, the Commission questions the appropriateness of other bulk requirements of the C6-2A district for developments in the Seaport. During the public review process, the Commission heard concerns from City Planning staff that compliance with certain other regulations of C6-2A zoning could result in developments that are inconsistent with the character of the Seaport. Of particular concern to the Commission is the maximum building height of 120 feet for C6-2A districts when applied to certain parcels.

These parcels include, among others, 250 Water Street. This approximately 48,000 sf site sits along the westerly edge of the historic district and is flanked on its west and east sides by two very different blocks- across Water Street are the hundreds of years old 4 and 5 story historic buildings; across Pearl Street is the 27-story Southbridge Towers development, built under the Brooklyn Bridge urban renewal plan. 250 Water Street is a large, irregularly-shaped, full-block

site in an area comprised mostly of relatively small and rectangular lots and blocks. Its trapezoidal shape measures over 320 feet along Pearl and Water Streets, but only 109 feet and 189 feet along Beekman Street and Peck Slip respectively.

The C6-2A building envelope provides adequate massing flexibility for developments on a more regularly shaped and sized block, one that has dimensions of at least 200 feet. On such a block, a building could be massed along four sides, as an "o"-shaped building with an inner courtyard. Given the shallowness of the 250 Water Street block, a 6 FAR building would be most likely massed along three sides of the block. A "c"-shaped building massed only along three sides and complying with the 120 foot height limit results in a boxy, bulky building form that would not be responsive to the variegated and dynamic roofline of the Seaport Historic District.

The Commission notes that the 120 foot height is also too restrictive for the receiving sites in the area of rezoning. These sites, the three northernmost blocks of the area of rezoning including the Post Office and Con Edison sites, would be able to achieve up to 8.02 FAR with the utilization of Seaport development rights. The 120 foot height limit, however, was devised with 6 FAR buildings in mind. The Commission believes a higher building height than 120 feet is warranted in order to preserve the viability of the receiving sites.

In determining an appropriate maximum building height for the Seaport's C6-2A district, the Commission considered several urban design/massing principles as recommended by the Department staff with LPC consultation. On 250 Water Street, for example, the massing criteria included shifting bulk away from historic low-rise buildings on Water Street, bringing more light and air to the area, and allowing for asymmetrical massing to prevent a potentially long, boxy form which would not be compatible with the more variegated rooflines of the surrounding buildings in the historic district.

Accordingly, to achieve increased flexibility in massing, viability of receiving sites, and housing development opportunities in Lower Manhattan, the Commission believes that the maximum

building height for developments in the C6-2A should be increased from 120 feet to 170 feet. The Commission stresses that this building height would be allowed, not mandated, and that any new development or renovation would still be subject to review by the Landmarks Preservation Commission for appropriateness and consistency with purposes of the landmarks law.

The Commission notes that this determination for a “looser” building envelope corresponds with views expressed by the LPC, in a letter dated February 3, 2003, which recommends that

“if the City Planning Commission decides to rezone this area to an FAR of 6, it should at the same time adjust the envelope under the regulations governing the Special District to provide the Landmarks Preservation Commission with greater flexibility with regard to new construction, including building form, massing, design and lot coverage, in order to better facilitate projects that are consistent with and appropriate for the South Street Seaport Historic District.”

In addition to the change in maximum building height, the Commission is further modifying the text with respect to the lot coverage and quality housing regulations of C6-2A districts. These modifications would allow for already planned and future projects to be more consistent with the existing character of the Seaport area. The C6-2A district limits lot coverage on corner lots (portions of lots located within 100 feet of a street intersection) to 80%. Such a lot coverage restriction would result in a gap in the streetwall for shallow corner lots. That gap would be inconsistent with the character of the historic district and on Peck Slip in particular where full lot coverage is standard for corner lots. In order to allow for more consistency in the Seaport area, the Commission has modified the proposed text to allow for full lot coverage on corner lot sites.

The C6-2A district also normally requires compliance with Quality Housing regulations of Section 28-00. Quality Housing sets forth regulations on the provision of amenities such as laundry facilities, refuse areas, and recreation space. Given the small scale of infill properties within the historic district, meeting the Quality Housing regulations would pose significant challenges to designing cost-effective, desirable unit layouts. Furthermore, Quality Housing requires the planting of street trees. Trees in the sidewalk are not a historic feature of the Seaport. The Commission has modified the proposed text amendment so that developments within the

C6-2A district of the Seaport area are exempt from meeting quality housing regulations.

The Commission notes that these modifications would facilitate the development of the Block 97 project. The Commission understands that this project enjoys support from the Community Board, the Economic Development Corporation, and the Landmarks Preservation Commission, and complies with the applicant's proposal in all respects, including density and height, except for the lot coverage and quality housing regulations. The Commission believes that these modifications are appropriate and will result in development that is more consistent with the South Street Seaport.

The Commission further notes that the modifications to the text amendment discussed above are the subject of a Technical Memorandum to the CEQR file, dated February 28, 2003, which concludes that the modifications would not result in substantially different or greater environmental effects than those disclosed in the Environmental Assessment Statement of September 27, 2002. Accordingly, the modifications do not alter the conclusions of the Negative Declaration issued on September 30, 2002.

Development Rights/Granting Site

During the public review process, a suggestion was made to designate the 250 Water Street a granting site of the South Street Seaport Subdistrict for purposes of transferring development rights in excess of 6 FAR to a receiving site. The Commission notes that designating the blocks as a granting site raises major policy concerns. First, within the Seaport district, the basis for designation of a site as a granting lot is that there is a historical resource on that lot that merits protection through the alleviation of development pressure on that site. That is not the case with 250 Water Street which is a parking lot. Second, there is still remaining 479,075 square feet of development rights in the Seaport Development Rights Bank. Given the limited opportunities to transfer within the area, the addition of approximately 192,000 square feet of the development rights would raise issues about the marketability of development rights in the Seaport Subdistrict.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12b and 12d, changing from a C6-4 District to a C6-2A District property bounded by Dover Street, Water Street, Dover Street, South Street, a line 17 feet southeasterly of the northwesterly street line of South Street, the centerline of former Fulton Street, Water Street, Fulton Street, a line bisecting an angle formed by the northeasterly prolongation of the northwesterly and southeasterly street lines of Pearl Street, Pedestrian Street, and Pearl Street, within the Special Lower Manhattan District, as shown on a diagram (for illustrative purposes only) dated September 30, 2002, Borough of Manhattan, Community District 1.

The above resolution (C 0020213 ZMM), duly adopted by the City Planning Commission on March 5, 2003 (Calendar No.16), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, Chair

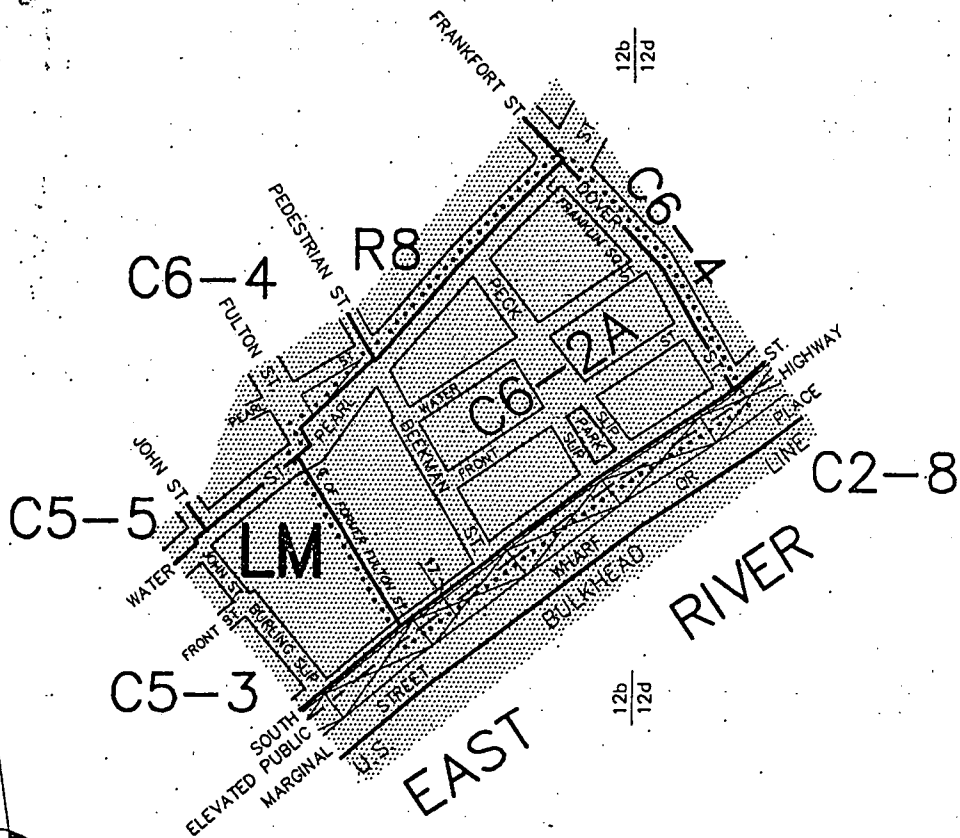
KENNETH KNUCKLES, Esq., Vice-Chair

ANGELA M. BATTAGLIA, IRWIN CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

RICHARD W. EADDY, JANE D. GOL, WILLIAM GRINKER, JOHN MEROLO,

KAREN A. PHILLIPS, JOSEPH B. ROSE, Commissioners

ALEXANDER GARVIN, Commissioner Recused

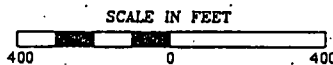



CITY PLANNING COMMISSION
CITY OF NEW YORK

DIAGRAM SHOWING PROPOSED
ZONING CHANGE
ON SECTIONAL MAPS
12b & 12d
BOROUGH OF
MANHATTAN

New York, Certification Date
SEPTEMBER 30, 2002

acting Director of Technical Review
Evoyse



- NOTE:**
- Indicates Zoning District boundary.
 - The area enclosed by the dotted line is proposed to be rezoned by changing a C6-4 District to a C6-2A District.
 -  Indicates a Special Lower Manhattan District.

THIS DIAGRAM IS FOR ILLUSTRATIVE PURPOSES ONLY.

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: NOVEMBER 19, 2002

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 8 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 27 In Favor 0 Opposed 1 Abstained 0 Recused

RE: **South Street Seaport Rezoning**

WHEREAS: The New York City Landmarks Preservation Commission describes the South Street Seaport Historic District in its 1977 Designation Report as an area with "a special historical and aesthetic interest" that "retains much of its early 19th century character," consisting primarily of "small-scale brick buildings which contrast dramatically with the soaring skyscrapers nearby," and

WHEREAS: In order to retain and build upon the special character and scale of this district, Community Board #1 has put forth a re-zoning proposal to change the zoning from C6-4 to C6-2A, and

WHEREAS: This area was originally zoned C6-4 in 1961, well before the designation of the Historic District in 1977, and

WHEREAS: C6-4 allows development at base 10 F.A.R. with towers over 40 stories, and

WHEREAS: Studies conducted by the Department of City Planning indicate that the vast majority of buildings in the Seaport Historic District are between 4 and 5 F.A.R. and under 60' in height with no building taller than 96' in height, and

WHEREAS: The proposed C6-2A zoning would allow buildings up to 120' in height and or more than double the average sized Seaport building, and

WHEREAS: The same C6-2A zoning is in place in Tribeca and Chelsea, two thriving communities where the City Planning Commission has successfully adopted zoning that reinforces the look and feel of these neighborhoods, and

WHEREAS: The South Street Seaport Historic District has enjoyed a great deal of redevelopment and restoration since its designation and all the property owners have complied with Landmarks Preservation Commission requirements to maintain the scale and quality of the district, and

WHEREAS: A great degree of confidence in the future of the Seaport Historic District was recently indicated when 24 developers responded to an EDC RFP to restore eleven City-owned buildings and three lots, in a small-scale manner, and

WHEREAS: The inherent conflict between the historic district designation and the current zoning has frequently been illustrated in the failure to develop the 250 Water Street site for the past 20 years, during which time the developer has tried unsuccessfully to gain approval for large scale buildings with towers that meet the C6-4 zoning requirements but have been rejected by the Landmarks Preservation Commission because, in the words of LPC in one instance, the proposed building would "dominate and overwhelm neighboring buildings in the district by virtue of its sheer size", and

WHEREAS: The C6-2A zone is being proposed upon the advice and recommendation of the Department of City Planning following meetings and discussions with the prior Chair of the Commission and officials from the Manhattan Office of Department of City Planning, and

WHEREAS: Prior to certifying this re-zoning proposal, the City, through the Economic Development Corporation, studied the financial feasibility of developing a C6-2A building on 250 Water Street and determined that a developer would receive a fair return on investment under C6-2A zoning, and

WHEREAS: The South Street Seaport C6-2A rezoning proposal has overwhelming support from affected property owners, local residents, local elected officials, and local organizations such as the Seaport North Business Association, the Alliance for Downtown NY, the Seaport Community Coalition, the South Street Seaport Museum and Southbridge Towers Inc., and nearly all of the opposition coming from a single property owner in the district, and

WHEREAS: An architect for the 250 Water Street property was quoted in the NY Times on April 23, 1989 as saying that it may be necessary to consider a downzoning to a floor area ratio of 6 or 7 at 250 Water Street to produce a design that is appropriate, and

WHEREAS: The Community Board has expended considerable time and resources in preparing the current proposal, including retaining the respected planning firm of Buckhurst Fish & Jacquemart to help produce the ULURP application, Environmental Assessment Statement and Rezoning Report, and

WHEREAS: The proposed rezoning represents good comprehensive planning that will retain the essential character of the historic district while allowing appropriate development to go forward, and

WHEREAS: Adoption of the proposed rezoning will encourage the development of housing and other appropriate uses on the vacant 250 Water Street site, to the benefit of the City and all parties, now

THEREFORE

BE IT

RESOLVED

THAT:

Community Board #1 strongly supports the South Street Seaport C6-2A rezoning proposal, and

BE IT
FURTHER
RESOLVED
THAT:

Community Board #1 urges the Mayor's Office and the City Planning Commission to abide by the recommendations of the Community Board and the vast majority of individuals and organizations concerned about the future of the South Street Seaport Historic District and adopt this most important rezoning proposal.

02res.nov.19th



Manh.

THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN

January 8, 2003

C. VIRGINIA FIELDS
BOROUGH PRESIDENT

ULURP NO:

C020213 ZMM
N020214 ZRM

APPLICANT:

Manhattan Community Board 1
49 Chambers Street, Room 712
New York, New York 10007

RECEIVED

JAN 10 2003

REQUEST:

MANHATTAN OFFICE

Pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12b and 12d, changing from a C6-4 District to a C6-2A District; property bounded by Dover Street, South Street, a line 17 feet southeasterly of the northwesterly street line of South Street, the centerline of former Fulton Street, Water Street, Fulton Street, a line bisecting an angle formed by the northeasterly prolongation of the northwesterly and southeasterly street lines of Pearl Street, Pedestrian Street, and Pearl Street, within the Special Lower Manhattan District, Borough of Manhattan, Community District 1, as shown on a diagram (for illustrative purposes only) dated September 30, 2002.

PROJECT BACKGROUND/DESCRIPTION:

This is a proposal for a zoning map change and text amendment for the portion of the South Street Seaport Historic District that is presently zoned C6-4. This is a 10-block area, bounded by Dover Street, Pearl, Fulton and South Streets. The proposed zoning designation is C6-2A. The zoning area is predominantly characterized by four and five-story 19th century commercial structures. The objective of the proposal is to permit the underlying zoning to be more consistent with the low-scale character and architecture of the Seaport Historic District, allowing for sufficient density to encourage new development.

In 1961 the whole area was designated C6-4. Subsequently in 1977 the Landmarks Preservation Commission designated this area as the South Street Seaport Historic District. This 10-block area, however, is still zoned C6-4. In order to assure that the use of this area remains consistent with small historic and restored buildings preserving the low scale, there is a need to transfer air rights

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DEPT. OF CITY PLANNING

from these blocks to designated receiving lots, this is known as "Seaport restoration air rights transfer". The intention of the air rights transfer plan was to keep the core of the district in context with the low scale architecture of the surrounding buildings while allowing for higher bulk development in the Financial District south and west of Fulton and Water Streets.

The granting of the proposed zone would ensure that the goals of the Landmarks designation are achieved while allowing for sufficient density to encourage development.

C6-2A districts are contextual commercial zones equivalent to R84 districts, and are typically located outside the central business district. Contextual districts are designed to maintain the built form of an existing neighborhood, requiring that buildings be placed near the street line and are within a prescribed building envelope. C6-2A zoning is mapped in Manhattan in such older, historic neighborhoods as Tribeca, Union Square and Greenwich Village, where it has successfully functioned to keep the size of new buildings consistent with the scale of historic buildings.

The bulk and massing permitted under the C6-2A district regulations are more responsive to the area's existing built environment than the present zoning. Most of the structures in the rezoning area consist of 5-story residential lofts and warehouses with commercial or retail activities on the ground floor levels. The proposed C6-2A zoning district would allow new residential and commercial development at an appropriate scale and design, consistent with the existing streetscapes and roofscapes.

SUMMARY OF COMMUNITY BOARD ACTION:

At the regularly scheduled monthly meeting of Community Board One on November 19, 2002 the community board overwhelmingly voted to approve the resolution with a vote of 27 in favor, 0 opposed, 1 abstained and 0 recused.

BOROUGH PRESIDENT ACTION:

- The Manhattan Borough President recommends approval.
- The Manhattan Borough President recommends disapproval.
- The Manhattan Borough President recommends approval, subject to the conditions detailed below.
- The Manhattan Borough President recommends disapproval, unless the conditions detailed below are addressed as described.

COMMENTS:

This district contains the largest concentration of early 19th century commercial buildings in New York. It is an unparalleled physical representation of the extraordinary development of trade and commerce in the early decades of the 19th century as New York City became the economic and financial capital of the nation. The streets are lined with the countinghouses where New York's

merchants had their offices and warehoused goods. The area deteriorated in the 20th century, but restoration began in the early 1970's with the creation of the South Street Seaport Museum and marketplace. Notable new construction in the area includes 15-19 Fulton Street (four stories), which is faced with steel panels emulating cast iron, and the Seaman's Church Institute at 241 Water Street (6 stories).

In order to retain the environment of this historic area, designation as an extension of the South Street Seaport Subdistrict of Special Lower Manhattan District is essential. With the new C6-2A designation the bulk and massing would permit buildings that more clearly reflect the existing built environment and the sense of this special historic district.

Studies conducted by the Department of City Planning indicate that the vast majority of buildings in the Seaport Historic District are between 4 and 5 F.A.R. and under 60' in height with no building taller than 96' in height. The proposed C6-2A zoning would allow buildings up to 120' in height or more than double the average sized Seaport building which is 40 -50 feet in height. The same C6-2A zoning is in place in Tribeca and Chelsea where the City has successfully adopted this zoning, thus keeping and reinforcing the look and feel of those neighborhoods.

With respect to concern over profitability for the rezoned area, the New York City Economic Development Corporation did an economic feasibility study. The study shows that for this area a 20% profit margin can be expected without the use of Liberty Bonds and a 35% profit margin with the use of Liberty Bonds.

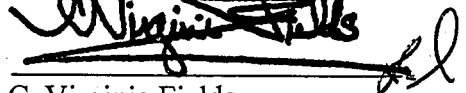
The Manhattan Borough President strongly supports the community in wishing to keep the entire district as a special Historic District and recommends the approval of rezoning to C6-2A.

In addition, the Borough President calls for the City Planning Commission, in consultation with the Economic Development Corporation and the local community to execute a comprehensive economic plan, which will encourage development and revitalization consistent with the historic context of this district.

The Manhattan Borough President recommends approval of this application.

Report and Recommendation _____

Accepted:



C. Virginia Fields
Manhattan Borough President

**Borough President
Recommendation**

City Planning Commission
22 Reade Street, New York, NY 10007
Fax # (212) 720-3356

INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

Application #: C 020213 ZMM
N 020214 ZRM

Docket Description:

Pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section Nos. 12b and 12d, changing from a C6-4 District to a C6-2A District; property bounded by Dover Street, South Street, a line 17 feet southeasterly of the northwesterly street line of South Street, the centerline of former Fulton Street, Water Street, Fulton Street, a line bisecting an angle formed by the northeasterly prolongation of the northwesterly and southeasterly street lines of Pearl Street, Pedestrian Street, and Pearl Street, within the Special Lower Manhattan District, Borough of Manhattan, Community District 1, as shown on a diagram (for illustrative purposes only) dated September 30, 2002.

COMMUNITY BOARD NO.: One

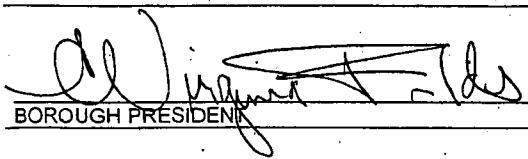
BOROUGH: Manhattan

RECOMMENDATION

- APPROVE
- APPROVE WITH MODIFICATIONS/CONDITIONS (List below)
- DISAPPROVE
- DISAPPROVE WITH MODIFICATONS/CONDITIONS (List below)

EXPLANATION OF RECOMMENDATION - MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

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BOROUGH PRESIDENT

1/7/03
DATE

CITY PLANNING COMMISSION

March 5, 2003 / Calendar No. 17

N 020214 ZRM

IN THE MATTER OF an application submitted by Manhattan Community Board 1, pursuant to Section 201 of the New York City Charter for amendment of the Zoning Resolution of the City of New York, to Article IX, Chapter 1 (Special Lower Manhattan District) relating to regulations for the South Street Seaport, Borough of Manhattan, Community District 1.

This application for an amendment of the Zoning Resolution was filed by Manhattan Community Board 1, on November 19, 2001, to amend certain sections of the Special Lower Manhattan District to reflect the proposed rezoning of an area in the South Street Seaport area from a C6-4 district to a C6-2A district, and to allow modifications to the minimum streetwall height in the area of rezoning.

RELATED ACTIONS

In addition to the text amendment, which is subject of this report, this proposal requires action by the City Planning Commission on a related zoning map amendment application which is being considered concurrently with this application:

1. C 020213 ZMM **Zoning Map Amendment** to rezone a 10-block area within the South Street Seaport Subdistrict from a C6-4 district to a C6-2A district.

BACKGROUND

Zoning Text Amendment

The proposed text amendment would amend Sections 91-211, 91-212, 91-23, 91-30, 91-32, 91-42(e), 91-61, and 91-65 of the Special Lower Manhattan District in order to reflect the proposed rezoning of the C6-4 district within the South Street Seaport Subdistrict to a C6-2A district.

Additionally, the text amendment would allow streetwalls within the area of rezoning to be lower than the minimum streetwall height typically mandated for a C6-2A district. Finally, certain corrections and clarifications would be made to the existing Special Lower Manhattan District text, including to the FAR table in Section 91-23.

A detailed description of the proposed text is included in the report on the related application (C 020213 ZMM).

ENVIRONMENTAL REVIEW

This application (N 020214 ZRM), in conjunction with the applications for the related action (C 020213 ZMM), was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the New York City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 02DCP028M. The lead is the City Planning Commission.

After a study of the potential environmental impacts of the proposal, a Negative Declaration was issued on September 30, 2002.

PUBLIC REVIEW

On September 30, 2002, this text amendment application (N 020214 ZRM) was duly referred to Community Board 1 and the Borough President for information and review in accordance with the procedures for non-ULURP matters.

Community Board Review

Community Board 1 held a public hearing on this application (N 0020214 ZRM) in conjunction with related application (C 020213 ZMM) on November 19, 2002, and on that date, adopted a resolution recommending approval of the applications. The vote was 27 in favor, 0 opposed, and 1 abstaining.

A summary of the recommendation of the Community Board appears in the report of the related application for a zoning map amendment (C 020213 ZMM).

Borough President

This application was considered by the Borough President, who issued a recommendation approving the application on January 8, 2003.

A summary of the recommendation of the Borough President is provided in the report on the related application for a zoning map amendment (C 020213 ZMM).

City Planning Commission Public Hearing

On January 8, 2003, (Calendar No. 5), the City Planning Commission scheduled January 22, 2003, for a public hearing on this application (C 0020214 ZRM). The hearing was duly held on January 22, 2003, (Calendar No. 10) in conjunction with the hearing on related application (N 020213 ZMM).

There were a number of speakers, as described in the report on the related application for a zoning map amendment (C 020213 MM), and the hearing was closed.

CONSIDERATION

The Commission believes that the proposed zoning text amendment to the Special Lower Manhattan District regulations, as modified herein, in conjunction with the related proposed map amendment, is appropriate. The text amendment would make changes to the Special Lower Manhattan regulations to reflect the proposed rezoning of the area bounded by Fulton, Pearl, Dover and South Streets, within the South Street Seaport Subdistrict, from a C6-4 zoning district to a C6-2A zoning district. The text amendment also would allow for modifications to streetwall and, as further modified by the Commission, to other bulk regulations of the C6-2A zoning district in the area of rezoning.

A full consideration and analysis of the issues, and the reasons for approving this application appears in the report on the related application for a zoning map amendment (C 020213 ZMM).

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action describes herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

NOTE: Matter in underlined graytone is new, to be added;
Matter in ~~strikeout~~ is to be deleted; and
*** represents text for which no change is proposed.

* * *

91-20

FLOOR AREA AND DENSITY REGULATIONS

91-21

Floor Area Regulations For Residential Buildings and the Residential Portion of Mixed Buildings

91-211

Maximum floor area ratio for residential uses

Within the #Special Lower Manhattan District#, the maximum #floor area ratio# for a #residential building# or the #residential# portion of a #mixed building# shall be determined in accordance with the regulations of the underlying district and may not be increased except as provided in Sections 91-212 (Floor area increase in a C6-4 District) or 91-213 (Floor area increase for provision of recreation space). The maximum #floor area ratio# for the #residential#

portion of a #mixed building# is specified in the table in Section 91-23 (Floor Area Regulations for Non-Residential and Mixed Buildings) showing maximum #floor area ratios# and #floor area# bonuses, by zoning district, for non-#residential# and #mixed buildings#.

In a C4-6 District, the maximum #floor area ratio# for a #residential building# or the #residential# portion of a #mixed building# shall be 3.4.

91-212

Floor area increase in a C6-4 District

In a C6-4 District, ~~except within the South Street Seaport Subdistrict,~~ the #residential floor area# of a #building# may exceed 10.0 in accordance with the provisions of Sections 23-90 (INCLUSIONARY HOUSING) or 91-241 (Floor area bonus for urban plazas), provided that the maximum #residential #floor area# ratio shall not exceed 12.0.

* * *

91-23

Floor Area Regulations for Non-Residential and Mixed Buildings

For non-#residential buildings# or #mixed buildings# within the #Special Lower Manhattan District#, the basic maximum #floor area ratio# of the underlying district may be increased by the inclusion of specific additional bonus #floor area# for a maximum #floor area ratio# as specified in the following table.

The provisions of paragraph (c) of Section 74-792 (Conditions and limitations), pertaining to the transfer of development rights from landmark sites, shall be subject to the restrictions on the transfer of development rights (FAR) of a landmark "granting lot" as set forth in ~~the following~~ this table. Wherever there may be an inconsistency between any provision in Section 74-79 and ~~the following~~ table, the provisions of the table shall apply.

MAXIMUM FLOOR AREA RATIOS AND FLOOR AREA BONUSES
 BY DISTRICT FOR NON-RESIDENTIAL AND MIXED BUILDINGS
 BASIC AND MAXIMUM FLOOR AREA RATIOS (FAR)

#Special Lower Manhattan District# except within Historic & Means for Achieving Permitted FAR Levels on a #Zoning Lot#	Core or Subdistrict			Commercial Core						South Street Seaport Subdistrict & all waterfront #zoning lots#	
	C5-3	C5-5	C6-9	C5-5	M1-4	C2-8	C4-6	C6-4	C5-3	C6-9	
Basic maximum FAR	6.02 [†]	10	15	15	2.0 ² -6.5 ³	2.0 ² -3.4 ³	3-4	10	15	15	
Maximum as-of-right #floor area# bonus for #urban plazas#	NA	2	3	NA	NA	NA	NA	NA	NA	NA	
Maximum as-of-right #floor area# bonus for Inclusionary Housing	NA	2	NA	NA	NA	NA	NA	NA	NA	NA	
Maximum FAR with as-of-right #floor area# bonuses	6.02 [†]	12	18	15	2.0 ² -6.5 ³	2.0 ² -3.4 ³	3-4	10	15	15	
Maximum special permit #floor area# bonuses: subway station improvements & #covered pedestrian spaces#	NA	2	3	3	NA	NA	NA	NA	NA	NA	

Maximum total FAR with as-of-right and special permit #floor area# bonuses	6.02 [†]	12	18	18	2.0 ² -6.5 ³	2.0 ² -3.4 ³	3-4	10	15	15
Development rights (FAR) of a landmark lot for transfer purposes (74-79)	NA	10	15 [†] 18 ²	15	NA	NA	NA	NA	NA	NA
Maximum total FAR with transferred development rights from landmark #zoning lot# and as-of-right and special permit #floor area# bonuses	6.02 [†]	14	21.6	21.6	2.4 ² -7.8 ³	2.0 ² -3.4 ³	3-4	12	21.6 ⁶	21.6 ⁶
Maximum total FAR of designated receiving sites in South St. Seaport Subdistrict (91-60)	NA	NA	NA	NA	NA	2.0 ² -3.4 ³	3-4	12	21.6 ⁶	21.6 ⁶

1. ~~maximum #floor area ratio# and minimum #open space ratio# shall be determined in accordance with the provisions of Article II, Chapter 3~~
2. ~~for a #commercial# or, where permitted, #manufacturing use#~~
3. ~~for a #community facility use#~~
4. ~~if receiving lot is located in a zoning district with a basic maximum FAR of less than 15~~
5. ~~if receiving lot is located in a zoning district with a basic maximum FAR of 15~~
6. ~~for lots greater than 30,000 square feet, may be exceeded by special permit pursuant to Section 91-661.~~

MAXIMUM FLOOR AREA RATIOS AND FLOOR AREA BONUSES
BY ZONING DISTRICT FOR NON-RESIDENTIAL AND MIXED BUILDINGS

Basic and Maximum Floor Area Ratios (FAR)

<u>Means for Achieving</u> <u>Permitted FAR Levels</u> <u>on a #Zoning Lot#</u>	<u>Historic &</u> <u>#Special Lower Manhattan District# except within Core oCommercialCore</u>					<u>South Street Seaport Subdistrict &</u> <u>all waterfront #zoning lots#</u>				
	<u>Subdistrict</u>									
	<u>R8</u>	<u>C6-4</u>	<u>C6-9</u>	<u>M1-4</u>	<u>C5-5</u>	<u>C2-8</u>	<u>C4-6</u>	<u>C6-2A</u>	<u>C5-3</u>	<u>C6-9</u>
						2.0 ²	6.00 ² 6.02 ⁴			
	6.02 ¹		10.0 ⁴	10.0 ⁴ 0 ²		3.4 ³	6.510.0 ⁴	15.0 ^{2,3}		
<u>Basic max. FAR</u>	6.5 ³	10.0 ^{2,3,4}	15.0 ^{2,3}	15.0 ^{2,3,5}		10.0 ⁴	3.4 ^{3,3,4}			15.0
<u>Maximum as-of-right</u> <u>#floor area# bonus for</u> <u>#urban plazas#</u>	NA	2.0	3.0	NANA		NA	NA	NA	NA	NA
<u>Maximum as-of-right</u> <u>#floor area# bonus for</u> <u>Inclusionary Housing</u>	NA	2.0	NA	NANA		NA	NA	NA	NA	NA
<u>Maximum FAR with as-</u> <u>of-right #floor area#</u> <u>bonuses</u>	6.02 ¹			2.0 ² 6.5 ³		2.0 ² 3.4 ³	6.00 ² 6.02 ⁴			
	6.5 ³	12.0	18.0	15.0		10.0 ⁴	6.50 ³			
<u>Maximum special permit</u> <u>#floor area# bonuses:</u> <u>subway station</u> <u>improvements &</u> <u>#covered pedestrian</u> <u>spaces#</u>	NA	2.0	3.0	3.0NA		NA	NA	NA	NA	NA
<u>Maximum FAR with as-</u> <u>of-right and special</u> <u>permit #floor area#</u> <u>bonuses</u>	6.02 ¹			2.0 ² 6.5 ³		2.0 ²	6.00 ² 6.02 ⁴			
	6.5 ³	12.0	18.0	18.0		3.4 ³	6.50 ³			
						10.0 ⁴	3.4		15.0	15

<u>Development rights</u>										
<u>(FAR) of a landmark lot</u>										
<u>for transfer purposes</u>										
				<u>15.0⁴⁵</u>						
<u>(74-79)</u>	<u>NA</u>	<u>10.0</u>	<u>18.0⁴⁶</u>	<u>15.0^{NA}</u>		<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>
<u>Maximum total FAR of</u>										
<u>designated receiving</u>										
<u>sites in South Street</u>										
<u>Seaport Subdistrict</u>										
<u>(91-60)</u>	<u>NA</u>	<u>NA</u>	<u>NA</u>	<u>NANA</u>		<u>NA</u>	<u>3.4</u>	<u>8.02</u>	<u>21.6⁷</u>	<u>21.6⁷</u>
<u>Maximum FAR with</u>										
<u>transferred development</u>										
<u>rights from landmark</u>										
<u>#zoning lot# and as-of-</u>										
<u>right and special permit</u>										
	<u>6.02¹</u>			<u>2.4² 7.8²</u>						
<u>#floor area# bonuses</u>	<u>6.50²</u>	<u>14.0</u>	<u>21.6</u>	<u>21.6</u>		<u>NA</u>	<u>3.4</u>	<u>8.02</u>	<u>21.6⁷</u>	<u>21.6⁷</u>

1. maximum #floor area ratio# and minimum #open space ratio# shall be determined in accordance with the provisions of Article II, Chapter 3
2. for a #commercial# or, where permitted, #manufacturing use#
3. for a #community facility use#
4. for the #residential# portion of a #mixed building#
5. if receiving lot is located in a zoning district with a basic maximum FAR of less than 15
6. if receiving lot is located in a zoning district with a basic maximum FAR of 15
7. for lots greater 30,000 s.f., may be exceeded by special permit (91-661).

* * *

91-30

HEIGHT AND SETBACK AND LOT COVERAGE REGULATIONS

For all #buildings or other structures# in the #Special Lower Manhattan District#, the height and setback regulations of the underlying districts are superseded by the regulations of this Section; except that in the C6-4 District within the South Street Seaport Subdistrict, the provisions of Section 33-432 (In other Commercial Districts) may be applied as an alternative to the height and setback and #lot coverage# regulations of this Section.

The height of all #buildings or other structures# shall be measured from #curb level#.

* * *

91-32

Setback Regulations

Within the #Special Lower Manhattan District#, setbacks are required for any portion of a #building# that exceeds the maximum base heights specified for the applicable #street# in Section 91-31 (Street Wall Regulations).

Required setbacks shall be provided at a height not lower than any minimum base height or 60 feet where none is specified and not higher than any maximum base height specified for the applicable #street# in Section 91-31. The depth of the setback shall be determined by the #lot area# of the #zoning lot# on which the #building# is located, as shown in the following table:

REQUIRED DEPTH OF SETBACKS

#Lot area# of #zoning lot#	Minimum setback depth
Less than 15,000 square feet	10 feet
15,001 to 30,000 square feet	15 feet
Greater than 30,000 square feet	20 feet

~~However, for predominantly #residential buildings# within a C6-4 District within the South Street Seaport Subdistrict, the minimum setback depth may be ten feet.~~

For "Type 1" and "Type 2" #street walls#, the required setbacks shall be measured from the

#street line#.

For "Type 3" #street walls#, the required setbacks shall be measured from a line drawn at or parallel to the #street line# so that at least 70 percent of the #aggregate width of street walls# of the #building# at the minimum base height are within such line and the #street line#.

For all other #street walls#, the required setbacks shall be measured from a line drawn at or parallel to the #street line# so that at least 50 percent of the #aggregate width of street walls# of the #building# at the minimum base height are within such drawn line and the #street line#. However, setbacks are not required for #street walls# fronting upon the major portion of a bonused #urban plaza#.

For #buildings# within the Historic and Commercial Core as shown on Map 1 in Appendix A, any #building# or portion of a #building# may be located within the required setback area beneath a #sky exposure plane# that rises from a height of 100 feet above the #street line# over the #zoning lot# at a vertical distance of six to a horizontal distance of one.

* * *

91-42

Pedestrian Circulation Space

Within the boundaries of the #Special Lower Manhattan District#, all new #developments# or #enlargements# on #zoning lots# of at least 5,000 square feet that contain more than 70,000 square feet of new #floor area# shall provide pedestrian circulation space in accordance with the provisions of Section 37-07 (Requirements for Pedestrian Circulation Space).

Pedestrian circulation space shall not be required if any of the following conditions exist:

* * *

(e) the #zoning lot# is located in a ~~C6-4~~ C6-2A or C6-9 District within the South Street Seaport Subdistrict.

* * *

91-60

REGULATIONS FOR THE SOUTH STREET SEAPORT SUBDISTRICT

* * *

91-65

Addition of Development Rights to Receiving Lots

Within the South Street Seaport Subdistrict, all or any portion of the #development rights# transferred from a #granting lot# may be added to the #floor area# of all or any one of the #receiving lots# in an amount not to exceed the ratio of 10 square feet of #development rights# to each square foot of #lot area# of such #receiving lot#, except that with respect to a #receiving lot# having a #lot area# of less than 30,000 square feet, the total #floor area ratio# ~~on such #receiving lot# shall not exceed a #floor area ratio# of 21.6.~~ However, if a #receiving lot# is located in a C4-6 District, the total #floor area ratio# shall not exceed 3.4 and if a #receiving lot# is located in a C6-2A District, the total #floor area ratio# shall not exceed 8.02.

* * *

#Development rights# transferred to a #receiving lot# may be applied to the #development# of a #mixed building# to increase the #floor area# of the #residential#, #commercial# and/or #community facility# portions of such #building# so that the maximum #floor area# for such #building# may be increased by the aggregate of #development rights# so transferred. In no event shall the #floor area ratio# of a #residential building#, or portion thereof, exceed 12.0.

* * *

91-66

Modification of Bulk Regulations

91-661

Special permit for bulk modifications

Bulk modifications in C6-2A Districts

Within the South Street Seaport Subdistrict, for any #zoning lot# located in a C6-2A District, the underlying height and setback regulations shall apply, except the maximum #building# height for any portion of a #building# within 100 feet of a #wide street# shall be 170 feet and the maximum #building# height for any portion of a #building# beyond 100 feet of a #wide street# shall be 160 feet. No minimum base height shall apply, and the depth of a required setback along a #narrow street# shall be at least 10 feet. No #lot coverage# regulations shall apply to #corner lots#. Furthermore, the provisions of Article 2 Chapter 8 (The Quality Housing Program) shall not apply.

91-662

Authorization for modifications of bulk provisions and public space in C6-9 Districts

* * *

91-663

Special permit for bulk modifications

Within the South Street Seaport Subdistrict, the City Planning Commission may modify, by special permit, the height and setback and #lot coverage# regulations of Section 91-30, provided that:

(a) either of the following conditions have been met:

- (1) that the developer has obtained negative easements limiting the height of future #development# to 85 feet or less on any adjoining #zoning lots# which are contiguous or would be contiguous to said #zoning lot# but for their separation by a #street# or #street# intersection, and such easements are recorded against such adjoining #zoning lots# by deed or written instrument. The Commission shall consider the aggregated areas of said #zoning lot# and the adjoining lots subject to such negative easements and the extent to which they achieve future assurance of light and air in determining the maximum permitted coverage. In no event shall such coverage exceed 80 percent of the #zoning lot# on which the #development# will be located; or
- (2) that the #lot coverage# for that portion of a #development# below 300 feet may be increased to a maximum of 80 percent when additional #development rights# have been purchased and converted to increased #lot coverage#. The maximum percentage of #lot coverage# on such #receiving lot# shall be the sum of 65 percent plus one-half of one percent for every .10 by which the total #floor area ratio# on such #receiving lot# would exceed a #floor area ratio# of 21.6, provided that the #development# on such #receiving lot# has achieved a minimum #floor area ratio# of 18.0;

(b) In order to grant such special permit, the Commission shall make the following findings:

- (1) the location of the #development# and the distribution of #bulk# will permit adequate access of light and air to surrounding #streets# and properties;
- (2) any modification of height and setback will provide for better distribution of

#bulk# on the #zoning lot#; and

- (3) such special permit will aid in achieving the general purposes and intent of the Subdistrict.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

* * *

The above resolution (N 020214 ZRM), duly adopted by the City Planning Commission on March 5, 2003, (Calendar No. 17), is filed with the Office of the Speaker, City Council, and the Borough President in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair

KENNETH KNUCKLES, Esq., Vice-Chair

ANGELA M. BATTAGLIA, IRWIN CANTOR, P.E., ANGELA R. CAVALUZZI, R.A.,

RICHARD W. EADDY, JANE D. GOL, WILLIAM GRINKER, JOHN MEROLO,

KAREN A. PHILLIPS, JOSEPH B. ROSE, Commissioners

ALEXANDER GARVIN, Commissioner Recused

GENERAL PUBLIC

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 9:34:34 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Dr. Eileen Ain**
Zip: **10003**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

Compassion is missing from the detailed plans for the gentrification of Chinatown and environs. Where are our revered elders going to live when their homes are demolished to make way for unaffordable housing. What will happen to the authenticity of the cherished traditions, customs and forethought that create a diverse community and ultimately a better quality of life. Please don't supply platitudinous answers or comments. We have heard too many blurred responses. To clear your thinking and emotional responses, I invite all officials involved in planning to join me at our community garden on LaGuardia Place on Thursdays at 5:30pm to meditate on what I have just wrote. Before Thursday and during the meetings, contemplate how your actions effect the people in New York City. Dr. Eileen J. Ain

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Saturday, September 4, 2021 9:57:58 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **lisa arnone**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I object to the construction of a skyscraper in a community whose architecture is appropriately sized to reflect the history of the seaport. This decision impacts the community as an actual architectural, cultural, historical, and environmental affront and imposition. Respect the historic landmark status of this district.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 10:34:57 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Daniel Bartolomeo**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent": **Myself, my wife and my child**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

I fervently oppose the construction of the tower at 250 Water St. The construction of such a building directly across the street from a public school will have irreparable damage to our children. The American Speech Hearing and Language Association rates construction related noise as "unsafe for any period of time"; and poor acoustic environment can lead to learning disabilities and behavior problems. Also construction sites release contaminants into ground water and eventually into the river system. It will have a disparate impact on our community. The rich will be able to send their children to private school or move away when toxins from the construction poison the ground water.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 5:53:49 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Roberta Belulovich**
Zip: **10038**

I represent:

- **Myself**

Details for “I Represent”:

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

The proposed building is completely inappropriate for the Historic District! In addition: The Landmarks Law prohibits the City Planning Commission from issuing permits for this project unless and until the Landmark Preservation Commission (“LPC”) has issued a Certificate of Appropriateness (“CoA”). The LPC did not follow the Landmarks Law when it voted to approve a CoA in May 2021, and the LPC action is currently being challenged in court. The City Planning Commission should wait to see whether the LPC’s CoA withstands judicial scrutiny. If the LPC decision is vacated, the entire ULURP process will have to be halted. For the City Planning Commission to approve a building plan that undermines decades of community activism and the good governance of every former Manhattan Borough President, City Council Member, and CB1 Board since the 70’s to destroy a National Historic Treasure just to advance a real estate developer’s profit margin is abhorrent and shameful. Please do not

approve HHC's application! It is paramount for you, the City Planning Commission, to fulfill your good governance responsibilities; to uphold the people's will and maintain the low-scale, low-density historic character that has been borne out over decades, while also keeping our children safe. Entire neighborhoods are under threat by private interests. Enabled by elected officials who have made deals with developers, zoning protections are being dismantled under the ruse of offering benefits for the community. The South Street Seaport Historic District is on the frontier of this destructive pattern. Please uphold the zoned 120 foot height limit designed to protect the Seaport Historic District! A small number of so-called affordable apartments on poor floors - a disgusting concept singling out people - will not deflect the impact of this high-priced slab on the surrounding communities. They should not be accepted as a justification for this gentrifier. Changing the designation of the de-mapped streets in the Historic District as a means to transfer air-rights to 250 Water Street is a transparent sham. It should be rejected after so much as one look at the gerrymandered map, let alone after looking at the building the developer seeks to impose in the Seaport. The de-mapped streets, and development rights in question are city-owned public assets. They are not there for a developer to manipulate zoning rules in order to advance a tower in the historic district. The neighborhood wants use of public air rights that benefit the public, not billionaire investors like Bill Ackman, the majority owner of HHC. Their goal is corporate profit, at the expense of public interest. With all this - and much more - in mind, I respectfully implore that you deny the HHC application for 250 Water Street and a 99-year lease. Anything less would be the destruction, not only of the Historic Seaport District, but of every district that would be vulnerable to unwelcome development for profit because of the precedent set. Thank you.

From: [Rosemary](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] Regarding 250 Water Street
Date: Monday, September 13, 2021 4:57:45 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@cyber.nyc.gov as an attachment (Click the More button, then forward as attachment).

Hello,

I would like to offer testimony against the Howard Hughes Corp planned development for 250 Water Street.

I am a long time resident of 265 Water Street (since 1993). I have seen many changes and events in this area, some positive, some negative. The development of Historic Front Street was a positive improvement on the derelict buildings that were there. The proposal at 250 Water Street offers no such improvement.

The development is out of proportion for the Seaport Historic District and will bring construction to the area for probably more than four or five years. The building I live in was built in 1873. The idea of prolonged drilling and construction on the site at 250 Water Street is alarming. The fact of dangerous chemicals and other potent poisons beneath the ground at 250 Water street is also frightening. Especially the fact that there has been an attempt made to fast-track the mitigation with a less than rigorous procedure.

I am also a customer of the parking lot. Many neighborhood people and businesses are. While proponents of the plan see the elimination of a parking lot as a way to reduce use of cars by making it inconvenient, the fact remains that cars are a way of life in America and New York City. The lot is also used by tourists and customers of the local hotels.

The development as proposed will block sunlight and close in open space that exists. No one will be able to see the whimsical upper floors of the Blue School building which mimics a ship in port. The promise of "some low-income housing" and support of the Seaport museum may not happen.

Another thing no one really looks at is services in support of large residential buildings, such as deliveries and garbage and recycling. With so many new residents in the area the potential for mountains of garbage and recycling is unavoidable. There does not seem to be anything in the plan to deal with this.

I am against the plan in its entirety.

Thank you for the opportunity to testify.

Rosemary Birardi
265 Water Street
7th Floor
New York NY 10038
212 349-1152

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 10:53:51 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Nicole Bode**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**
If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

This project is oversized for the neighborhood zoning and would cause direct harm to the vulnerable students whose schools are directly across the street from it. Students and teachers are already struggling with returning to school during covid. This would be an added threat both due to the chemicals underground as well as the noise that has proven detrimental effects to student learning. Please do what is right for the neighborhood and maintain existing zoning rules for the good of the children.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 8:18:34 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Nicole Bode**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I am writing to say I am deeply opposed to the plans for making a zoning exception to build higher than currently allowed at 250 Water Street. The Landmarks Law prohibits the City Planning Commission from issuing permits for this project unless and until the Landmark Preservation Commission ("LPC") has issued a Certificate of Appropriateness ("CoA"). The LPC did not follow the Landmarks Law when it voted to approve a CoA in May 2021, and the LPC action is currently being challenged in court. The City Planning Commission should wait to see whether the LPC's CoA withstands judicial scrutiny. In addition, the site is highly polluted with contaminants such as elemental mercury, PCBs, metals, pesticides, volatile organic compounds, petroleum and tar-related products, chlorinated solvents, and per- and polyfluoroalkyl substances (PFAS). The school children, nearby residents, and the general public are currently not at risk of being exposed to those contaminants because of the asphalt

parking lot covering the site. However, once the asphalt is removed for remediation and development, there is a significant risk of exposure and harm. The community has not yet provided its required acceptance of the Brownfield Cleanup remedial action plan for 250 Water Street. The CPC should not accept any assertion that there is a clear path to remediation of the site at this time. The CPC should not allow the State's Brownfield Cleanup Program to be used as an argument against the CPC's own responsibilities to address toxic conditions at 250 Water Street. Sincerely, Nicole Bode 333 Pearl St. #23E

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 1:38:18 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **George Brieger**
Zip: **10038**

I represent:

- **Myself**

Details for “I Represent”: **I reside across the street from 250 Water Street and my child is entering 4th grade in the Peck Slip School, also across the street from 250 Water Street**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

I respectfully submit this comment as a resident of Southbridge Towers across the street across the street from 250 Water Street and as a parent of a child entering 4th grade in the Peck Slip School (PS 343) adjacent the site. I. Construction Noise. The Executive Summary of the DEIS at page S-26 acknowledges that construction noise levels will “exceed the CEQR threshold” for “an extended period.” On the same page it acknowledges that the noise will even impact the playground one block away (at Fulton Street). It goes on to advise nearby residents to get noise-proof windows and to keep them shut for the duration. COVID has forced the two schools (PS343 and the Blue School) adjacent the site to keep windows open, even in colder weather. How are teachers and children, already operating under noisy and difficult conditions, supposed to teach and learn, respectively? The DEIS Executive Summary at p.S-

31 states that most construction will occur during weekdays, not nights and weekends, precisely when children are in the two adjacent schools with windows open. The Delta variant of Covid, a major issue for schools, is on the rise in NYC and the MU variant is on around the corner. These issues are unlikely to go away soon. DEIS fails to address, or even to mention, the impact of the noise given pandemic conditions. DEIS must be revised to address this. II. Construction Dust. School windows at the two adjacent schools are to remain open due to Covid. The construction dust will be breathed in continuously for many months by children and teachers of the two adjacent schools and local residents. The DEIS fails to consider, let alone to address, this issue. III. Historic Resources. DEIS (p.S-14) acknowledges that the development will cause “significant adverse contextual impacts to historic resources.” Then it goes on state that it is “anticipated” that Applicant “intends” to refine its proposed design so that these impacts will be “eliminated.” How does the DEIS “anticipate” this with a massive building that features a huge tower that dwarfs every other building in its surroundings? This issue should be revisited after Applicant submits its “refined” proposal. A revised DEIS must then address this. IV. Scale. DEIS (p.S-33) states that the building will be “of comparable scale to other buildings in the area” and “respects” nearby buildings’ character. Is this a joke? This massive, tall structure will dwarf every surrounding building. It threatens to transmogrify our historic Seaport District. This is the only historic seaport/harbor district we have in NYC. V. Seaport Museum Financing. DEIS (p.S-32) states that the project will help in the restoration and “potential expansion” of the museum. This is highly misleading. Applicant proposes purchasing the air rights of the public school (PS343) building from the City for this mega-tower. The City will then fund the museum using this money, should it choose to do so. This is taxpayer money. A thorough redraft environmental impact statement is required to address these issues. Thanks.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 5:55:03 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Jared Brown**
Zip: **11937**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:
Yes

Additional Comments:

The H.H.C. has a LONG history of unfulfilled promises to accomplish its goals starting with the plush green gardens with trees for the community promised if the community would only grant them the ability to install this community asset on Pier 17 rooftop. Somehow, that verdant roof has morphed into PROFIT CENTER for H.H.C. as a major entertainment venue for concerts. No real public space ever materialized other than some small areas north of the elevators. However, one could rent a green area to enhance the experience of utilizing their bar area set up on the roof exclusively for paying customers

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Tuesday, August 31, 2021 11:54:31 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **wendy cassidy**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

Yes

Additional Comments:

My family and I oppose the 250 water street project. The risk is too high for the health and well being of our community. Please protect our daughter from these toxins. We live in close proximity to the site, our daughter goes to school less then 20ft from this site. We are terrified and not willing to risk the health and well-being of our community. Please stop this.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 9:52:25 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Peter Davies**
Zip: **10012**

I represent:

- **Myself**

Details for "I Represent": **I am a resident of NYC Council District 1, and have lived in this District for over 40 years.**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I oppose this application. The proposal is inappropriate. The plan undermines decades of community activism and the good governance of every former Manhattan Borough President, City Council Member, and CB1 Board over the past 50 years. I appeal to the Commissioners to uphold the zoned 120 foot height limit designed to protect the Seaport Historic District. I also urge the Commissioner's to follow the will of the people and maintain the low-scale, low-density historic character. Public air rights should be used to benefit the public, not billionaire investors like Bill Ackman, the majority owner of HHC. Their goal at 250 Water Street - and throughout the South Street Seaport neighborhood - is corporate profit, all at the expense of public interest. Protections for local school children are paramount. The DEIS must include a provision that demands HHC wait to start remediation until there is an uncontested, fully

approved, non-provisional approval from each and every required City Department before any work, remediation or construction, starts. The remediation and the redevelopment plan **MUST** happen concurrently to achieve the best results, at the most cost effective standard, and the least disruptive construction schedule. I urge the Commission: Do not approve HHC's application. Sincerely, Peter Davies

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Tuesday, August 31, 2021 9:00:37 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Carl Feinman**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent": **I**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

am opposed to this, or any project in the historic district that violates the current zoning regulations. This project is blatantly out of scale to the low rise character of the historic district. I will cast huge shadows, cause increased traffic to an already dense area of downtown, and create noise and pollution next to two existing elementary schools.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 7:19:16 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Ilana Fischer**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

250 Water street is a dangerous site due to the elemental mercury present beneath the parking lot. The Brownfield Cleanup proposal should not be used as an excuse for the City Planning Commission to thoroughly evaluate the safety and environmental impact of Howard Hughes construction project. There are two schools right next to the site--our neighborhood children's health is quite literally at risk. The Landmarks Law prohibits CHP from issuing permits without its approval -- and the appropriateness of the LPC's May decision is currently being adjudicated. The CHP should wait for this matter to be resolved, particularly when its own approval will have to be rescinded once the LPC's process is rejected by the court (which is very, very likely to happen given the lack of transparency in its process). Howard Hughes plan for transferring air-rights is transparently absurd and insulting. Why allow a massive corporate entity to ignore city zoning and manipulate the maps of the Seaport Historical District in order

to justify its monetization of city-owned properties? This development project has immense potential to set awful precedents for other developers to ignore city agencies. Please do your job and offer a thorough consideration of the long-term impact of this outrageous building proposal.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 8:58:05 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Marc-Alain Galeazzi**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

This project is outrageous and is clearly against standing law. It does not respect the zoning limits and does not comply with the spirit of the original zoning requirements that intend to keep the Seaport to historically lower levels for buildings. The HH promises about supporting the museum cannot (I) be trusted (see what they did with the promises re Pier 17) and (II) should not be a basis for the determination of whether the project is legal or not.

From: [timur.galen](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 250 Water Street: Written Testimony From Timur Galen
Date: Wednesday, September 1, 2021 8:45:42 AM

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Comments to NYC Planning Commission re 250 Water Street: 09/01/21

Good Morning Commissioners,

My name is Timur Galen. I am a resident of Lower Manhattan and an architect. I submit this testimony today to underscore five points already made in my testimony as part of LPC's review of 250 Water Street.

1. The 250 Water Street site is suitable to receive additional density:

- the full block site easily accommodates the inherent complexity of higher density, mixed-use development;
- the site is proximate to public transportation: bus, ferry, subway, PATH, and the cycle path;
- the site occupies a zone between the historic Seaport buildings and the Financial District, and
- the site is more appropriate to receive added density than neighboring pier or waterfront sites.

2. The additional density is being deployed to accomplish an appropriate mix of uses:

- market rate housing which will help extend several decades of growth in the residential population of Lower Manhattan;
- affordable housing which is key to sustaining the vibrancy and diversity of the neighborhood;
- retail, services and community-oriented spaces at street level; and
- alternative workplace located in the podium.

3. The economic benefits of greater density are being distributed in a thoughtful way:

- crucial support for the South Street Seaport Museum, an essential public and cultural destination that must be a sound and viable institutional anchor for the District to be sustainable;
- affordable housing; and
- other community facing uses.

4. The planning and fundamental massing of the proposed project is appropriate in the context of the Historic District and has only been improved since the hearing on 01/05/21:

- the contextual base is in scale and empathetic with the built fabric of the District;

-the residential tower sets back decisively from the contextual base and has a modest presence on the skyline; and

-ground floor uses and the proposed streetscape successfully integrate with those of the District.

5. In summary, the 250 Water Street application demonstrates a sound partnership between essential public interests – first and foremost the Museum, the District, and affordable housing – and responsible private development. Thank you for your consideration, Timur F. Galen

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Thursday, September 2, 2021 1:13:22 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Matthew Goldfeder**
Zip: **07630**

I represent:

- **Myself**

Details for “I Represent”: **I represent myself, a former New Yorker who along with many others, was priced out of the city. I also represent along with millions of New Yorkers, a voice against the elite bureaucracy that is taking the city away from the citizens that made it great in the first place.**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

I strongly oppose the high-rise building plan for the seaport. I have testified before at the Landmarks Preservation Commission about other possibilities that I had in mind for what can be built instead at the site. As a former architecture student, I gave the site much thought, stating that the struggling historic area can be better served with a red brick, low-rise affordable rentals building no taller than the 2003 zoning limit of 120 ft. The building should have a cobblestone alleyway cutting through it from Peck Slip to Beekman Street. The alleyway idea echoes another historic waterfront town, Hoboken, which has alleyways behind their old buildings. Making a new 250 water street building into affordable rentals with a fixed

rate gives opportunities for a revolving door of rental experiences for New Yorkers who otherwise cannot afford to live in the expensive seaport district long term. It also gives a chance for small businesses to open on the first floor of the building, facing the alleyway, as well as facing Front Street. Another possibility is a small factory that produces boats and ships, powered by solar, and other forms of renewable energy. Not only does this restore the area somewhat to its maritime roots, but also acknowledges the need for energy change in a time when Climate Change's threats have never been more obvious. Whether the Howard Hughes Corp, thinks these ideas sound sophomoric or not, doesn't change the fact that their plan is simply a power grab for the purpose of their own selfish profits without thinking about the wants and needs of the community itself. Nor is it negatable, that the Jane Jacobs landmarks movement has been abandoned for the now obviously lobbied Landmarks Commission, which recently gave this inappropriate plan a disappointing approval. Please do the right thing and reject the HHC proposal. A high rise building in the area will only bring hazardous congestion, raise rents further, and only continue the cycle of transferring NY's streets and neighborhoods to private corporations and other elites while the working-class people that made NYC great will be forced to flee. The word of the Howard Hughes Corp cannot be trusted as they hold the ailing Seaport Museum hostage with an empty bribe that everybody knows will not come to fruition. They recently admitted that their "deal" with the museum is purely for political reasons in the corporation's favor, and there is no guarantee that the new outrageously tall high rise would have "affordable housing." Recent history has shown different whenever "affordable housing" is proposed. Take these points to heart when you make your crucial decision. Think about the citizens, the historic significance of the district itself, and the artistry of the layout of the low-rise red brick district itself, which will be ruined with an ugly high rise in the middle of it. Let the Seaport Coalition save the museum. They have already presented a functional solution devoid of the HHC's manipulations. Thank you.

City Planning Commission Testimony on
250 Water Street ULURP Applications
September 1, 2021

My name is Paul Goldstein and I am a long time Lower Manhattan resident. I wish to go on record strongly opposing the ULURP applications now before the City Planning Commission regarding the proposed new building at 250 Water Street and to urge the Commission to vote down these applications.

As you may know, the development of the 250 Water Street site has been contentious for many years. The prior owner of the site, located in the South Street Seaport Historic District, put forth 9 different proposals to build large, high-rise buildings on this site but those were rejected by the Landmarks Preservation Commission back in the 1980s and 1990s. They used very similar language in rejecting those buildings stating that “the proposed scale, size, mass and volume of the high-rise building would dominate and overwhelm the neighboring buildings in this low scale district, thus visually confusing the clear boundary of the district.” LPC did approve an 11 story proposed building at the site but the owner chose not to build it. The latest proposed building would be great virtually anywhere else here in Lower Manhattan but not in this Historic District. Take a look at the model of the district and you will see how out of scale it is.

Following the many rejections of high-rise buildings on this site by LPC, a community wide effort was undertaken in 2003 to re-zone the 11 block Seaport Historic District to C6-2A so that the zoning would cap the height of any new building at 120 feet in this area where the average building was and remains 4-5 stories in height and the tallest building is 90’ tall. Community Board 1 sponsored the re-zoning application which was endorsed by nearly every organization in Lower Manhattan including the Downtown Alliance, South Street Seaport Museum and all the property owners in the historic district other than the owner of 250 Water St. EDC studied the zoning and concluded it would provide property owners with a fair return, it was endorsed by all the local elected officials, and finally was approved by the City Planning Commission and unanimously approved by the NY City Council.

In addition to the existing C6-2A zoning, the South Street Seaport Historic District has had in place since the 1970s a zoning mechanism to encourage property owners in the area to transfer their unused development rights to sites OUTSIDE the historic district in order to maintain the low scale character of the district. This policy has worked quite well and resulted in many hundreds of thousands of square feet of FAR to be moved to other nearby Lower Manhattan sites. In fact, there are an unknown number of property owners today who would like to purchase unused Seaport development rights to build larger structures outside the historic district and CB 1 even introduced one such owner to Borough President Brewer and Councilmember Chin well over a year ago so that we could consider a proposal to move unused development rights to his or other sites and keep the Seaport low scale. That developer, if permitted to purchase Seaport development rights, would have paid the City millions of dollars

that could have gone to the Seaport Museum and he also said he would put affordable housing in his new building. Neither our elected officials nor EDC chose to follow up on this proposal. Instead, we are faced with a proposal to do just the opposite of what has long been City policy to move unused Seaport development rights outside the historic district and instead the proposal before you is to move these development rights to the 250 Water Street site within the historic district. Approving this proposal to move development rights into a historic district creates a bad precedent and would put pressure on every other historic district in the City whose property owners may well wish to do so as well.

Howard Hughes and its supporters say their new building, that is roughly three times taller than what is permitted, must be done to save the South Street Seaport Museum and to create affordable housing. But this is simply not true.

In April 2021, CB 1 unanimously approved a resolution that identifies many alternate ways to help support the South Street Seaport Museum. We all want to help the Museum survive and thrive and if you look over the resolution, it identifies specific, realistic ways to provide short term, medium term and long term financial support to the Museum without forcing the City to approve an inappropriate building at 250 Water Street that will truly harm the historic district. Likewise, the Community Board and other groups support efforts to build more affordable housing here in Lower Manhattan and have put forth suggested sites to build such units.

HHC has mounted an unprecedented campaign to gain approval of their plan by hiring the City's top lawyers, lobbyists and PR firms. NYC should not be formulating its land use decisions based on an owner's ability to spend millions of dollars to influence decision makers.

Look at their proposal to utilize City streets to "connect" 250 Water Street to Pier 17 and the Tin Building located several blocks away to falsely show that they are adjacent so they can move the development rights to 250 Water Street. One of your commissioners had it right when he noted in your review session that the connection reminded him of a Texas congressional district.

I again urge you not to approve the proposal before you today. Let's work together to come up with a better plan to help the South Street Seaport Museum and build more affordable housing while also preserving and protecting our very special South Street Seaport Historic District.

From: [Franco Granello](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 250 Water st
Date: Wednesday, September 1, 2021 12:25:06 PM

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Hi

I stay in 272 Water st since April 2016. I saw the transformation and the development of the neighborhood. I remember how was before Sandy when I attended occasionally the Seaport district during my time in NYC. Now with the new Pier 17 and the new constructions around became a truly jewel. I fully support the project of 250 Water St. I think it'll rise the prestige and value of the area, giving new affordable apartment and facilities for the families promoting social relationship among the residents, giving a further upgrade for the neighborhood. Please keep me posted for any progress in the project.

Best regards

Franco Granello

Inviato da iPhone

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 7:04:18 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Kenny Grant**
Zip: **10038**

I represent:

- **Myself**
- **The local community board**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

- What is being proposed by the HHC is a despicable monstrosity. It will engulf the Seaport District. It will cast a shadow on the district, which will be more disastrous than just shade. It will deteriorate the health and well being of so many individuals. There is no reason they can not just stay within the regulation of the Landmarked District. - The CPC should insist ALL approved work for the BCP happen within the confines of agreements reached through ULURP negotiations between our City Council Member and the developer. - The DEIS must include a provision that demands HHC wait to start remediation until there is an uncontested, fully approved, non-provisional approval from each and every required City Department before any work, remediation or reconstruction, starts. -The complicit nature by which the CPC is ignoring the concurrent toxic and dangerous Brownfield Clean Up Plan (BCP) hurtling

through the NY State Department of Environmental Conservation for the exact same parcel of land is negligent and strips away control the ULURP process is designed to allow.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Friday, September 10, 2021 7:16:17 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Warren Green**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

I urge you to disapprove this project. This building is totally out of character with the historic nature of the South Street Seaport Historic District (the "District"). The surrounding buildings are all under 7 stories, and this will completely tower over the District and diminish the historic nature of the District while overwhelming the low rise buildings within the District. Please do not approve this building as presented with about 37 stories. Furthermore, demapping the streets will also diminish the historic nature of the District. Please do not let this happen.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 8:34:31 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Amy Greenhouse**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I have been living in Southbridge Towers directly across the street from 250 Water St. for over 10 years. I'm a teacher. I'm also the parent of a child entering fourth grade in the Peck Slip School (PS 343) directly across the street from the proposed skyscraper. The Developer/Applicant repeatedly calls attention to two aspects of the proposed development to sidestep the main issues entailed in the construction of the 250 Water Street project: affordable housing and funding for the Seaport Museum. Although I am for affordable housing and for the financing of museums, I strongly oppose this project. 1. Affordable housing. Applicant keeps harping on affordable housing as a way to sell the development. Nowhere does Applicant commit to a specific square footage to be devoted to affordable housing. Nowhere does Applicant commit to a specific percentage of square footage of the proposed development to be used for affordable housing. Applicant mentions the number of affordable

housing units but it has repeatedly revised down this number. Even if Applicant had committed to an affordable housing square footage amount or percentage, there is no way to enforce that Applicant actually delivers on this amount or this percentage of affordable housing. It is a sales job, not a legally binding commitment. In fact, Applicant made a similar commitment to devote affordable housing as part of a project in Brooklyn and then simply changed its mind, promising to do better "next time." The community, the public and the City of New York would have no recourse if Applicant again changes its mind. Also, if Applicant chooses to flip the project to another developer, the new owner may, in turn, entirely ignore any promises previously made. The Seaport community, the public at large, the City would be left without recourse. 2. The Seaport Museum. Applicant dangles financing for the Seaport Museum to sell its skyscraper. Applicant is engaging in clever prestidigitation to hoodwink us. The \$50 million that Applicant proposes to use to finance the museum is in fact taxpayer money: Applicant proposes to purchase air rights from the public school (PS 343) building across the street for its way too tall 250 Water Street proposed development. The City then could choose to spend the money it receives for these air rights to finance the museum. This would be money that belongs to the City and its taxpayers received for air rights for the public school. Taxpayer money. Further, the City would not be obligated to spend this money in this way. The City's elected representatives and its citizens get to decide, and in fact should get to decide, how they wish to spend this money and any other revenue, whether its revenue from air rights or anything else. Thank you,

From: [Robert Guazzo](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 250 Water Street Project
Date: Wednesday, September 8, 2021 11:59:31 AM

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I have worked in Lower Manhattan since 1997 and lived in Lower Manhattan since 2006. With respect to the plot at 250 Water Street under consideration for redevelopment, in light of the overall development in the Seaport area (including the concert venue), there is a dearth of affordable parking in the area and the City only keeps making the situation worse with the closing of the street-level lots on Peck Slip and the two lots that used to be under the FDR. So I would request that the Planning Commission make sure that the project at 250 Water Street includes sufficient parking to replace the parking that will be lost when the lot is redeveloped. Having a car in NYC is not just a luxury, especially for people who, like myself, live in lower Manhattan, but work in areas not served by mass transit. Thank you for your consideration.

Regards,

Robert Guazzo

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 7:37:26 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **John Hellstrom**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
Yes

Additional Comments:

I am asking you to flatly TURN DOWN THIS APPLICATION that is such an egregious flouting of zoning rules that it is utterly absurd. Zoning pertaining to height restrictions and using air rights outside the district exists in the Seaport Historic district specifically to protect its low-scale character. That's its reason for being. When a developer asks for a minor exemption of that height restriction they must show an honest and plausible reason, which should then be thoroughly explored. When a developer asks for an overwhelming exemption that will destroy the very district the zoning is protecting, it should be summarily dismissed. When a developer asks for an overwhelming exemption from the zoning rules and actually lies about the reason it wants the exceptions, they should be sent packing with some sanctions or public scolding. The lie: Until the public found out about the truth, HHC maintained it was gifting the Museum \$50million. Shading the truth by omission: HHC presented the John Street

building plans as an actual building to be built, without mentioning they were asking for approval for a building that they weren't building and that the Museum has no money to build. The bait and switch: Un-mandated affordable housing included in an overwhelmingly luxury building is the developer version of trickle down economics that has been demonstrated not to work. And it especially won't work here as it will not be transferred to the new builder when this building is flipped as HHC has indicated in corporate documents. Real-life consequences: Flouting of the zoning has an even more diabolic consequence here on Water Street. There is already one half-constructed downtown building that is leaning over. Water Street was next to the water and Peck Slip, an actual slip for ships, all now an area of landfill. As well, 250 Water is a block (also into Pearl St) filled with dangerous chemicals including elemental mercury. During Sandy basements on Water St. were flooded up to 10 feet with storm surge. Digging deeper to shore a building 3 times higher than allowed, triples the problems. The health and safety of 800 children with noise, dust and chemical waste will be impacted for 4 – 5 years instead of 1 -2 for an as of right building. Consequences beyond 250 Water: There have been no subsurface hydrological impact studies done throughout the Seaport as to the effect of construction and excavation of a building this massive on the foundations of our 18th and 19th century historic Seaport buildings that could be severely tested. **TURN DOWN THIS PROPOSAL BASED ON ITS HUTZPAH ALONE!**

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 11:13:53 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Linda Hellstrom**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

Yes

Additional Comments:

Although many of you on the Commission are in the real estate industry, THIS IS ONE PROJECT THAT SHOULD NOT BE RUBBER-STAMPED! VOTE NO The 324 foot tower that HHC proposes to build at 250 Water St would have a height almost 3x the 120 ft height allowed under the C6-2A contextual zoning of the South Street Seaport Historic District. This project lies within a 10 block area of 18th and 19th C low-scale buildings - a scale that was recognized as a defining quality in the 1977 South Street Seaport Historic District Designation Report and was purposefully down-zoned in 2003 after considered planning and agreement by city agencies, Community Board 1, civic groups, elected officials, business leaders, preservation and community representatives. It is a unique setting that the Howard Hughes Corp wants to capitalize on by building a skyscraper totally out of scale. To accomplish this, HHC is going to great lengths to get around zoning and public asset framework put in place to

protect the Seaport from just such a private development. Reasonable Economic Return: At the time of the historic district's rezoning to C6-2A with a 120ft height limit, a 2002-3 NYC EDC Study was undertaken which concluded that a 120 foot building could provide a reasonable return on investment. And yet, there is no attempt to analyze the current economic environment that might prove that an as-of-right build may be even more appropriate today, post-covid. Affordable Housing: Build at allowable 120 feet, make it totally affordable and ask for Federal subsidies. Affordable housing as part of a luxury tower is a travesty and makes the affordable part unaffordable. Besides HHC has said it will flip the building and those "affordable" units will disappear again! The bribe for the Museum is a ruse to provide political cover. No building is to be financed on John Street. HHC is not giving the Museum \$50 million. The air rights belong to us and should be auctioned off to highest bidder for use OUTSIDE the District as originally intended. Climate mitigation: I live at 273 Water Street, in a building built in 1733. During Sandy it was inundated with 10 feet of water. The development site at 250 Water should be updated with resiliency in mind. While there is still time to help protect lower Manhattan this site should be bought by the city, turned into a park, with an underground resiliency plan to catch the surface water and surge that threatens the entire district. VOTE NO

250 Water Street Testimony

Save our Seaport was created to Save our Seaport Museum.
The South Street Seaport Museum is the lynchpin of the Seaport Historic District.
Casting it by the wayside flies's in face of Save our Seaport.
I was part of the Southbridge Board of Directors when we initiated the effort to down zone 250 Water Street to stop Milstein from building a 23-story edifice on the lot. 250 Water was never part of the historic district until we included it as a ploy to insure the down zoning.

For over 10 years there have been efforts to help fund the museum that failed. The City said that it has given the Seaport Museum more than it gave any other such institution and cannot continue to do so alone, and it is done. HHC has propped up the museum for the last 4 years to help keep it open at over quarter of a million\$ annually.

We have pressed the City to allow Historic Air Rights to be applied outside the Historic District. For over 2 years the City has refused stating not wishing to establish a precedent. Newcomers along with well-intentioned old timers have suggested that already tried and failed plans to save the museum be re instituted. Some of those old timers said that the museum is not an important part of the Historic District and should be allowed to die. Shame on them.

If the approved HHC plan, which Landmarks has approved doesn't co forward, we shall have a 160ft development as of right. Zoning allows 120ft and 40 ft additional due to flood zone. If we go with 'as of right' we lose the Museum, 70 affordable housing units, and any hope to rebuild the New Market Pier, which will fall into the river. Those nearby can look out at what was their view of the Brooklyn Bridge and see the ghost town Seaport. Either way, whether as of right or Landmarks Approval Plan their view of the Bridge is gone!

If we allow the development as Landmarks approved, the Museum get \$Ms as endowment to bring it into the digital age and continues as the invaluable lynchpin of the district. EDC is already removing the decrepit New Market Bldg and clearly the pier should be next. 70 affordable housing units would be a welcome addition to the community particularly since 1650 such units were lost when Southbridge Towers went private. Incidentally, many SBT residents have learned to regret that decision.

So, we allow a partial application of Historic air rights, within the Historic District, gain affordable housing, save the Seaport Museum and allow it to become a brand new digital age Seaport Museum, and with the future possibility to rebuild the New Market Pier with the creation of community space on that site.

Respectfully, Paul Hovitz, Retired Vice Chair CB#1, Board member NY Downtown Hospital, Board member Manhattan Youth, Board member DOH 9/11 Advisory Committee, etc..

My name is Paul Kefer. I have lived in SouthBridge Towers since 1971, and I and my family, along with all the current residents of the Seaport neighborhood will be materially harmed by the construction of HHC's proposed building at 250 Water Street. This project at 250 Water Street will forever adversely affect all our quality of life. I firmly believe it is in New York's long-term interest to stop the erosion of protections for historic districts of low-rise properties. We New Yorkers are being railroaded by the rushed sale of City assets conducted before the current administration ends. We must do everything we can to prevent this miscarriage of land use policy now. It is evident that The Howard Hughes Corporation (HHC), like other developers and Real Estate interests, along with collaboration from the EDC, is intent on carving out a geographic sphere of influence in a specific area of NYC, the Seaport District. Beholden to a single corporation is not a positive influence on the City's livability and viability in the long term. Breaking zoning precedents and the torturous paths used to transfer air rights would allow HHC to build mostly luxury apartments that have views of the Brooklyn Bridge but will shut off light and air from all around the neighborhood is not progress. In order to cement its position of corporate control over the area. HHC has also asked to demap streets, creating private acquisition of public property. Air rights manufacture money, with up zoning, but this benefits only property owners - it will put everyone else into the shade, by casting shadows over the surrounding area. The massive size of 250 Water Street will create many adverse qualities of life and environmental factors. Physically HHC's tower at 250 Water St. will be over 3 times the 120-foot zoned height limit of the South Street Seaport Historic District. It will change the street views of the Manhattan and the Brooklyn Bridge, by placing a modern building in the forefront, it diminishes the historic sentiments engendered by current views. Further, 250 Water is so massive it would cut off the sight lines to the skyline of buildings including the Municipal Building and the Federal Courthouse, currently visible from the vantage point of the Seaport piers 17, 16, and 15. 250 Water will dwarf all the buildings surrounding it, losing the historic feelings of the current Seaport. In addition, it would create traffic snags. It would generate additional sewage that the old sewage system in the Seaport will be unable to handle and is likely to create other infrastructure problems for the City. The developer is clearly taking advantage of City services while it will not be contributing very much at all for the taking of public assets. 250 Water St. would cast shadows far, placing our few neighborhood greenspaces in jeopardy. The east side of Manhattan and the Seaport have the fewest green spaces in Manhattan. The green gardens of Southbridge Plaza will be shadowed, with reduced sunlight will negatively impact plants and trees. What the Seaport neighborhood needs is more green space. The Seaport Coalition has created and submitted multiple plans for this area, that would better serve the neighborhood and visitors. 250 Water Street is sited in the flood plain, on landfill, which is an environmental hazard for local resilience and long-term sea-level rise. The weak basements of the historic buildings surrounding the site are endangered by the design of the building, as backwash will certainly flood the neighbors. Construction is likely to cause harm to residents and schoolchildren. During construction, residents and visitors will be endangered by Brownfield Cleanup as well as loud noises and dust. The size of the building planned will make this area a long term hazard. The backdrop of the iconic Brooklyn Bridge makes the Seaport a golden goose for New York tourism. However, it has been systematically exploited by the NYC Economic Development Corporation in backroom deals with developers, starting with Rouse's Marketplace, and the revolving door and backroom dealing has continued to the present day. Since the default of General Growth, when it assumed the Seaport leases, the Howard Hughes Corporation, using the name Seaport District LLC, has been an unfaithful bad actor in their leasing and management of the Seaport concessions. Along with the EDC, it has kept the South Street Seaport Museum a beggar institution. My parents were original members of the Seaport Museum. I am sad that the Museum has now, in quest of money, abandoned protecting the very thing it was designed to protect, the real historic neighborhood, the place where commercial New York began. In the CB and LPC meetings, I have noticed that much of the testimony on behalf of the HHC proposals has come from those who

are either contracted to or are in the employ of HHC, and the Museum's board, who will supposedly financially benefit. HHC's proposal is opposed by those not obligated to HHC. Please consider domino effects as to what happens in the Seaport throughout the City. The breaking of precedents at [250 Water Street](#) not only impacts the Seaport. The risk from developer efforts to privatize public areas affects future decisions of the development of other historic districts, Up zonings may be the way to create more air rights, but the damage from gentrification, luxury housing and MIH to communities that have been living in New York are well documented. The MIH policy favors gentrification, not affordability. Seaport residents are not alone, as inappropriate building proposals and up zonings are at issue in SoHo NoHo, Gowanus, Governors Island, and at 130 St. Felix Place in Brooklyn, among other neighborhoods where predatory developers have submitted private building proposals unhealthy for the City. It is infuriating that this application on behalf of HHC's unmask the REBNY strategy effort to make the public's assets private. 250 Water St. would unfairly take away the general public's light and air, extending far away from the 250 Water Street location. Loss of the historic Seaport is bad for New York City, and bad for the nation.

Please note that this is not a NIMBY point of view. My apartment in SouthBridge Towers is on the fourth floor facing west. As a lifelong resident of lower Manhattan, my concern is for the preservation of the South Street Seaport Historic District for future generations of Americans. Please do not approve HHC's application for 250 Water Street.

I thank you and appreciate your time and commitment to doing what is right.

Very truly yours,

Paul J. Kefer
90 Beekman St. Apt 4C
New York, Ny 10038

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Sunday, September 5, 2021 5:06:30 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Rona Kluger**
Zip: **10038**

I represent:

- **Myself**

Details for “I Represent”: **A resident of the area, a 9/11 survivor who still has ongoing health issues from that disaster. And who was displaced after Sandy for some time.**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

I strongly oppose this wrongheaded attempt by a private entity, unethically supported by members and former members of City government, to usurp current zoning laws and make a mockery of transparent, participatory government. Joanne Gorman of FOSSS submitted a 17 page letter of opposition on Sept. 1 that surgically dissects every aspect of this proposal. I cannot hope to improve on her work; I can only urge you to read her statement and know that I, and countless others in the area, agree with every word of opposition. We are committed to fighting this genuinely terrible proposal for as long as we have to in order to kill it once and for all. Covid and the incessant hits from climate change make it clear what we need in the Seaport district: more open space, climate resilient buildings, support to turn empty office buildings into affordable housing, better drainage and sewer systems. And City support for the

Seaport Museum. CPC should be helping us in these long-term efforts to strengthen a fragile landmark district that properly stewarded, could be a very valuable City asset. It is stupid and short-sighted to instead allow a private developer to wreck havoc in it for its short-term gain.

From: [rona kluger](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 21DCP084M - Comment on the DEIS
Date: Sunday, September 5, 2021 9:06:25 PM

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to phish@cyber.nyc.gov as an attachment (Click the More button, then forward as attachment).

I am writing days after Hurricane Ida to declare my opposition to the conclusions of the DEIS. I was against this proposal from its inception, furious that the Administration could countenance pushing a project that overruled current zoning and landmark laws as if they were minor matters, of no consequence. The Administration clearly saw no problem with ignoring these laws, and permitting a building 3 times the size legally zoned for the area.

The Administration, in fact, seemed to see advantages to the community in this project that the community itself did not see. Nor did it see the many disadvantages we see.

So, we have the EIS statement that the project “would not result in significant adverse impacts on land use, zoning or public policy.”

This is almost laughable in its disingenuousness. This is a project that deals with zoning by plowing through the zoning laws currently in place. I’d say that makes it “adverse.”

As for “adverse impacts on land use,” consider the impact of a multi year project, first clean up of a toxic site and then years of construction, all in a small area adjacent to two schools, a large residential complex and, oh yes, the Brooklyn Bridge. Where this building, if and when completed, will render the Bridge view invisible to the public at large from Fulton Street. The view will be the privilege of the highrollers in some of the priciest apartments.

And then there’s noise (we know pile driving around here) and dirt (potentially hazardous) and overall disruption of a massive multi-year construction project.

As for public policy, the favorable treatment of the developer, the way landmark rules have been broken, not bent, can only add to citizens’ perception that City government is for the rich and powerful. That laws and rules mean nothing when the powerful want them changed. I’d say that’s an adverse impact.

But most of all, at this juncture, just days after the horror of Ida, the effects of climate change should be front and center in an environmental review. And I don’t see it in this one. Already, we know that this property is landfill, on a high water table. The area floods constantly. It was hit hard by Superstorm Sandy. But that was the past. What we are facing now, what we will face, is going to be of far greater magnitude. Far more rainfall in shorter periods of time, as in Ida, as well as increased chances of river overflow.

Sewers and drains in the area, particularly on Water Street are already inadequate, clogging after

even an average rainfall.

Any new construction on this site, even one well within the zoning rules, would warrant extreme caution at this point. Instead, this projects reeks of hubris; a too big building on a toxic waste site on landfill near the river while extreme weather gets more and more extreme.

This is foolhardy. This is dangerous. This is wrong.

By failing to acknowledge the challenges of a changing climate and its impact on this project at this very specific site, this EIS is an inadequate document. It should not serve as a “pass go” card for a project that needs a great deal more scrutiny.

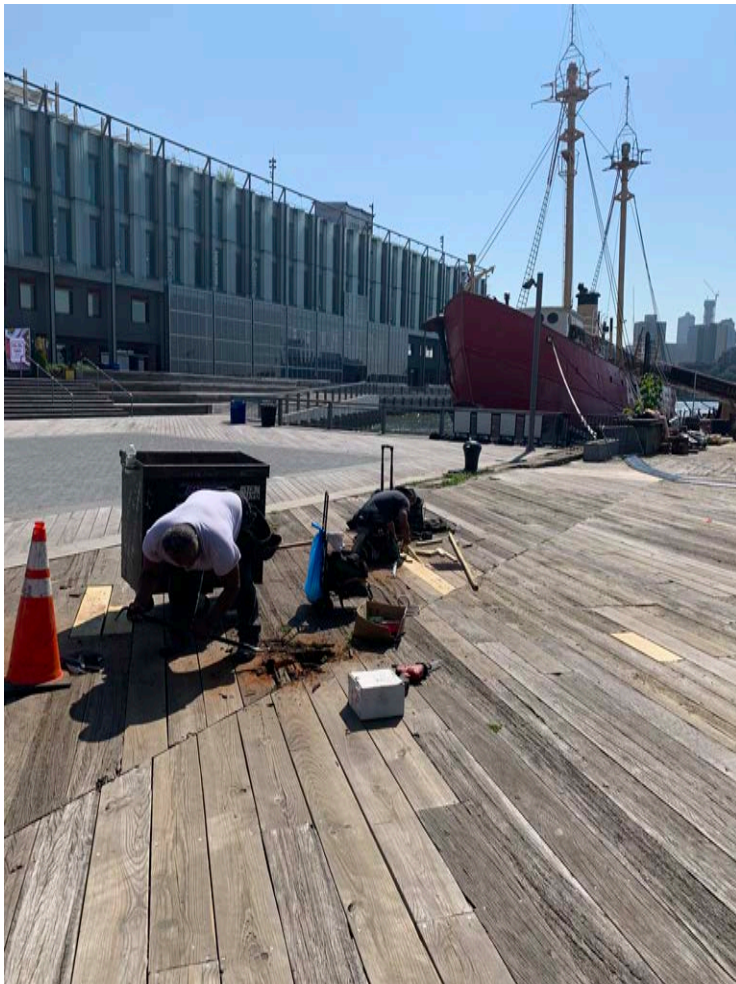
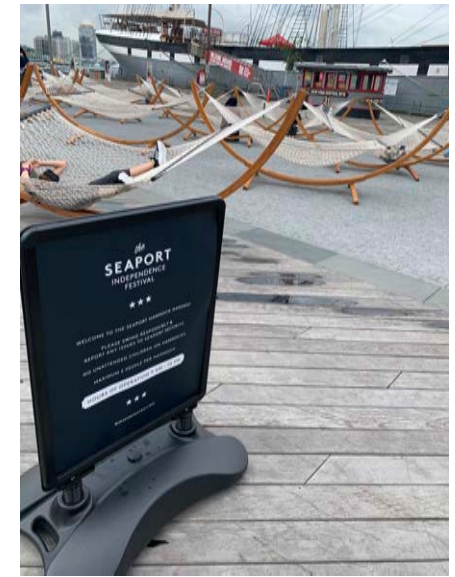
Sent from [Mail](#) for Windows

● My name is Eric Kovar. I live on John Street and I strongly support the HHC proposal to develop a mixed-use building at 250 Water Street because *HHC makes my neighborhood a better place to live ins so many ways.*

● I came here to NYC to help Pfizer and 3 things got me through the Pandemic: Central Park, the Met Museum, and *free HHC events at the Seaport.*

● I support HHC because they have shown me that *HHC wants the BEST for my neighborhood.*

● Here are a few pictures I took during my walks in 2021 at the Seaport. For me, these picture speak louder than words and are examples of how *HHC puts its resources to good use for our neighborhood.* A community basketball event. A fun hammock set up. Simple, but constant care of their properties.



From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, August 30, 2021 2:19:43 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Paul Lehrman**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I strongly oppose the new development being put forward by HHC at 250 Water Street. My name is Paul, and I live near the Seaport. I care deeply about the historic district. It is a legacy that belongs to all New Yorkers and its historic character should be preserved for the enjoyment of our citizens for generations to come. There is nothing in this monster's design - not its bulk or hulk or style that is reflective of the demure and fragile 19th-century neighborhood it wishes to dominate. This building will essentially privatize the distinct; literally walling it off with a 350-foot tall luxury high-rise that does not belong in this historic space. At its core, the new design is no different from SOM's earlier podium and towers approach the Landmark Preservation Commission turned down in January. Back then, Commissioners criticized its impact noting, "It doesn't say to me I deeply transition to the district; it says, you know, the district ended a block further in..." This completely out-sized

development does not preserve the historical legacy of this district as the developer suggests, it will forever destroy it and set a threatening precedent for historic districts all across the city. Please reject this application by Howard Hughes Corp for a certificate of appropriateness at 250 Water Street. There is nothing appropriate about it. Thank you

From: [Buddy Mantia](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 250 Water St.
Date: Tuesday, August 31, 2021 10:52:43 PM

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Hi, My name is Buddy Mantia. I am the manager of the Seaport Renegades Softball team. I was also a performer for many years, now a writer and film producer. You may wonder what this has to do with your project. Strangely, film producing and managing a ball team are very similar. It's a group of people putting their individual talents together and making a successful product. I see your project as a team trying to attain their own special goal. By creating affordable housing benefits everyone involved. The people who eventually wind up taking residence, the jobs created for the people building these homes which increases their income and that creates taxes which is a win-win for everybody. I'm sure this is just the tip of the iceberg for your team. So, in my opinion, teamwork is the answer to any worthwhile vision. My hope is your championship team continues in its ideas for future winning seasons. Capitalism and humanity are a great team.

Congratulations, Best, Buddy

Catherine McVay Hughes Testimony

New York City Planning Commission

Public Hearing on 250 Water Street, Manhattan

Wednesday, September 1, 2021, at 10:00 A.M.

Remote: Via NYC Engage Portal

My name is Catherine McVay Hughes, and I am a Board member of the South Street Seaport Museum, though I am testifying today as a Seaport neighbor since 1988.

There are so many reasons why the 250 Water Street proposal should proceed. Chief among them is the stability it will provide the entire Seaport district.

The leveraging of real estate in service of the Museum is exactly what was designed originally. The architects of the Historic District imagined a plan like this, one in which the real estate assets and historical value of the neighborhood sit side-by-side, each strengthening the other.

Without this plan, the future of the Seaport's historic buildings is at great risk of falling into disrepair if their caretaker is forced to close.

We have an opportunity to activate the neighborhood streetscape in a way that will help small businesses, add vibrancy, and character and make good use of a vacant lot, a parking lot, that's been an eyesore for decades.

And not to mention the long overdue addition of affordable housing that will contribute to this community's accessibility and long-term health and growth. Of roughly 270 total apartments, at least 80 will be deeply affordable for people at 40% AMI — this means an income of around \$45,000 for a family of four. This will allow families with lower incomes to live close to good jobs, good transportation as well as local retail and other services.

The 250 Water Street Project will meet or exceed regulatory requirements for resiliency and sustainability and will be certified LEED Silver, at a minimum, with a goal to reach Gold.

This plan will ensure that the District will thrive in the way it was intended to from the very beginning. This is how we bridge the divide between the hardships of the past 20 years — from 9/11 to Superstorm Sandy and now COVID — to our future.

Affiliations (for purposes of disclosure): Catherine McVay Hughes served as Manhattan Community Board 1 Chair, Governors Island Trustee, Earth Institute at Columbia University Advisory Board, NY Rising Community Reconstruction Program for Southern Manhattan Co-Chair. She is currently a member of the Board of Directors for Battery Park City Authority, CERES Presidents Council, Lower Manhattan Development Corporation, South Street Seaport Museum, WTC Scientific Technical Advisory Committee, Princeton Climate Institute, Princeton University School of Engineering and Applied Science Adlinger's Center for Energy and the Environment External Advisory Committee, Storm Surge Working Group, Climate Coalition for the Seaport-Financial District, and Financial District Neighborhood Association. She holds an MBA from the Wharton School of Business and a Bachelor of Science degree in Civil Engineering from Princeton University.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Tuesday, September 7, 2021 5:08:57 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Barbara Mensch**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

I was not able to make the meeting. I vote NO on the proposed tower.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Saturday, September 11, 2021 1:46:07 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Caroline Miller**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

I am a resident of the South Street Historic District (275 Water Street) and I urge the City Planning Commission to reject this proposal for the following reasons: --Zoning Changes: Allowing a 324-foot-tall building at 250 Water Street would destroy decades of thoughtful city planning and efforts to protect unique public assets from overreach of private developers. The Howard Hughes Corp. would be allowed to decimate the height limit in the historic district while at the same time monetizing the spectacular view afforded by the fact that all other new buildings in the district have complied with contextual height limits. That's not just ironic, it's outrageous. --LSGD Expansion: HHC's effort to acquire control of the demapped streets between 250 Water Street and Pier 17 is a convoluted scheme to enable an air-rights transfer that violates the 1972 Seaport Transfer Mechanism. Approving this proposal would not only result in a grossly inappropriate building, it would also, with the proposed 99-year-lease, give

a single private developer too much control over a major portion of the Seaport for the foreseeable future. And it's bad government: As Community Board 1 put it in their resolution opposing this proposal: "This suggests that the applicant and the City have created a 'work around' to sell the purported public assets known as 'air rights' to the applicant in a single-source transaction without an RFP to solicit competitive bids." --The Museum: HHC has attached a promised \$50 million endowment for the South Street Seaport Museum to the 250 Water Street building in order to win the approval of many Museum supporters. This is a bald attempt to sweeten a proposal that doesn't fly on its merits. But the money for the museum is neither spelled out in any detail nor guaranteed in this proposal, and the number continues to be in flux. There are far too many examples around the city of community amenities that evaporated once developers had the approvals they needed to violate zoning limits. In addition, as Borough President Gale Brewer noted in her testimony to the CPC, it's questionable whether it is even legal. The \$50 million figure is not a "contribution" by HHC, as it was originally described, but the proposed use of city revenues from the sale of air rights to HHC. As such it may not even be possible to use it for an endowment for the museum. Brewer's testimony also highlighted the irregularity of many museum supporters backing this building for reasons that have nothing to do with its suitability. Speaking of the funding for the museum she said: "I am very conscious of the fact that this is not a land use item, but it is what I care about." Approval of this proposal on such a flimsy and inappropriate promise would be an irrevocable mistake, unfortunate for the Seaport and for the city as a whole.

From: [Emily Moss](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 250 Water Street comment
Date: Monday, September 13, 2021 3:25:34 PM

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To the City Planning Commission:

I am a long-time resident of lower Manhattan---born and raised on the Lower East Side, lived several decades in Tribeca before it was chic, now an apartment owner in FIDI. I am also an architect who has practiced and taught design for many years.

Like many urban dwellers, I am completely in favor of building new affordable housing. I am visually and physically unconnected to the 250 Water Street proposal; it does not affect my own residence except to the extent that new construction adds traffic and infrastructure needs to an already overburdened part of the city. That said, I object to the proposed building, for its height, its bulk, its inability to negotiate between the very low-rise seaport neighborhood in which it is embedded and the mixed height Southbridge Towers and other adjacent buildings. Every new building in the city is an opportunity to do better---to be more generous, more sustainable, more considerate, to contribute to the social life of the city. My reading of the renderings, which try very hard to mask the bulk and height, show little ground level truly public space. If it is indeed built to a height of 345 feet, it will cast large shadows on the Southbridge Towers community and beyond. If that were as of right, it would be harder to argue; however, it is a dramatic exception to the 120 foot height that is permitted. We know that the smattering of green/trees will do nothing for the overloaded city sewer system or the increasingly pervasive heat island effect.

We only need to look to One Manhattan Square as an example of what not to do while it is still possible to not do this.

Thank you for allowing me to comment.

Emily Moss, RA

From: [Grant Muller](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 250 Water Street Testimony - In Favor
Date: Friday, September 3, 2021 1:38:55 PM

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Commissioners,

My name is Grant Muller and I work in the Financial District and often pass by the parking lot at 250 Water Street.

It is the kind of urban feature which, every time you walk by it, you ask yourself : "What is this still doing here?" It has struck me that the lot does not seem at all complimentary to the historic buildings you find as you walk toward the waterfront. Neither does it fit in with the taller buildings and skyscrapers that flank the parking lot on the other side. Walking past it once the sun sets you walk a bit faster---just trying to get to the other side, where activity and street life begins again. This block-long parking lot does not belong in this area at all.

The Seaport is so well-served by subways and bus lines, and as the Financial District has become more residential, many people are able to walk to work. So, what then is this massive, unappealing parking lot doing here? Is it a holdover from the peak Robert Moses-era worship of the car?

When I learned there was a proposal to build a new building at this location, it seemed to me a no-brainer, and I was fascinated to learn that the lot is even considered part of the Seaport Historic District.

I want to be sure that the Commissioners know that while there are people opposing this project whose views may be affected, there are many more who live and work in this area who have long felt that this parking lot has outlived its usefulness on Water Street site, and who *strongly* believe that this site should be transformed to active, productive uses. This means housing-- including affordable housing---along with some office space and community space, as is being proposed. The plan makes sense, and I hope you will approve it.

Thank you.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Friday, September 10, 2021 3:45:15 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Margaret Othrow**
Zip: **11238**

I represent:

- **Myself**

Details for "I Represent": **self explanatory**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

The South Street Seaport AND ITS ENVIRONS represent a specific time in New York City's history. These low-rise buildings at the edge of the ocean stand in STARK CONTRAST to the towers behind them. The City Planning Commission has an obligation to save this minute treasure from our past FOR THE FUTURE. The idea that the Howard Hughes Corp, in an ARROGANT MOVE, attempts to manipulate zoning and public assets to advance its profit is CORPORATE GREED at its most outrageous. Do not approve HHC's application.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 2:02:32 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **May Park**
Zip: **10038**

I represent:

- **Myself**

Details for “I Represent”:

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

Hello - I am writing as a mother of two elementary school aged kids who live directly across the street from 250 Water Street. I am a long time resident of the historic South Street Seaport and could not be more proud to live in this neighborhood. I would not want to see the 250 Water Street parking lot developed into a high rise building that would overshadow the beauty of the neighborhood and be completely inconsistent with adjacent buildings. Howard Hughes should be permitted to build only to the 120-foot tall zoning allowed. Other new projects in the district have created profitable developments while staying within the established zoning envelope. At its core, the latest design is no different from SOM's earlier podium and towers approach the Landmark Preservation Commission turned down in January. Back then, Commissioners criticized its impact noting, “It doesn't say to me I deeply transition to the district; it says, you know, the district ended a block further in...” Please reject this proposal by

Howard Hughes Corp.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Tuesday, August 31, 2021 5:19:00 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Landy Pheloung**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

I am opposed to the plans for 250 Water as they currently stand. The proposal is too tall and doesn't comply with the historic district regulations.

Good Afternoon

My name is Joshua Pickard, a partner in the NoHo Hospitality Group which operates 8 restaurants in downtown New York. I am speaking today in support of HHC and their mixed-use building at 250 Water Street on behalf of myself and my partners Luke Ostrom & Andrew Carmellini. We invested in the Seaport District and support this evolution process into a wonderful balance between its history and the future.

This development will help spur increased economic development, add residential housing near transit and good jobs, create permanent, deeply affordable housing in Lower Manhattan's affluent Seaport neighborhood and generate funding for the Seaport Museum..

I have lived in downtown NYC since 1981 and know the Seaport quite well over the years. I am a founding board member that created the Noho BID so understand the development process in such cherished neighborhoods.

I was happy to see the modifications made during the Landmarks approval process and now feel confident this development will be an important addition to the Seaport District and has been carefully scaled to the existing historical structures and is inclusive to community needs.

Over the past 32 years I have been involved in building 22 restaurant concepts in 4 states. I recently completed a 3 year project with Howard Hughes at Pier 17 where we recently opened Carne Mare and Mister Dips. I can tell you with years of first hand experience that HHC has been the most conscious of builders we have ever worked with.

They take an extraordinary level of responsibility in its handling of all the projects in this area. While we understand that construction can be temporarily disruptive, we have confidence in this team to run a safe, sensitive and responsive construction operation at 250 Water Street.

The building's design is contextual to its surroundings. Specifically, the building is lower rise where it meets the interior of the Historic District and taller along Pearl Street, which is wider and faces the high-rise Financial District.

I thank you, and I urge this body to support the land use actions necessary to make 250 Water Street possible.

Joshua Pickard

From: [Chance Pryor](#)
To: [21DCP084M_DL](#)
Subject: [EXTERNAL] 250 Water Street
Date: Wednesday, September 8, 2021 3:39:48 PM

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Please do not approve this monstrosity of a building. I was born and raised on Cedar street and grew up going to the seaport, in awe of its history and charm as a beacon of New York's heralded past as a port city. I am 27 years old so old enough to remember the area before and after the towers. I am already disappointed to see how generic the seaport has become, with almost know acknowledgment of this beautiful past it has and new hotels and half finished high rises dotting the landscape. Anyone who knows this area and city planning knows that the guise of "affordable housing" is a guise for extreme gentrification and the forced relocation of long time residents who already lived in affordable housing! Do not let the seaport become the next vapid retail victim of lower manhattan. Preserve its history. It is important and those involved in approving the decision will regret their part in it when this area is unaffordable and filled with 3-4 year tenants who will move on to the next glass city. Please consider your role in protecting the integrity of this area and its diverse long term residents

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 4:05:03 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Matt Reininger**
Zip: **10004**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**

If yes, are you now submitting new information? **No**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I am concerned about the toxins and the proper clean-up associated with the 250 Water development site. As a member of the Peck Slip School Leadership Team, and the anxiety about the health, wellness, and learning loss associated with this project. Families will leave Peck LSip which will ultimately diminish funding for the school already under distress from years-long construction. In addition, we are on the verge of seeing entire neighborhoods controlled by private interests. Enabled by elected officials who have made deals with developers, zoning protections are being dismantled under the ruse of offering benefits for the community. And the frontier is in the South Street Seaport Historic District. The Howard Hughes Corp., aided by an army of lobbyists, is not only pushing through a building three times the allowable height at 250 Water Street, but is now asking for a 99-year lease to super-size the public land it controls in the Historic District. If approved, this would set the stage for

more zoning-busting buildings in this tiny District.

From: [Mauro Rossi](#)
To: [21DCP084M_DL](#)
Cc: [Nicole](#)
Subject: [EXTERNAL] 250 water Street
Date: Wednesday, September 8, 2021 12:34:47 PM

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As a resident of the historic seaport district, I am extremely disappointed to see this project being considered in violation of existing zoning laws. There are very few areas in Manhattan left that have been protected from overdevelopment. We are in the shadow of the financial district but it is the architectural style and height limitations that distinguish the few waterfront blocks that define the seaport.

While I support responsible development and welcome the addition of affordable housing to the neighborhood, the responsible approach to this would be to limit the height of new construction in the district to conform to the historic nature of the rest of this small neighborhood.

Mauro Rossi
265 Water Street
NY NY 10038

From: [Nicole Rossi](#)
To: [Mauro Rossi](#)
Cc: [21DCP084M_DL](#)
Subject: [EXTERNAL] Re: 250 water Street
Date: Wednesday, September 8, 2021 1:06:38 PM

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I would echo my husband's sentiments. The Seaport district remains a historic icon of what was once, in its entirety, New York City. To lose this piece of history would be shortsighted.

Furthermore, any construction that may release toxic gases or other and may harm existing residents of the Seaport, should be strictly monitored and the welfare of children in neighboring schools (there are two school on two sides of the 250 Water Street lot) should be the city's highest priority.

Thank you for your time,

Nicole Rossi
646-281-2982

> On Sep 8, 2021, at 12:34 PM, Mauro Rossi <mauro.rossi@gmail.com> wrote:
>

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, August 30, 2021 2:25:22 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Linnea Sage**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

The historic seaport should remain intact. It is a stunning representation of old new york. Any giant, modern, obtrusive buildings will literally and metaphorically cast a shadow over the area. The cobblestones and small old buildings in that area need to preserved for history and tourism. Furthermore, every rendering I've seen of the proposed building is hideous. It doesn't even try to mimic the historic nature of the area or match its architecture.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 6:55:58 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Joshua Schapiro**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

This project puts all of our neighborhood children at risk, with two school immediately next to the dangerous building site with its buried mercury. Remediation must wait until there is uncontested, fully complete approval for Howard Hughes' massive building project. It makes no sense to put our children and neighborhood at risk before this debate is fully adjudicated. Why would the city ignore its own zoning limits (as clearly defined by the conditions of the Seaport Historical District) in order to benefit an enormous corporation? The city deserves a properly vetted, transparent process, that evaluates the true environmental impact, the financial viability, and the long-term consequences of allowing a massive investment corporation to ignore zoning ordinances and transfer air-rights based on its bizarre redrawing of the district. As is clear from recent coverage (and op-eds), the entire city is watching this case for its potentially precedent-setting consequences. The entire city deserves a transparent, thorough

process. The city could well prioritize affordable housing and funding of the Seaport Museum without falling for Howard Hughes' Faustian bargain. There is no reason that the corporation could not build within the set zoning limits, nor would it be unreasonable to request far more concessions that would benefit everyone (not just Howard Hughes corporate investors). Thank you in advance for doing your job, thoroughly, considering the obvious lack of merits of the Howard Hughes proposal.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 7:25:08 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **melissa Silverwood**
Zip: **10005**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

Hello, My name is Melissa Silverwood. I am greatly concerned about the project proposal for 250 Water. I have two children, one a rising 3rd grade and one a rising Prek at the Peck Slip School. I feel the uncertainty surrounding the mercury at the site, and the lack of proposed measures to prevent contact contamination, is very troubling. We know the effects of Mercury on young Children . Secondly the HHC gas not addressed the half decade construction noise and dust that our kids will have to listen to and breathe in (as windows must be open) all day, . We need more regulation for noise decibels and contamination control. I oppose the current proposal.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 12:40:16 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Adira Siman**
Zip: **10004**

I represent:

- **A local community group or organization**

Details for "I Represent": **Partnership for New York City**

My Comments:

Vote: I am **in favor**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

Thank you, Chair Lago and members of the commission for the opportunity to testify in support of the proposed project at 250 Water Street. The Partnership for New York City represents private sector employers of more than one million New Yorkers. We work together with government, labor and the nonprofit sector to maintain the city's position as the preeminent global center of commerce, innovation and economic opportunity. The Partnership offices have been in Lower Manhattan since 1991 and we have contributed to the transformation of the financial district into a model mixed-use, live-work neighborhood. The proposed development by the Howard Hughes Corporation (HHC) is totally consistent with the objectives of renewal, growth and preservation that we and the majority of this community have supported for the past twenty years. Redevelopment of the World Trade Center site has moved the center of gravity in Lower Manhattan to the West. The HHC investment in a

significant mixed-use development in the Seaport District provides important balance to this community, helping to ensure that the east side of the district will remain vital and vibrant. It also introduces the first major addition of affordable housing in half a century, ensuring that Lower Manhattan achieves the diversity that we aspire to in a model city neighborhood. In response to the damage that Lower Manhattan experienced because of September 11th and Superstorm Sandy, the neighborhood has benefited from enormous public investment that will only be justified by increasing its residential and commercial density. The HHC project accomplishes this while preserving the historic character of the built environment. The HHC investment in the Seaport Museum is of particular importance to the community's status as a cultural and tourism hub. It is important to note that HHC has worked diligently with community interests to plan a project that achieves local goals and transforms an unproductive lot that has needed redevelopment for 50 years into a vibrant community asset. Most recently, in response to comments from the Landmarks Preservation Commission, HHC revised the proposal to reduce the height and bulk of the building. This project is important to the future of Lower Manhattan and to the city struggling to recover from the devastating impact of the pandemic. We urge its approval.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 5:45:08 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Adrienne Sosin**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

Yes

Additional Comments:

To: NYC - City Planning Commission (CPC) / Dept of City Planning (DCP) Sept. 1, 2021
City Planning Commission Public Hearing South Street Seaport Historic District - HHC-250
Water application CPC: 2021M0224 ULURP and non-ULURP related actions (C210438(A))
Amended Aug 2, 2021; Related Applications CPC: 21DCP084M CEQR - Environmental
Impact Statement (EIS) SBS: 210444PPM Disposition of city-owned Seaport properties –
HHC Lease Extension to 2120 LPC: 21-03235 Certificate of Appropriateness -----

----- Thank you for the opportunity to
give my testimony in person at the CPC hearing and now in writing: My name is Adrienne
Andi Sosin, and I live in Southbridge Towers since 1976. My whole family lives in
Southbridge, and my grandchildren now attend and did attend Peck Slip School. I am opposed
to the proposal for 250 Water Street. Only greed and power make it conceivable that an

abomination of a building of this height and mass as 250 Water St. would be forced upon our already endangered and uniquely historic Seaport district, a jewel of historic preservation, priceless to New York and to the whole nation. Allowing this project and its associated ULURPS will also change the degree of privatization of public properties all over New York, de-mapping streets that essentially turns our common public properties over to private developers. As FOILS and materials for litigation by the Seaport Coalition show that with current and former City officials are essentially selling off ownership of the public's streets to private real estate interests, now being perceived as fiefdoms all over the City. The entire Seaport will be totally under the control of a private developer if these ULURPS are approved, and the approvals will be used as precedent by real estate interests. All these concomitant actions now proposed by these ULURPS potentially lead to the destruction of many other historic districts in New York. At 250 Water St. the proposed apartment tower is still way over the height of the other buildings inside and even outside the Seaport Historic District. The huge mass of the building's lower portion will block off the district from Pearl Street, which was meant to be the entry to the low-rise area. Construction and ongoing density thereafter will increase already high road traffic and likely create sanitation pickup traffic. The 340' tall building will shade the streets and block the sunlight; it will cast long shadows over the surrounding lower buildings and detrimentally reduce sun to gardens and plantings in the Southbridge Plaza; shadows from 250 Water would reach over the Brooklyn Bridge as far north as the Smith Houses. It will prevent 270' Southbridge Towers from using solar panels efficiently. The shadows will rob the entire Seaport neighborhood of its aura of Old New York at the Brooklyn Bridge, meaning that a major part of the attractiveness of the historic district will be gone forever. It is a sham for any City official to say that this proposal benefits the community. It is disappointing that some elected officials and Museum advocates have allowed themselves to be duped or bribed by HHC's elaborate ruse to help the pathetically mismanaged Seaport Museum. But Community Board 1 has overwhelmingly resolved against the HHC ULURPs and its attempts to skirt City regulations. Elected and soon to be elected representatives including Yuh-Line Niou and Christopher Marte are standing with the community to reject it. The Municipal Arts Society and other major civic organizations oppose this project in testimony and writing. Please attend to their comments. HHC touts 70 MIH affordable units and mixed uses but the building would be primarily luxury housing for oligarchs and investors. The 70 token affordable apartments included in this proposal are the minimum needed to obtain City and State tax breaks, are not deeply or permanently affordable, and will be clustered on the 4 lowest "poor" floors. The area tax base increases because of the 15 floors of multi-million-dollar condominium apartments across Pearl Street, that will undoubtedly cause displacement of the residents of the low buildings of the Seaport Historic District and of formerly Mitchell-Lama Southbridge where I live and where the tenants who largely remain are lower middle income and seniors, who cannot withstand higher property taxes. The Seaport is too important to the nation to allow the inappropriate building and the taking of the old Seaport's historic ambiance by filling the sky and stamping out the sun, and the construction will undoubtedly endanger the old and weak foundations in the landmarked buildings as well as being an environmental nightmare for the neighboring schools. As an active Seaport community resident since the 1970's, who raised my family here, I call this application for what it is, a greedy and desperate attempt by the Howard Hughes Corporation to enrich their management and shareholders, by its architects, lawyers, PR firms and lobbyists, by the Museum Board looking for financial lifeline, and by the City's large real estate interests seeking to undermine historic zoning regulations all over. HHC has a history of past broken promises here and elsewhere, and too many questions about funding the Seaport Museum remain undisclosed by HHC. Please see the many detailed objections to the Howard Hughes Corporation's scheme submitted to CPC by Community Board 1, the Friends

of the South Street Seaport, (Joanne Gorman) and the Seaport Coalition's legal briefs to provide evidence of these statements. I urge you to retain the CPC's credibility and protect the precedents set by past City rulings to disallow these inappropriate applications. HHC is cruelly manipulating the tools and processes of City and State government and has perverted public officials. I hope the members of the CPC are as insulted as I am by HHC's invidious scheme. Please do not grant this application. Thank you. Sincerely, Adrienne Andi Sosin, Ed.D. 100 Beekman St. #23D New York, NY 10038 917-608-9648

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, September 13, 2021 1:50:03 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Adrienne Sosin**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

Yes

Additional Comments:

Further to previous comments, I am outraged to learn that the need to follow safety protocols for COVID-19 is not mentioned in the DEIS in regard to the lives of the families that attend the Peck Slip School and Blue School. I live in Southbridge and face Pearl Street, and will be forced to keep my windows closed, facing personal harm from building. I do NOT have confidence that the 250 Water St. developer will be able to protect us from the toxic materials they will expose during excavation. I protest the speed with which this application has progressed as being unduly fast so as to gain political support from the outgoing administration; further, I charge that approval of this totally inadequate and biased DEIS will be considered corruption on the part of government officials and City Planning members.

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Friday, September 10, 2021 11:17:50 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Joel Sosinsky**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:
Yes

Additional Comments:

250 Water Street - CPC – 250 Water Street - South Street Seaport Historic District (SSSHD)
Apparently, the Howard Hughes Corporation (HHC), believes that to get City Planning Commission (CPC) approval, by lowering their monstrosity obnoxious proposed tower by a couple of dozen feet, it will somehow allow the CPC to give this vulture capitalist Texas corporation its blessing to make an enormous profit, and destroy the South Street Seaport Historic District (SSSHD). Let's be clear about what this is all about. It is basically a SCHEME by the Howard Hughes Corporation (HHC) to make a huge profit by manipulating the various city agencies involved in economic development, and then getting to this point in the process with the CPC where the Howard Hughes Corporation is seeking your approval. If CPC gives approval to HHC of their application, this Texas corporation will have moved one step closer in their efforts to make a huge profit. This in fact will surely destroy the SSSHD

and by so doing, doom efforts in the future to preserve historical districts throughout the city. CPC would become a government body powerless to stop any further incursions on future efforts in landmark preservation. Global capitalism and the power of money will have won. The Landmarks Preservation Commission (LPC) has always acted to preserve the SSSHD. It has always included 250 Water Street in the district. In 2003, in collaboration with the local community residents and city, state and federal government officials, LPC determined that in order to maintain the historic nature of the 11 block SSSHD that no structure could be developed in excess of 120 feet high. LPC has always done its duty. So, what has changed? It is only that the Howard Hughes Corporation has come up with this SCHEME to make an enormous profit by first navigating the levers of the city's economic development bureaucracy, and then somehow trying to convince the LPC and CPC to approve the destruction of the SSSHD. In addition, the person who is aggressively pushing this project stands to make an additional \$1.5 million if he can close this deal for the benefit of HHC. Their original proposal has been modified to lower the height of the proposed building, but the massive, wall like abomination, still clearly does not fit in an historic district where it will dwarf surrounding buildings, reduce sunlight for the entire South Street Historic neighborhood, and due to the massive excavation necessary to build their proposed structure, it will almost certainly affect the structural integrity of many of the historic and low rise buildings around and adjacent to 250 Water Street. It is particularly wrong for the LPC and CPC to even begin to consider HHC's offer of so-called affordable housing, and a "promised" contribution to the South Street Seaport Museum as part of their proposal. It is the "unaffordable housing" that will be worth hundreds of millions in profits for selling an elevated view of the Brooklyn Bridge to the oligarchs of the world that HHC is looking for. HHC has been notorious throughout the country for putting corporate profits ahead of any other consideration. HHC has invested a huge amount of money and political influence to get to this point. HHC is only interested in its bottom line, and the horrific destruction of the SSSHD will be met in their board-room where they will cheer a huge return on their investment, and a very healthy payment to HHC's leader on this project. The South Street Seaport Coalition has proposed several better alternatives for this lot. One alternative would include a Lower Manhattan storm water resiliency station with space for appropriate retail or residential development and the ability to create a rooftop public space, all within the 120 ft. height limitation which continues to be in place. CPC's choice on this application is clear. Approve it, and this Texas Corporation will exact their profit on their investment at the expense of basically destroying one of this nation's most prized historic districts, in the shadow of the Brooklyn Bridge. But maybe, if you do the right thing and turn down HHC's application you will have done your job to preserve this and other city historical districts and landmark buildings. DO NOT OPEN THIS PANDORA'S BOX OF LANDMARK DESTRUCTION

From: silvestro.spilabotte
To: 21DCP084M_DL
Subject: [EXTERNAL] 250 water street
Date: Wednesday, September 1, 2021 11:36:16 AM

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Commissioners,

I am writing this email in strong support for the development of 250 Water street. I myself am a resident at 272 water street since 2014. In my short time here I have seen the area transform for the better. From the new school across the street at peck slip, to the beautiful new pier full of life, to the new park. This area has really bounced back since Sandy. Now we have this beautiful project that would once and for all rid the area of the eye sore of the dilapidated, sinking parking lot and transform the space into a beautiful new building. I, like all of my neighbors I speak with, are so excited for this project. We look forward to the day that the run down parking lot is transformed into a vibrant, positive addition to the area. Full of new families, new life and an overall positive vibe to the area. We so look forward to the day when we walk by the new building filled with new life with pride and delight as opposed to walking by the current bent chain link fence in fear and disgust. The positive impact this project will have to the neighborhood is tremendous. The proposed building renderings are beautiful and fit in with the history of the area seamlessly. I have not spoken with anyone directly affected by this project who opposes this building. This building, along with the great work the Howard Hughes corporation has contributed to this area already, will continue to transform this neighborhood for the better. It will finally rid the area of a rundown lot and bring new life and beauty into this wonderful neighborhood. Not to mention the positive financial impact it will add to the neighborhood. Please do not allow the voice of the uninformed few who most likely have a temporary/short lived concern or other selfish reasons against the construction of this project, to stand in the way of what is best for this neighborhood and what the overwhelming majority of the Neighbors want. Thank you for your time and consideration and thank you to the Howard Hughes corporation for investing so much in our neighborhood. They have truly transformed this district into a beautiful destination while keeping and respecting the area's history.

Regards,
Silvestro Spilabotte
272 water street, PH
NY NY 10038

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From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Monday, August 30, 2021 2:24:30 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **PATRICIA SULLIVAN**
Zip: **10038**

I represent:

- **Myself**
- **A local business**

Details for "I Represent": **I am not only a resident in 10038, I am a partner in a Lower Manhattan law firm.**

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **Yes**

If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:

No

Additional Comments:

I am out of the City at present, and quite distressed that this matter is coming up at a time when so many others are also on vacation! Here are my points: We need greenery in Lower Manhattan. Southbridge Towers has beautiful flowers, bushes, trees. Is anyone addressing what would happen if this monstrous tower looms over them? We do not need this tower at all. I am also a real estate broker, and can attest there is plenty of space available already. Water Street traffic has worsened since Park Pl was closed; are we now to make the area even more congested? Congested does not merely mean traffic delays. It includes noise pollution and air pollution as car and bus gases permeate the environment (and right by a grade school, no less!). The dirt one can see on one's windowsill is proof of the deterioration to date. Please do

not let this project pass, and create an exception to prior regulations which have been adhered to for good reason! Thank you for your consideration of this opposition. - Pat

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Tuesday, September 7, 2021 2:54:27 PM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Robin Warshay**
Zip: **10038**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information? **Yes**

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

[1]A 30 year resident of SBT, the construction of a mega structure by HHC, will reduce the value of my home, as well as the health of my children and grandchildren [site contains mercury]. [2] HHC never donated promised \$775K to the So.St. Seaport Museum as promised in front of the City Council [Margaret Chin presiding]. HHC routinely lies.[3]Failed to provide Community Benefits: a middle school;library& community center.Robin Warshay

From: [Public Hearing Comments \(Do not reply\)](#)
To: [Stephen Johnson \(DCP\)](#); [Evren Ulker-Kacar \(DCP-Consultant\)](#); [ManhattanComments_DL](#)
Subject: Comments re: C 210438 ZSM - 250 Water Street
Date: Wednesday, September 1, 2021 10:48:12 AM

Re. Project: **C 210438 ZSM - 250 Water Street**

- Application Number: **C 210438 ZSM**
- Project: **250 Water Street**
- Public Hearing Date: **09/01/2021**
- Borough: **Manhattan**
- Community District: **1**

Submitted by:

Name: **Andrea Wasserman**
Zip: **10005-3586**

I represent:

- **Myself**

Details for "I Represent":

My Comments:

Vote: I am **opposed**

Have you previously submitted comments on this project? **No**
If yes, are you now submitting new information?

I have attended or will attend the City Planning Commission's Public hearing on this project:
No

Additional Comments:

-- 50 Water Street is highly polluted with contaminants such as elemental mercury, PCBs, metals, pesticides, volatile organic compounds, petroleum and tar-related products, chlorinated solvents, and per- and polyfluoroalkyl substances (PFAS). -- The school children, nearby residents, and the general public are currently not at risk of being exposed to those contaminants because of the asphalt parking lot covering the site. However, once the asphalt is removed for remediation and development, there is a significant risk of exposure and harm. -- The community has not yet provided its required acceptance of the Brownfield Cleanup remedial action plan for 250 Water Street. The CPC should not accept any assertion that there is a clear path to remediation of the site at this time. -- The CPC should not allow the State's Brownfield Cleanup Program to be used as an argument against the CPC's own responsibilities to address toxic conditions at 250 Water Street. -- The children who attend

public school should, at the very least, be protected by the city agencies compelled by design to consider the health, mental wellness, quality of life and education of its residents. -- The DEIS must include a provision that demands HHC wait to start remediation until there is an uncontested, fully approved, non-provisional approval from each and every required City Department before any work, remediation or construction, starts. The remediation and the redevelopment plan MUST happen concurrently to achieve the best results, at the most cost effective standard, and the least disruptive construction schedule. Do not approve HHC's application.

TO: The City Planning Commission

FROM: Lisa Wong, Lower Manhattan Resident, Written Testimony

RE: IN FAVOR OF the 250 Water Street Project by Howard Hughes Corp.

September 1, 2021

Thank you City Planning Commission for welcoming us to speak.

ABOUT ME: I am Lisa Wong and have lived 41 yrs in NYC and am a Lower Manhattan resident 14 joyous years...I'm absolutely in **love** with the *rich history and character* of Lower Manhattan, and it's been a treasured home where our son, Taylen Mongiovi, attended excellent neighborhood public schools (PS 234/LMC/Millennium HS) and I was Co-President of Millennium High School's Parents' Association for 3 years. Taylen also sits on Community Board 1 as the only student member of 50 adults, at Gale Brewer's urging. Professionally I sell/rent residential real estate for 24 years, have worked for decades with painters and sculptors and am a professional modern dancer and teacher as well. I have a unique perspective of how successful commerce and real estate work, combined with the sensitivities of quality of life issues as a parent and resident.

STRONG SUPPORT FOR HHC's 250 WATER ST. DEVELOPMENT: As a real estate professional, I've seen first-hand how a mixed-use development can positively transform and become a "New Nexus" for a neighborhood. Just as 200 Chambers and 101 Warren did for Tribeca, shifting the Nexus from Leonard/North Moore to Chambers/Warren...250 Water will do this for our Downtown Neighborhood. 250 Water would bring vitality and be a much **needed** New Nexus for our beloved Seaport Area, and our beautiful Front and South St restaurants/shops that have *struggled* ever since and *before* the hurricane. To be honest, the South Street Seaport and associated Pier area is and has always been a *challenging and complex site*. Do we even remember the sad mall that occupied Pier 17 previously that struggled financially and detracted from the area? Aren't Jean George Vongerichten, Andrew Carmellini and David Chang a huge step up from the previous fast food at the old mall? And not everyone can pull this off...as evidenced at how Pier A ended up not working out, even with a seasoned restaurateur like Harry Poulakakos. Howard Hughes Corporation's projects have "vision", quality, style, energy, excitement, and 250 Water will additionally invigorate the location by bringing the foot traffic of office workers, low-income tenants, new condo owners, retail customers, community-facility users, to join with the extraordinary restaurants already planted on Pier 17 as well as the struggling local eateries, shops and cultural sites...all while creating 1,000 jobs. As I've likened it before, it would take the site from a Graveyard to a Flourishing Garden Nexus of Life and Commerce the area deserves. I am honestly perplexed by and do not understand a fight to keep/maintain a run-down parking lot over a vibrant life source of commerce, culture, and energy.

SAVING SOUTH STREET SEAPORT MUSEUM: Most importantly, our beloved historic **South Street Seaport Museum** desperately needs the support of this project and President and CEO Mr. Boulware and the SSSM clearly **support** this project. It does baffle me how people claim they love the SSSM, but oppose the only way it can continue? Those sentiments seem hypocritical. Who else will support it and a \$50Million (or so) endowment? Mr. Boulware is the perfect person to consult with regarding the transfer of air rights, as the Historical Area and zoning was formed many years ago with the specific

“intent” to support the SSSM. Any argument against the transfer of the air rights, is as well in essence, also against the support of the South Street Seaport Museum.

HHC A GOOD NEIGHBOR/ RARE ENGAGEMENT: My resident experience has shown that HHC has been a most supportive, sensitive, responsive member of our neighborhood and community, hosting community-building events, sports teams, school fundraisers, street fairs, etc., as well as beautifying and enhancing the area in every way. Working in real estate 24 years, I’ve worked with and have known first-hand the character of many real estate developers. To support and engage with a community as HHC has, is ***extremely rare*** in my experience. 90% of developers would never venture to into any such dialogue. HHC is brave of heart and has shown themselves to be solid in intention. It is a tribute to HHC’s commitment to welcome dialogue in such a complex project.

SCALE: HHC has redesigned the project several times, each time scaling down the design and considering all the comments, while changing design to sensitively address the historic low-rise blocks surrounding on the south and east sides. The appropriate western high rise at 26 floors, is ***less than*** Southbridge Tower’s 27 floors. I do not see the arguments for density as viable, as it compares to Southbridge quite *similarly*.

TRACK RECORD OF CONSTRUCTION: Of course proper environmental remediation of the site and construction must have oversight and be done properly, but we already have a track record of HHC doing this safely, well and responsibly...this is not an unknown.

UNDERSTANDING A SUCCESSFUL PROJECT: I also don’t have the luxury of being naïve as to how a **viable** constructive project works. There must be some density for a project to be successful....a suggested 100 ft building would inevitably fail and financially be unable to support itself....the numbers just would simply not work, that is basic real estate knowledge. The last thing our area needs is a failed building. A community wish list that desires no dust, shadows, noise during the temporary construction process as a reason to not develop the site, and to simply leave it a brownfield parking site, seems to be shortsighted, unreasonable and a huge long-lasting benefit missed.

It is no wonder that experienced city planners, esteemed and serviced city officials, experienced for-profit and non-profit business-owners, commerce engineers, respected newspapers/ media institutions, and knowledgeable and informed individuals and neighbors support 250 Water St. Kindly consider approving this beautiful and integral addition to our neighborhood, as a new life-blood that it so desperately needs.

TRANSCRIPTS

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CITY OF NEW YORK

DEPARTMENT OF CITY PLANNING

-----X

BOROUGH OF MANHATTAN

Nos. 54, 55, 56

250 WATER STREET

-----X

September 1, 2021

1:15 P.M.

B E F O R E :

Marisa Lago,

THE CHAIR

2 A P P E A R A N C E S :3 CITY PLANNING COMMISSIONERS PRESENT:

4 Marisa Lago, The Chair

5 Kenneth J. Knuckles, Vice Chair

6 Alfred Cerullo, III

7 Richard Eaddy

8 Hope Knight

9 Anna Hayes Levin

10 Orlando Marin

11 Larisa Ortiz

12 Raj Rampershad

13 ALSO PRESENT:

14 Other City Planning Staff

15 The Public

16 The Press

17 Madeline Tavani, Stenographer

18

19

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PROCEEDINGS

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CLERK: This is Borough of

5

Manhattan. Calendar numbers 54, 55 and 56.

6

CD5.

7

Calendar number 54,

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C210438ZSM.

9

Calendar number 55,

10

C210438AZSM.

11

Calendar number 56,

12

N210439ZRM.

13

The public hearing in the

14

matter for applications for the special permit

15

and zoning tax amendment concerning 250 Water

16

Street.

17

Notice, a public hearing is

18

being held by the City Planning Commission in

19

conjunction with the above ULURP hearings to

20

receive comments related to the Draft

21

Environment Impact Statement.

22

This hearing is being held

23

pursuant to the State Environment Quality

24

Review Act and the City Environmental Quality

25

Review.

2 CHAIR LAGO: We will have the
3 ten-minute team presentation by a team
4 compromised of Saul Scherl, Adam Meister, Chris
5 Cooper, David Karnovsky, Wesley O'Brien and
6 Charles -- Charlie Fields.

7 SPEAKER: In person, no less.

8 SPEAKER: Very impressive.

9 SPEAKER: Can we just ask if
10 the slide advancer is working?

11 SPEAKER: You can say "next,"
12 or you can use the clicker. I believe the
13 clicker will work.

14 SPEAKER: Wonderful. Thank
15 you.

16 CHAIR LAGO: I do want to
17 note, however, that in commenting on team
18 people in person, that the Commission gives
19 absolutely equal weight to testimony, whether
20 it's on -- in person via Zoom or over the
21 telephone and in writing.

22 SPEAKER: We're proceeding?

23 CHAIR LAGO: Please go ahead.

24 MR. SCHERL: Good afternoon,
25 commissioners.

2 My name is Saul Scherl,
3 president of the tristate regional Howard
4 Hughes Corporation.

5 Over the past decade, Howard
6 Hughes worked to preserve and revitalize the
7 Seaport. Our work includes giving new life to
8 the historic buildings in Schermerhorn Row and
9 reconstructing both Pier 17 and the beloved Tin
10 Building above the 100-year flood plain.

11 The parking lot at 250 Water
12 Street has been a gap in the neighborhood for
13 over 50 years. Our proposal, with the design
14 approved by LPC, would finally transform the
15 site into a welcoming gateway to the historic
16 district. The plan will bring much needed new
17 housing, including 80-plus deeply affordable
18 apartments, allowing families making 40 percent
19 AMI to live near public transit and good jobs,
20 with access to the waterfront and a
21 neighborhood where little affordable housing
22 exists today.

23 This proposal will generate
24 1 billion in economic activity, creating
25 thousands of new construction and permanent

2 jobs where New York City needs it the most. It
3 will add patrons for struggling local
4 businesses and make possible critical funding
5 for the South Street Seaport Museum. The
6 seaport's best days are yet ahead, and we hope
7 to continue to play a dynamic role in its
8 recovery and its bright future. Thank you all
9 for your consideration.

10 MR. COOPER: Good afternoon.
11 I'm Chris Cooper from SOM, and I will walk
12 through our proposal. The site, as you know,
13 is located just south of the Brooklyn Bridge at
14 the edge of South Street Seaport Historic
15 District and is proximate to the heart of Lower
16 Manhattan's Financial District and commercial
17 core.

18 It serves today as a surface
19 parking lot. The scale and character of the
20 four streets surrounding the site vary
21 considerably. The block today does little to
22 contribute to the character and vitality of the
23 neighborhood and, in fact, the tracks from the
24 streetscape and the experience of the historic
25 district. The narrow width and low scale of

2 Water Street is rich in historic character.

3 The space of the street,
4 however, is now single-sided and invites
5 completion with a complementary facade to
6 reestablish the narrow masonry streetscapes
7 that define this historic district.

8 Pearl Street, by contrast, is
9 a modern, four-lane-wide street connecting to
10 the Water Street corridor just south of our
11 site. The sites will be served by public
12 transportation, especially the many subway
13 lines to our west, several bus routes running
14 along Pearl Street, and a water taxi and ferry
15 stops on the East River.

16 Our proposal is a direct
17 response to the site's context, both the rich
18 history and the evolution of the broader urban
19 context that surrounds this site. To achieve
20 that, we prepared a two-part massing that
21 responds to the varied and contrasting scales
22 of this full city block. In plan, we've
23 shifted the bulk of the building to align with
24 Pearl Street.

25 Represented here in the

2 lighter color, the tall bar is configured as a
3 composition of small, rectangular blocks that
4 shear along the angle of Pearl Street to break
5 down the mass of its north/south orientation.

6 To our east and to our south,
7 the site directly faces low masonry historic
8 buildings. Our massing provides significant
9 setbacks from those narrow streets, none-relief
10 50 feet on Water and 90 feet on Beekman.

11 The Water Street elevation is
12 kept low in response to the scale, texture and
13 materiality of the district. The street walls
14 heights vary, and the level -- the street level
15 activation is defined by multiple small
16 entrances and storefronts. On Pearl Street,
17 we've continued the low street wall around the
18 corners, but break the facade at the center of
19 the block to change facade materiality and
20 proposition to relate directly to the tall
21 massing above, clearly associating the tall
22 portions of the building with Pearl Street.

23 All the primary entrances of
24 the building are located on Pearl Street. Seen
25 here from Fulton Street just west of Pearl, you

2 can appreciate the benefit of the deep, 90-foot
3 setback on Beekman that separates the low-scale
4 foreground onto the taller massing.

5 The heights of the building
6 is clearly positioned on Pearl Street. And the
7 shearing of volumes works to break down the
8 mass of the building. Also visible is the
9 break in the masonry facade at street level
10 mid-block to create a strong sense of entry for
11 the residences above.

12 As we cross Pearl Street and
13 look north on Water Street, this view
14 demonstrates how the two-part massing the
15 difference of scale between Pearl and Water.
16 The tall building is clearly facing onto Pearl
17 Street, and the low portions along Water Street
18 serve to enhance and strengthen the district
19 context.

20 Looking now at the specifics
21 of our proposal, this program shows the primary
22 distribution of the program in the building.
23 The five-story base has a mixed program at
24 street level, retail, community space and
25 various building entrance lobbies, with four

2 floors of commercial office space above.

3 The residential bar rises
4 above the base to an overall height of
5 324 feet, and it's composed of one amenity
6 floor setback, four affordable rental floors,
7 and 15 market rate condominium floors.

8 At street level, we're
9 actively programming Pearl Street differently
10 than the narrow streets to our north, east and
11 south. We've concentrated the primary building
12 entrances and vehicular entrances on Pearl
13 Street. This includes a two-bay loading dock
14 and the entrance to the cellar-level parking.
15 The parking exit is directed to Beekman, which
16 is a one-way west towards Pearl.

17 Pearl Street is entirely
18 above the design flood elevation. The ground
19 floor plan demonstrates our approach to active
20 street front on all sides of building. There
21 is no back to this building. The primary
22 entrances for both the offices and the
23 residences are located on Pearl Street.

24 The residential lobby is a
25 through-block lobby with a convenient entrance

2 on Water Street. This single lobby serves both
3 the affordable rental and the market-rate
4 condominiums. Three of the building corners
5 are activated with small neighborhood retail.
6 And the fourth is a community facility which is
7 oriented towards the Peck Slip School in the
8 newly renovated Peck Slip Park.

9 Looking south on Pearl
10 Street, we see the variety of scale and
11 entrance conditions; and by contrast, Water
12 Street represents a different scale altogether.

13 Stepping out of the immediate
14 context, we see the building here in its
15 broader context of Lower Manhattan. The
16 two-part massing is visible below base,
17 relating to foreground in a tall bar building,
18 relating to the context of the city.

19 The building clearly steps
20 down from its height of its neighbors to the
21 south, and the massing of the residential bar
22 is broken into a smaller composition of parks
23 to remove it from the language of the broad
24 office building in the adjacent context.

25 Thank you. I'll now pass it

2 to David Karnovsky.

3 MR. KARNOVSKY: David
4 Karnovsky, Fried Frank.

5 Next slide please. There it
6 is. This slide shows all of the proposed
7 actions but I'd like to focus and highlight the
8 large-scale special permit.

9 The modifications of
10 expansion of the existing large scale at Pier
11 17 allows for the distribution of 207,000
12 square feet of unused floor area on the Pier 17
13 Tin Building zoning lot to 250 Water Street.

14 By moving this floor area
15 away from the water's edge to the upland
16 portion of the subdistrict, with the demapped
17 streets connecting the two parts of the
18 subdistrict, it furthers a better site plan.

19 The large scale also allows
20 for the height and setback waivers, which
21 accommodate this floor area at 250 with a
22 building that is consistent with the LPC design
23 approval.

24 Next slide.

25 This slide identifies key

2 project benefits. I want to focus first on
3 affordable housing.

4 As the Commission is aware,
5 MIH is triggered when there's a significant
6 increase in residential density resulting from
7 a zoning map amendment. Here, the increase in
8 density comes from a distribution of floor
9 area, rather than a zoning map amendment. The
10 MIH does not apply, technically speaking.

11 However, MIH-conforming units
12 will be required under an agreement with HPD
13 that will bind Howard Hughes MIH requirements
14 and will run with the land. That agreement
15 will be made a condition to closing on the
16 development rights.

17 I also want to focus for a
18 minute on the South Street Seaport Museum
19 funding. While not a part of the land use
20 actions, it is an important part of -- aspect
21 of the project overall.

22 The project creates a unique
23 and unprecedented opportunity to provide
24 urgently needed financial support for the
25 museum. The development rights transferred

2 from Pier 17 to 250 pursuant to the large scale
3 are part of HHC's leasehold interest in the
4 Pier 17 site, and that leasehold currently runs
5 to 2072.

6 Today, those development
7 rights are usable by HHC on the Pier 17 site
8 only. In order to sever them from the site and
9 allow for a transfer, HHC must enter into an
10 agreement with the City as owner of the
11 underlying fee interest.

12 That sale --

13 CHAIR LAGO: I'm afraid that
14 the time has run out, Mr. Karnovsky.

15 SPEAKER: I'd like to
16 understand the continuation of the transfers
17 that will end up supporting the Seaport museum.
18 Can you --

19 MR. KARNOVSKY: I appreciate
20 that.

21 As I was saying, the
22 development rights are currently in the
23 leasehold of HHC. The underlying fee interest
24 is in the City of New York. The rights are
25 currently usable by HHC today only on Pier 17

2 itself. In order to sever them from the
3 leasehold and to use them through the large
4 scale, distribute through the large scale,
5 there needs to be an agreement with the City,
6 specifically for the purchase of these
7 development rights.

8 And that develop rights sale
9 forms the core of a package financial support
10 for the museum that would allow to reopen to
11 rehabilitate existing facilities and plan for
12 an expansion in a new building which has been
13 approved by the LPC.

14 And I wanted to also add that
15 discussions with the City regarding this
16 precise structuring of this financial support
17 are active and are ongoing.

18 CHAIR LAGO: Okay. And,
19 well, you know, it's challenging for us at this
20 level to be responding to this, knowing that
21 the Seaport Museum is such an important piece
22 of the whole.

23 We are dealing only with the
24 land use applications, I understand that. But
25 I think I'm pleased to see that you celebrate

2 the supports for the Seaport Museum as one of
3 the public benefits for this project. And I
4 certainly hope that those arrangements are
5 concluded by the time we have to vote so that
6 we understand what the full public picture is.
7 Thank you.

8 Commissioner Burney.

9 COMM. BURNEY: Yeah, just to
10 follow up on that. Definitely it's nice to
11 know that the South Street Seaport Museum will
12 be supported, and it's nice to hear about some
13 voluntary MIH.

14 But from a purely land use
15 element and design perspective, I think a
16 concern of review seemed to be that we had a
17 kind of gerrymandered zoning lot that allows
18 you to Hoover up forward development rights and
19 put them all onto 250 Water Street, leaving
20 with the poor architect the unamiable task of
21 wrestling this thing into the building that
22 doesn't overpower that neighborhood.

23 And I think you've
24 acknowledged that, I think there was a
25 reduction in the bulk from, I think, 12.7 to

2 11.3 or something FAR.

3 So I wanted to know, would
4 you not entertain a further reduction simply to
5 mitigate the impact of such an enormous
6 building on that site?

7 MR. KARNOVSKY: We've been at
8 LPC with regard to the appropriateness of the
9 building. We've worked hard with the agency to
10 come up with the plan that's before you today.
11 We think it is the right plan for all the
12 reasons that Chris described in terms of the
13 way that the bulk has moved to Pearl Street,
14 allowing for wide setbacks from Beekman and
15 Water, to relate well to that context as it is,
16 the right building for the site.

17 It is a large site, it is a
18 vacant site. It is a site that warrants this
19 kind of density, we believe.

20 CHAIR LAGO: Well, thank you,
21 the applicant team.

22 We will now start testimony,
23 beginning with Borough President Brewer.

24 I will note that, as always,
25 our elected officials do not have a time limit.

2 However, we are asking elected officials if
3 they could try to keep it within reasonable
4 boundaries. We have 107 additional speakers,
5 which, if everyone takes their three minutes,
6 means that we'll be concluding after 7:00 p.m.

7 And welcome, Madam Borough
8 President.

9 PRESIDENT BREWER: Thank you
10 (indecipherable) Chair and Commissioners. I'm
11 Gale Brewer. I am the Manhattan Borough
12 President.

13 And I did listen to the
14 presentation, and I want to thank the questions
15 from the Commissioners. It has been my
16 intention to support this project, 250 Water
17 Street, but as you heard from Anna Levin, at
18 least from my perspective, that support has
19 been contingent on securing -- on securing the
20 \$50 million for the South Street Seaport
21 Museum.

22 And at this time, as I
23 understand it, the final mechanism for approval
24 and delivery of that funding has not been
25 established. I'm aware that negotiations are

2 continuing over approval of the 50 million to
3 establish an endowment for the movement, but I
4 believe the conclusion of these discussions
5 before I support this application, and I am
6 very conscious of the fact that this is not a
7 land use item, but it is what I care about.

8 Just in terms of the site, I
9 know it lies within the historic district of
10 the South Street Seaport, and I think it's a
11 testament to the City's preservation efforts
12 since the designation in '77 and the extension
13 of '89. I have been working with this
14 community since I became borough president in
15 2014, and through the seaport working group and
16 the seaport advisory group. I feel very
17 strongly about the significance, the historic
18 significance, and build character of this
19 district.

20 I think the project achieves
21 it. It is, of course, a large building and is
22 of concern, but given the fact that landmarks
23 preservation commission puts some time into it,
24 hopefully, you will put even more.

25 I think it's a project that

2 the structure makes sense, but not in terms of
3 support until that money comes through. And it
4 is, as you know, one of the remaining
5 developable lots within a historic district
6 within our city.

7 It was approved by LPC on
8 May 5th, and it is within the Seaport Museum's
9 1969 master plan within that concept. That
10 concept was, as you know, was to preserve the
11 lower-density buildings closer to the water,
12 grade or height and bulk inland where 250 is
13 located.

14 I do want to note, and this
15 is what I keep saying over and over again, that
16 the Seaport Museum itself is really the major
17 part of the historic district. It played a
18 role in drafting the master plan. It's a real
19 and physical manifestation of this historic
20 district, and I care about preserving it.
21 Without the museum, you do not have a historic
22 district, and I think the applicant understands
23 that. We certainly have made it very, clear.

24 I do think that the
25 affordable housing is obviously needed. 75,000

2 square feet, I would obviously like more.
3 Nobody wants more housing than I do. I believe
4 it will be a 40 percent or lower area median
5 income which is incredibly important.
6 Obviously, there will be a community facility,
7 offices, retail streets as you heard, vehicle
8 and bike parking.

9 I know there are tremendous
10 concerns, and I share them, from the
11 neighboring Peck Slip and Blue Schools and
12 South Bridge Towers. First, due to the site's
13 previous use as a thermometer factory, traces
14 of mercury and petroleum have been identified
15 in soil samples. Again, this is not part of
16 your deliberations, but these are the concerns
17 that people have.

18 It is essential that
19 remediation of the site take place through
20 Brownfield Treatment Program, and this must
21 happen in coordination with the needs of the
22 local schools, the daycare centers because they
23 are at the most risk by any contaminants.

24 Full transparency in this
25 process is needed to ensure the safety and

2 wellbeing of the children and the
3 administrators, because they know their
4 community best.

5 I think we were helpful in
6 our office to getting an environmental engineer
7 and provide an analysis of the design and
8 implication of the cleanup, and that commitment
9 to that engineer and to that work must
10 continue.

11 We also know that there are
12 issues about air quality and water and
13 electrical transmission lines, and they all
14 have to be protected in terms of the community,
15 and the noise and the vibration. And I lived
16 next to a construction site, I know what that's
17 like. All regulations must be adhered to; all
18 efforts must go beyond the baseline
19 requirements.

20 And every effort must be made
21 to make sure that the development team
22 coordinates with the many residents, workers,
23 and property owners.

24 Open dialogue is the most
25 important way to get through such a large

2 construction project; and, obviously, that's,
3 you know, public updates and all ways of using
4 the media.

5 This is an opportunity to
6 continue the improvement and preservation of
7 the South Street Seaport area. The affordable
8 units are important and, obviously, the museum
9 and its preservation efforts. It is a project
10 that celebrates a past and, I think, plans for
11 the future, but only, only if they honor the
12 museum's history with making it whole and
13 giving it an opportunity to live into the
14 future. That is the only way that this area is
15 going to survive.

16 And I want to be clear to the
17 public, because people think we're going to
18 allocate funding from the City of New York, why
19 can't we just give City money of 50 million.
20 The problem, as I understand it, is it cannot
21 afford the endowment. You can write a
22 50-million-dollar check for capital, but you
23 can't write it for endowment; and, right now,
24 we can't even figure out how O&B will do that,
25 and that's why I'm concerned.

2 Thank you very much, and I
3 look forward to the testimony.

4 CHAIR LAGO: Thank you, as
5 always, for your testimony.

6 We will now start our
7 standard procedure in which we will hear from
8 five speakers in opposition, five speakers in
9 support.

10 Our first speaker will be
11 Colleen Robertson followed by Alia Soomro.

12 MS. ROBERTSON: Hi, everyone.
13 Thank you much. My name is Colleen Robertson,
14 and I'm the Co-President of the PTA at Peck
15 Slip School.

16 I'm so appreciative of your
17 time and attention to this. I'm strongly
18 opposed to the DEIS and implore the CPC to turn
19 down the Howard Hughes' application. My
20 husband and I have two little boys, one
21 entering kindergarten, one second grade.
22 Before having kids, I was a special ed and
23 general ed teacher for two at PS89 in Battery
24 Park City. I moved up here right after the
25 attacks on 9/11; and, unfortunately, as

2 teachers we witnessed such trauma from the
3 families and the children back then. And I
4 have real fears that the same horrible effects
5 will be felt for years to come after COVID.

6 Another unfortunate
7 connection I see into the project is from when
8 I taught fifth grade in 2009. There was so
9 much construction clouding Battery Park City
10 and Tribeca. Many of my students struggled to
11 function and learn due to the noise. I had
12 children break down and sob that the pile
13 driving was so loud. Please make Howard Hughes
14 play by the rules.

15 As it stands now, we will not
16 have outdoor space or a play street for our
17 children to play. It will be not be possible
18 to have windows open, COVID has not gone, our
19 kids are not vaccinated. It's still very much
20 here, COVID.

21 I implore this commission to
22 fulfill the responsibilities to uphold people's
23 health and maintain the low-scale, low-density
24 historic character that's been bourne out over
25 decades while keeping our children safe by

2 insisting the DEIS encompass the current COVID
3 conditions.

4 Thank you so much.

5 CHAIR LAGO: Thank you. Our
6 next speaker will be Alia Soomro, to be
7 followed by Tiffany Winbush.

8 MS. SOOMRO: Good afternoon,
9 commissioners. Can you hear me?

10 CHAIR LAGO: Yes, welcome.

11 MS. SOOMRO: Thank you for
12 the opportunity to testify. My name is
13 Alia Soomro, and I'm the (indecipherable)
14 fellow and land use law at the Municipal Art
15 Society of New York. We will be submitting
16 longer comments before the deadline.

17 MAS has long engaged with the
18 South Street Seaport's evolution. We have
19 extensively analyzed the recent proposal at
20 250 Water Street. From a policy perspective,
21 MAS has fundamentally opposed to allowing the
22 transfer of city-owned development rights to a
23 private party without clear disclosure of what
24 agencies, institution, and projects ultimately
25 benefit.

2 In the case of 250 Water
3 Street, the full array of project benefits the
4 scope of each individual benefit and the
5 reliability of them remains obscured.

6 The original intent of the
7 South Street Seaport was to have the
8 development right transfers benefit the South
9 Street Seaport Museum, not a city agency or
10 private developer. We continue to support the
11 intent of the 2003 rezoning and maintain that
12 the City's Historic Zoning policy for the
13 Seaport be respected.

14 MAS would support an
15 appropriately scaled development at 250 Water
16 Street, while transferring the balance of
17 development rights outside of the South Street
18 Seaport Historic District. MAS maintains that
19 the City must disclose the development rights
20 value, the legal process for facilitating the
21 development rights transfer in addition to any
22 other anticipated disposition actions.

23 Without this disclosure, the
24 public does not have the full information to
25 evaluate whether the proposal can be fully

2 executed as planned and publicly discussed.
3 Regarding the museum funding, similar to what
4 Borough President Brewer emphasized, as of
5 today, Howard Hughes Corporation has not
6 provided the public any details about the
7 museum funding proposal.

8 At this point, there is no
9 guarantee that the original 50 million will be
10 offered to the Seaport Museum. MAS stands firm
11 in that the details of the funding mechanism be
12 funded before this project can be approved.
13 More specifically, the city must disclose
14 details concerning the type and the amount of
15 funding to be dedicated, the legal mechanism by
16 which the museum will secure the funding, a
17 timeline for when the development rights will
18 be transferred and funding will provided to the
19 museum, and how it will be enforced in the
20 future.

21 The City must also be
22 transparent regarding the future transfer of
23 the John Street lot, which appears to be a
24 separate ULURP action at this point. MAS
25 recognizes the importance of developing 250

2 Water Street, especially since the site has
3 remained a vacant parking lot for decades, as
4 well as building affordable housing and high
5 opportunity in transit-rich areas.

6 However, we strongly urge
7 that the principles and bodies in the City's
8 zoning policy for more than 40 years be
9 respected. If permitted, this proposal would
10 significantly depart from the City's zoning
11 intent and may subsequently be a negative
12 precedent for historic districts citywide.

13 We urge the Commission to
14 reject this application. Thank you.

15 CHAIR LAGO: Thank you. Our
16 speaker will be Tiffany Winbush, to be followed
17 by Michael Kramer.

18 MS. WINBUSH: Greetings.
19 Good morning, everyone, or good afternoon.
20 Thank you for taking the time to give me an
21 opportunity to speak about this today. I'm
22 Tiffany Winbush, a more than fifteen-year-plus
23 resident of the Financial District, and I am a
24 public school parent of two at the Peck Slip
25 School, which is adjacent to where the

2 construction will take place.

3 I'm writing to -- or speaking
4 to voice my concern about the out-of-scale
5 development that is being -- that Howard Hughes
6 is contemplating.

7 Even with the updated plans
8 that we've seen throughout the process, it's
9 still completely out of scale and out of size
10 for this historical area. It takes away from
11 the historic legacy of this district that I've
12 called home for my entire time of calling
13 myself a New Yorker, and I am concerned that
14 this will destroy and just really set a
15 precedent for future development that will take
16 place, not only in our community, but across
17 New York City as a whole.

18 If we move forward and follow
19 the rules that are set and build a story
20 building that meets the requirements, you know,
21 this project can be finished much sooner than
22 it is planned.

23 We have students that are
24 scheduled to start school again in less than
25 two weeks. As a previous speaker has

2 mentioned, we will still be in the thick of
3 COVID-19. Because we are an elementary school,
4 none of our students are vaccinated. That
5 means the precautions that it's been
6 recommended that we use from the CDC of making
7 sure that our windows are open to help with
8 ventilation, to ensure that the kids are using
9 outdoor space as much as possible, we will not
10 able to do that. Our kids will be directly
11 impacted.

12 We have thousands upon
13 thousands of students that are returning to
14 these schools for the very first time because
15 they were remote. We need to do whatever we
16 need to do to ensure that they feel comfortable
17 and safe there, and being adjacent to a
18 large-scale development where they are not able
19 to get the fresh air that they need or they
20 will be subjected to the noise of a
21 construction site is something that we really
22 need to consider.

23 I urge the Commission today
24 to ensure that the developers follow the rules
25 for this project and not put our students and

2 the wider community in jeopardy.

3 Thank you for your time.

4 CHAIR LAGO: Thank you,

5 Ms. Winbush.

6 Our next speaker is Michael
7 Kramer, to be followed by Malvern Megan.

8 MR. KRAMER: Good afternoon,
9 Madam Chair and commissioners.

10 The South Street Seaport
11 Coalition, of which I am the president, and
12 other interested parties filed a lawsuit on
13 May 16th, 2021, against LPC and now Howard
14 Hughes because the Landmarks Preservation Law
15 silently reminds us that there is value, even
16 commercial value in the past.

17 The South Street Seaport
18 stands out among all historic districts in New
19 York City as a small area that had a gigantic
20 role in the development of the city as one of
21 the most important business centers of the
22 world. It's not just a recognizably unique
23 commercial center of maritime character, but
24 the heart of a whole city that benefited from
25 or participated in its wealth creation.

2 It is vulnerable, too. Nine
3 proposals were denied, withdrawn by the
4 previous owners who chose to continue parking
5 operations in 1991, after a proposal had been
6 approved.

7 In 2003, Community Board 1
8 led an effort to downzone the seaport to C62A,
9 with a height limit of 120 feet. This action
10 had the support of elected officials, the
11 Downtown Alliance, the Seaport Museum, the
12 Municipal Art Society, and local developers,
13 including Frank Sciame and the Durst
14 Organization who restored 11 low-rise buildings
15 on historic Front Street, which was where I
16 lived for a decade.

17 In 2015, the National
18 Historic Trust placed the Seaport on its list
19 of endangered places. Yet HHC, when enabled by
20 the City, sees it as a goldmine.

21 In a relatively small
22 district, which has miraculously maintained its
23 19th century scale of low-rise buildings, they
24 have schemed to convince the LPC to approve a
25 28-story block-front tower by linking the

2 alleged survival of a museum and a small number
3 of affordable apartments for political cover.

4 Can any developer now buy a
5 C of A from the LPC by finding a worthy
6 charity? Should the City scheme with a
7 developer to find a workaround existing zoning
8 for affordable units? Do zoning height limits
9 have any meaning if air rights from afar can be
10 piled on top?

11 Why would City Hall seek to
12 politically influence independent
13 commissioners? Is there a role for a
14 commission to preserve historic districts if so
15 compromised? Will a gerrymandered Seaport
16 large scale district create a new precedent for
17 creative real estate lawyers to enable
18 transfers of development rights?

19 Experienced attorneys Michael
20 Gruen, Saul Shapiro, and Reed Supern now form
21 our legal team. The success of our lawsuit
22 will be a victory for all those inspired by the
23 past of our city.

24 New York City is at a turning
25 point. We're on the verge of seeing entire

2 neighborhoods controlled by private interests
3 and enabled by elected officials with one foot
4 out the door.

5 Is it naive to think that
6 zoning regulations and historic district
7 protection serve our citizenry, or are they not
8 worth the paper that they are printed on?

9 Please defend the South
10 Street Seaport historic district. Thank you
11 very much for your time.

12 CHAIR LAGO: Thank you,
13 Mr. Kramer.

14 Our next speaker will be
15 Malvern Megan, to be followed by Karen Imas.

16 MS. MALVERN: Hi, it's Megan
17 Malvern.

18 CHAIR LAGO: Welcome.

19 MS. MALVERN: I just wanted
20 to start out my comments with just a complete
21 awareness of the fact that the Manhattan
22 Borough President said that the only thing she
23 cares about is \$50 million going to the South
24 Street Seaport Museum.

25 There are 800 children who

2 are going to school adjacent to this property.
3 South Bridge Tower is across the street. There
4 are 11 people living with lung transplants and
5 with other ailments that have come from living
6 through 9/11 and the dust and the ongoing
7 health issues that came from that.

8 This is an absolute
9 abandonment of the people Gale Brewer and
10 Margaret Chin were put in office to represent.
11 We didn't put Gale Brewer in office to
12 represent a museum that has floundered for
13 decades and is poorly run. The children and
14 the families of this community are who really
15 need to be represented and should be looked
16 after during this DEIS.

17 The DEIS does a horrible job
18 of acknowledging the current conditions under
19 which these communities are living. We are in
20 the middle of a pandemic. We are -- as every
21 other speaker who has a child that is attending
22 those schools, they are not vaccinated. The
23 things that will keep us safe and keep my
24 children in school with their friends are being
25 threatened by this development.

2 Furthermore, this development
3 is being done sort of with blinders on and
4 ignoring the fact there is a brownfield toxic
5 remediation process happening outside of the
6 ULURP process. Allowing that to happen outside
7 of the ULURP process is a complete undermining
8 of what the ULURP was meant to do for
9 communities and meant to do for the people who
10 live in these communities.

11 If all of the extra
12 precautions and extra guidelines that could be
13 fought for inside of a ULURP are done after the
14 brownfield remediation starts, so we're talking
15 about extra ways to mitigate sound, dust, to
16 work with a developer, to have them do
17 construction outside of important times for the
18 school, or when things got worse.

19 What if there's an automatic
20 shutdown? What if there's spikes in COVID? We
21 lose all of that control because it is being
22 handled exactly at the same time concurrently
23 through the brownfield program.

24 I implore this panel to turn
25 down this anemic and sad plan that looks at the

2 DEIS and the impacts for our school. It is not
3 relevant and it is not careful and I beg you to
4 look after the children that I think you should
5 be looking after and the people of this
6 community. Thank you.

7 CHAIR LAGO: Thank you,
8 Ms. Malvern.

9 Our next speaker will be
10 Karen Imas, to be followed by Robert Becker.

11 MS. IMAS: Thank you,
12 Commissioners.

13 My name is Karen Imas, I'm
14 the vice president of programs at the
15 Waterfront Alliance. We are a leading
16 organization advocating for waterfront
17 revitalization, climate resilience and advocacy
18 for the New York/New Jersey harbor region.

19 The Waterfront Alliance
20 unequivocally supports the Howard Hughes
21 Corporation proposal to develop a mixed-use
22 building at 250 Water Street. It creates
23 affordable housing in Lower Manhattan Seaport
24 neighborhood and generates much-needed funding
25 for the Seaport Museum through the sale of air

2 rights.

3 It's important to recognize
4 that the wide support that this project has
5 garnered, including the Landmarks Preservation
6 Commission, which found the project appropriate
7 in scope.

8 Howard Hughes has conducted
9 extensive outreach to the local community
10 through the seaport stakeholder planning
11 workshops, which we have participated in, and
12 Howard Hughes' commitment to make the
13 redevelopment of 250 Water Street part of an
14 overall plan for district-wide improvements is
15 clear.

16 The Waterfront Alliance is
17 committed to sustainability --

18 CHAIR LAGO: I'm afraid
19 you've gone on mute. You came back again.

20 MS. IMAS: The Waterfront
21 Alliance is committed to the sustainability and
22 to mitigating the effects of climate change.

23 We're, therefore, pleased
24 that 250 Water Street project will lead or
25 exceed regulatory requirements for resiliency

2 and sustainability and will be certified LEED
3 silver at a minimum.

4 We're also pleased that
5 Howard Hughes has shown a commitment to
6 building resiliently throughout the Seaport.
7 Pier 17 is now above the 100-year flood plain.
8 This sets a standard for development, which we
9 believe is much needed through the city and is
10 reflected in the Waterfront Alliance edge
11 design guidelines program.

12 We believe that this project
13 will provide significant and much-needed funds
14 to the South Street Seaport Museum, which would
15 receive sustainable funding as well as a new
16 resilient building in order to operate as a
17 world-class institution. The plan would allow
18 the museum its first-ever reliable occurring
19 income stream, helping to put it on sound
20 footing and helping it to fulfill its true
21 potential.

22 We feel strongly that the
23 museum is at a critical and important part of
24 the city's past and future and yet the museum
25 is at a crossroads. There's no other location

2 in the city where the interpretation and
3 storytelling about the New York Harbor estuary
4 can take place in such a profound and
5 meaningful way.

6 Following over 50 years of
7 attempts to plan for a sustainable seaport and
8 the fiscal disastrous effects of COVID on our
9 cultural institution and on our neighborhoods,
10 the time is now to realize those goals. And we
11 believe that this is the right project at the
12 right time for the seaport, Lower Manhattan,
13 and New York City, and we urge the City
14 Planning Commission to support the land use
15 actions necessary to make this development
16 possible. Thank you very much.

17 VICE CHAIR KNUCKLES: Thank
18 you.

19 Robert Becker. Robert
20 Becker, who will be followed by Terry Brady.

21 SPEAKER: Robert Becker is
22 not here.

23 VICE CHAIR KNUCKLES: Thank
24 you.

25 Terry Brady, who will be

2 followed by Scott Dwyer.

3 SPEAKER: Terry Brady and
4 Scott Dwyer do not appear to be in the room.

5 VICE CHAIR KNUCKLES: Thank
6 you.

7 Christina Roccas, who would
8 be followed by Adrienne Sossin.

9 SPEAKER: Christine is also
10 not here.

11 VICE CHAIR KNUCKLES: Adrienn
12 e Sossin.

13 Is she here? She's not in
14 the Zoom room?

15 SPEAKER: Hold on.

16 SPEAKER: Adrienne is here.

17 VICE CHAIR KNUCKLES: Okay.

18 Proceed.

19 SPEAKER: We can't hear you,
20 Ms. Sossin.

21 VICE CHAIR KNUCKLES: Are you
22 on mute, Ms. Sossin?

23 MS. SOSSIN: Hello?

24 VICE CHAIR KNUCKLES: Yes, we
25 can hear you now.

2 MS. SOSSIN: Good. Give me
3 the opportunity to give my testimony.

4 My name is Adrienne Sossin,
5 and I've lived in South Bridge Towers since
6 1978. My whole family lives on South Street,
7 and my grandchildren attend and (inaudible)
8 Water Street.

9 On the green tower
10 (inaudible) abomination of a building of this
11 height and mass at 250 Water Street would be
12 forced upon an already endangered and uniquely
13 historic (inaudible) including the historic
14 preservation (inaudible) in New York and in the
15 (inaudible).

16 Allowing this project and
17 it's associated ULURP would also change the
18 degree of privatization of public property all
19 over New York. Remapping the streets
20 (inaudible) public properties (inaudible).

21 Hello?

22 CHAIR LAGO: We're hearing
23 you. Please continue.

24 MS. SOSSIN: Thank you.
25 (Inaudible) litigation by the Seaport Coalition

2 (inaudible) inform the city officials
3 (inaudible) ownership of the public streets to
4 private real estate agency.

5 And they're now being
6 (inaudible) all over the city, like the Vornado
7 (inaudible). The entire seaport will be
8 totally under the control of a private
9 developer if these ULURPs are approved. And
10 the approvals would be used as precedent by
11 real estate agent. All of these (inaudible)
12 proposed by these ULURPs potentially lead to
13 the destruction of many other historic
14 districts in New York.

15 At 250 Water Street the
16 proposed apartment tower is still way over the
17 height of the other building inside and outside
18 (inaudible). The huge mass of the building's
19 lower portion will block off the district from
20 Pearl Street, which is meant to be the entry to
21 the low-rise areas. Construction and ongoing
22 density thereafter will increase already high
23 traffic -- high road traffic and likely create
24 sanitation pickups.

25 The building will shade the

2 street and block the sunlight. It will cast
3 long shadows over the surrounding lower
4 buildings and reduce the sun for gardens and
5 plantings at South Bridge Plaza.

6 It will prevent South Bridge
7 Towers from using solar panels efficiently.
8 And the shadows will rob the entire Seaport
9 neighborhood of its aura of old New York at the
10 Brooklyn Bridge, meaning that a major part of
11 the attractiveness of the historic district
12 will be gone forever.

13 And for any city official to
14 say that this --

15 CHAIR LAGO: I'm afraid --
16 Ms. Sossin, Ms. Sossin, I'm afraid that your
17 time is up. But we will very much welcome you
18 submitting your written testimony. Thank you.

19 Our next speaker will be
20 Diana Switaj, followed by Linda Hellstrom.

21 MS. SWITAJ: Good afternoon,
22 everyone. I am Diana Switaj. I'm director of
23 planning and land use for Manhattan CB1.

24 CB1 has adopted a resolution
25 and opposition to this project, this testimony

2 specifies comment on the (inaudible).

3 Construction, there are many
4 vulnerable residents in the immediate vicinity,
5 including elderly and children. Specifically,
6 there's widespread community concern over the
7 impact on children and school during the
8 environmental remediation and construction of
9 this project.

10 Construction is expected to
11 take years and have major impacts for children
12 learning at the Peck Slip and Blue schools,
13 which are immediately adjacent to the site.

14 The applicants can work with
15 the school communities as soon as possible to
16 make commitments to specific mitigation
17 strategies. The applicant should study similar
18 cases of major construction next to school
19 buildings such as PS 234 and PS 51 to
20 understand what worked well and what did not
21 and should utilize current best practices.

22 The Seaport area has
23 experienced an influx of young couples,
24 families, and children in the recent past.
25 COVID drove many families out of the city, and

2 this is a precarious time as the community
3 attempts to stabilize.

4 CB1 has concerns that if
5 mitigation measures are not identified and
6 implemented, it will become another factor that
7 drives families out of our community.

8 Shadows. The DEIS has
9 identified that the open space of South Bridge
10 Towers is expected to experience significant
11 adverse impacts as a result of this project,
12 requiring mitigation measures such as replacing
13 plantings and maintenance.

14 CB1 requests that the
15 applicant reach out to South Bridge as soon as
16 possible to work out a mitigation plan for the
17 open spaces at South Bridge Towers so that it
18 can be memorized within the project's
19 restrictive declaration.

20 Though not identified within
21 the DEIS, as having a significant shadow
22 impact, CB1 is concerned about the impact to
23 local playgrounds and the Peck Slip Play
24 Street. The Play Street is not identified as a
25 formal playground as part of the DEIS, but it

2 will experience massive impacts as a result of
3 this project and should be studied and
4 mitigated accordingly.

5 Sustainability and
6 resiliency. While the applicant has outlined a
7 potential menu of sustainability measures, they
8 are described as those that could be included
9 in the project. Many sustainability measures
10 will be worked out later through the design
11 process, and certain building requirements will
12 determine the level of efficiency and
13 environmental innovation that can be achieved
14 or that sustainability environmental failures
15 can be retrofitted into the project at some
16 point in the future.

17 SB1 is disappointed by its
18 unclear plan and encourages the applicant to
19 prioritize the level of environmental
20 innovation that will be incorporated into this
21 project.

22 Transportation, CB1 is (Zoom
23 technical difficulties) by the DEIS will not be
24 addressed by the spot mitigation proposed.
25 There are likely to be residual impacts to

2 Fulton, John, South and other nearby streets as
3 well as other impacts from opening the Pier 17
4 service drive or passenger drop-offs. CB1 asks
5 that the applicant continue to analyze traffic
6 impacts and that additional potential
7 mitigation measures, including for any traffic
8 impacts within the DEIS that have been
9 documented thus far will remain unmitigated.

10 Please hear a full written
11 testimony and full comments on the DEIS. Tammy
12 Meltzer, chairperson of CB1, will be commenting
13 specifically on the ULURP. Thank you.

14 CHAIR LAGO: Thank you,
15 Ms. Switaj.

16 Our next speaker will be
17 Linda Hellstrom, to be followed by Paul
18 Goldstein.

19 MS. HELLSTRUM: Can you hear
20 me?

21 CHAIR LAGO: Welcome.

22 MS. HELLSTRUM: I'm Linda
23 Hellstrom. I live in the Captain Rose House,
24 built in 1733, located a half block from this
25 project.

2 You at city planner --
3 planning are the last line of defense in
4 protecting the true essence of our historic
5 district and others throughout the city.

6 If a big Texas developer like
7 Howard Hughes with billionaire hedge fund
8 investor like Bill Ackman walked into the
9 zoning department of any other city, asking to
10 plop a massive tower three times the allowable
11 zoning, smack in the middle of historic
12 Savannah or historic Charlestown or stuck among
13 wrought iron railings of the French Quarter in
14 New Orleans, that developer would be laughed
15 out of the office. Here in the New York City,
16 they are welcomed in and afforded years of
17 behind the scenes negotiations.

18 Paid too much for your
19 building lot? Don't worry. Want to build
20 higher than the zoning? We'll help you. Only
21 now, after more than a year of countless FOIA
22 requests, is the Seaport coalition getting just
23 a few of those public documents that tell the
24 tale. A tale of selling out years of work from
25 citizens, CB1 and elected officials working

2 together to create a 120-foot zoning to
3 preserve the history of this ten-block
4 district. They knew what these other cities
5 know, historic districts bring business, lots
6 of business.

7 Tourists come all summer
8 long, stopping by our building to learn about
9 its infamous past, then leisurely strolling
10 through the rest of the low-rise historic
11 district.

12 People don't tour around to
13 see massive tall buildings and dark-shadowed
14 streets. When I saw the picture of this tower
15 placed within the district, people laugh and
16 say nobody is really considering that, are
17 they?

18 The picture shows
19 dramatically that the supposedly appropriate
20 base is visible only to a few surrounding
21 streets. From every other square inch of the
22 district, people will only see a massive
23 block-long 345-foot building, hulking over its
24 60-foot numbers.

25 But wait, HHC wants a 99-year

2 lease at a low base rent in order to dominate
3 the rest of the district. And right now, the
4 block-long Fulton Market building has lost its
5 ill-suited luxury store tenant.

6 So when HHC says it can't
7 make money on their sleaze, they'll say it's a
8 perfect place for another tower. Precedence
9 has already set. Let's bust the zoning again
10 above Mr. C's Hotel, luxury condos, expand on
11 top of Peck Slip and Blue schools, even over
12 the parent's cafe.

13 Narrow streets and a canyon
14 of super-tall buildings, uniqueness of
15 low-scale, gone. History of the way it used to
16 look at the time of the founding, gone. A few
17 historic buildings, squished among massive
18 skyscrapers. No one makes a special effort to
19 come way down here for a mere building or two
20 and certainly not for a museum without its
21 Seaport district.

22 If this unbelievable project
23 is approved, it will be the year 2021 that the
24 South Street Seaport Museum --

25 CHAIR LAGO: Ms. Hellstrom,

2 Ms. Hellstrom, I am afraid that your time is
3 up, but we will welcome your submission of
4 written comments.

5 Our next speaker will be Paul
6 Goldstein, to be followed by Emily Hellstrom.

7 SPEAKER: Mr. Goldstein, you
8 can unmute your mic and turn on your camera.
9 There we go.

10 MR. GOLDSTEIN: Okay. Sorry
11 about that. I'm ready now. I think.

12 Okay. I strongly urge the
13 City Planning Commission to vote down the ULURP
14 application before you to allow the proposed
15 new 250 Water Street building to proceed. This
16 345-foot-tall tower would be a great addition
17 if built virtually anywhere else in Lower
18 Manhattan but is grossly out of scale and
19 inappropriate for the South Street Seaport
20 Historic District.

21 Take a look at the photos of
22 the model that shows how this building would
23 look at historic district and judge for
24 yourself if it belongs in this low-scale, very
25 special part of Lower Manhattan.

2 Approving these ULURP
3 applications would set several bad and
4 dangerous precedents. Including:

5 One, allowing development
6 rights to be moved into historic districts.
7 What will prevent this maneuver from taking
8 place in other historic districts?

9 Two, rewriting the special
10 rules governing the transfer of development
11 rights in the seaport, whereby they are only
12 supposed to be moved to sites outside of the
13 district.

14 And, three, allowing
15 developers to rewrite the rules which allow the
16 transfer of development rights for an adjacent
17 site by instead using de-mapped streets to
18 create a connection to sites located blocks
19 away.

20 Currency 6287 was put in
21 place at 2003 when the city approved the plans
22 supported by the Community Board, Downtown
23 Alliance, every local elected, the economic
24 development corporation, the Seaport Museum and
25 many others. The current proposal totally

2 ignores good faith efforts by the Community
3 Board and community to suggest alternative ways
4 to help fund the Seaport Museum and to build
5 affordable housing that can be done without
6 approving a building three times the height of
7 what is permitted.

8 Now, I'm aware of other local
9 property owners outside the Seaport who are
10 interested in purchasing Seaport air rights the
11 city (inaudible) air rights so we can move them
12 outside the historic district and still raise
13 the money needed for the museum.

14 Howard Hughes has mounted an
15 unprecedented campaign to give approval of
16 their plan by hiring the city's top lawyers,
17 lobbyists and PR firms.

18 New York City should not be
19 formulating its land-use decisions based on an
20 owner's ability to spend million of dollars to
21 influence decision-makers.

22 I again urge you not to
23 approve the proposal before you today. Let's
24 work together to come up with a better plan to
25 help the Seaport Museum and build more

2 affordable housing while also protecting and
3 preserving our very special South Street
4 Seaport Historic District. And I thank you.

5 CHAIR LAGO: Thank you,
6 Mr. Goldstein.

7 Our next speaker will be
8 Emily Hellstrom, to be followed by James
9 Kaplan.

10 MS. HELLSTRUM: Hello.

11 CHAIR LAGO: Welcome.

12 MS. HELLSTRUM: Thank you
13 very much. My name is Emily Hellstrom, and I'm
14 the PTA co-president of the Peck Slip School
15 and a founding member of Children First, a
16 grassroots organization, representing over 800
17 families and parents with children who attend
18 the school directly adjacent to 250 Water
19 Street, as well as other area schools.

20 It is difficult to overstate
21 the devastating impacts this oversized tower
22 would have on the surrounding area. It is also
23 difficult to overstate the hubris of the Howard
24 Hughes Corporation.

25 Today you will hear and have

2 already heard from the public about why this
3 proposal should not happen, given its impact on
4 the important and imperiled historic district.

5 The detrimental environmental
6 conditions which will directly affect hundreds
7 of children in the strange gerrymandered way
8 that they are trying to shoehorn air rights to
9 build a tower that will loom over the entire
10 Seaport.

11 But I would like specifically
12 to speak to you today about the importance of
13 the integrity of our government processes. It
14 is difficult to spend time today testifying
15 when the public has seen hundreds of thousands
16 of dollars that this developer has spent on
17 lobbyists, lawyers, PR people, and the money
18 that has been thrown at this application.

19 We have been told by many
20 people on this project that it is in the bag
21 and that it is a done deal. And, in fact, on
22 Monday, September 17th, 2018, I was invited to
23 a meeting with Saul Scherl from Howard Hughes
24 at the Peck Slip School, along with the
25 principal, Maggie Sienna, Megan Malvern, and

2 Lou Sanchez, the head of the school operations,
3 where Mr. Scherl asked us quite directly what
4 we wanted in the way of a community benefit for
5 this school in exchange for our complicit
6 acceptance of this behemoth tower. A "cart
7 before the horse before it's dead" style
8 gathering.

9 Wisely, our principal stated
10 that we did not want to be bribed or need to be
11 bribed. What we want is for our children to be
12 able to learn in an environment free of dust
13 and noise and the play street outside our
14 building to remain in full use to enable our
15 children to have recess outside.

16 It is illustrative of how
17 this multinational billionaire-run corporation
18 operates. Threaten the local schools, scare
19 local small businesses and leaseholders, throw
20 money at nearby nonprofits to walk in their
21 favorable testimony and grab the museum and
22 hold them hostage. Our money can buy whatever
23 we want.

24 Our FOIL finding showed
25 multiple monthly meetings with elected

2 officials, leading up to this ULURP
3 application. Setting a situation that looks
4 like the developer has more access to our public
5 officials than we the voting public.

6 We have seen ULURP after
7 ULURP where developers make promises of
8 community handouts that disappear like whispers
9 in the wind when the time comes to implement
10 them. Stack that on top of lie upon lie that
11 this particular developer has made to our
12 community and then promptly broken.

13 Community Board 1 has
14 thoughtfully weighed in on this application and
15 it was roundly rejected. And yet, this process
16 marches on seemingly ignoring the public voice.

17 We please urge you to reject
18 this application and listen to what the
19 community is saying. Thank you.

20 VICE CHAIR KNUCKLES: Thank
21 you, Ms. Hellstrom.

22 James Kaplan. James Kaplan,
23 to be followed by Mark Bozek.

24 SPEAKER: Mr. Kaplan, you can
25 unmute your microphone. And begin speaking

2 whenever you want.

3 VICE CHAIR KNUCKLES: Sooner
4 is better than later.

5 SPEAKER: He may be having
6 technical difficulties if we want to come back.

7 VICE CHAIR KNUCKLES: Mr.
8 Bozek, and then we'll come back to Mr. Kaplan.

9 SPEAKER: Sure. Don't see
10 Mr. Bozek in the room.

11 VICE CHAIR KNUCKLES: Eric
12 Kovar.

13 SPEAKER: Mr. Kovar, you can
14 unmute your microphone.

15 VICE CHAIR KNUCKLES: Let's
16 try Mr. Kaplan again.

17 Mr. Kovar.

18 MR. KOVAR: Yes, thank you.

19 VICE CHAIR KNUCKLES: Please
20 proceed.

21 MR. KOVAR: First of all,
22 thank you for the opportunity to speak. My
23 name is Eric Kovar, and I live on John Street.

24 I came here to help Pfizer
25 and have decided to stay in New York to be part

2 of and witness the comeback. I am not here
3 with talking points or to speak about scale or
4 anything, I would just like to speak to my own
5 personal experience.

6 Part of the difficult years
7 that we've all experienced for me were
8 mitigated by the chance to walk in Central
9 Park, to visit the Met Museum and then
10 eventually to learn about your Seaport.

11 And so what I'd like to say
12 is all the people that I can speak to as part
13 of the Seaport have been, in my opinion, good
14 neighbors and good corporate citizens. I have
15 gone to free events that are as simple as
16 hammocks on the street or public basketball
17 courts. And I have sent you just a one-pager
18 of my experience walking along the Seaport
19 every day.

20 So I cannot speak to the
21 rules, the zoning, the legalities. But I can
22 speak to who I would like to see my -- my now
23 representative government support as a
24 corporate partner. I believe that these people
25 are the good type of corporate partner, and I

2 believe there are compromises that need be
3 made.

4 So I'm not here with talking
5 points, I am just here to say that I believe
6 this is a quality effort, and I have heard
7 people previous to me speak to scale and size
8 and then disruption of their street or their
9 neighborhood, their building, or their school.
10 All those things happen with progress, and I
11 see this as progress. I see this as a group
12 project by good people, and I came here as a
13 visitor to your city, and now I consider myself
14 a resident.

15 I am just one voice, and I
16 just wanted to make sure that somebody who
17 thought this was a good project, that has been
18 around the globe and around the world and
19 around this country is appreciative of this
20 effort. And I bring you no facts, no math, no
21 number of stories of (inaudible). I haven't
22 written anything out, and I thank you for the
23 chance to speak today. And I love this city,
24 and I'm happy to be a neighbor. Thank you.

25 VICE CHAIR KNUCKLES: Thank

2 you, Mr. Kovar.

3 Is James Kaplan or Mark
4 Bozek?

5 SPEAKER: We'll try
6 Mr. Kaplan again here.

7 MR. KAPLAN: Can you hear me
8 now?

9 SPEAKER: Yeah.

10 MR. KAPLAN: Okay. Good.
11 Good. My name is James Kaplan. I'm one of the
12 founders and past presidents of the Lower
13 Manhattan Historic Association, which is a
14 consortium of historic groups and museums,
15 including the Fraunces Tavern Museum, the
16 American Museum of Finance, the (inaudible) of
17 artillery and I'm here to -- in favor of the
18 project.

19 We think that the history of
20 this city, and particularly the history of
21 Lower Manhattan, is its greatest asset and
22 will, in the future, be its greatest asset even
23 more -- can you hear me?

24 VICE CHAIR KNUCKLES: Yes.

25 MR. KAPLAN: Okay. I

2 remember almost 50 years ago when I started
3 working on Wall Street when the South Street
4 Seaport Museum really pulled the city out of
5 its fiscal crisis and there's a (inaudible) for
6 the development of Lower Manhattan.

7 I also remember the many
8 concerts that were held at Pier 16 with people
9 such as Peter, Paul and Mary, Pete Seeger, Bob
10 Dylan, and this was a great inspiration to all
11 of us.

12 Now, I understand that the
13 museum has fallen into rough times, perhaps
14 because of the zoning restrictions, but I think
15 it's time to go past that. It's time to
16 rebuild. We -- our organization created our
17 July 4th parade, which was our largest parade
18 ever, this will be the seventh year this year
19 after COVID and we ended at Pier 16 and we had
20 two great singers, Linda Russell and Jonathan
21 Crook as well as (inaudible).

22 But I think that the -- in
23 seeing that concert, I could see not only the
24 past 50 years ago, but also the future. I
25 think the future of this organization will be

2 with us, South Street Seaport Museum and the
3 cultural organizations like ours.

4 And, therefore, I urge you to
5 support this project.

6 And I would say to the mother
7 who have so eloquently spoken here in
8 opposition: You may not remember the days that
9 I do of the great South Street Seaport Museum,
10 but do not deprive your children of the benefit
11 that I had when I was in my 20s of seeing great
12 singers and seeing a great cultural institution
13 here in Lower Manhattan. And I think it's time
14 to rebuild it and do it again.

15 So I urge the City Planning
16 Commission to follow the lead of the landmarks
17 preservation committee to support this project
18 and let's forward, not backward. Thank you.

19 VICE CHAIR KNUCKLES: Thank
20 you.

21 Want to try Mark Bozek before
22 we move forward.

23 SPEAKER: Let me just check.
24 He has not returned to the room.

25 VICE CHAIR KNUCKLES: All

2 right. Amelia Josephson. Amelia Josephson,
3 who will be followed by Darbie Sokolow.

4 MS. JOSEPHSON: Thank you.

5 Can you hear me?

6 VICE CHAIR KNUCKLES: Ms.

7 Josephson?

8 MS. JOSEPHSON: Yes, hi. Can
9 you hear me?

10 VICE CHAIR KNUCKLES: Yes,
11 proceed, yes.

12 MS. JOSEPHSON: Good
13 afternoon. My name is Amelia Josephson, and I
14 work in CB1 on Broad Street. I have spoken at
15 several meetings on this proposal at CB1 and
16 before the LPC. I support the proposal for
17 this mixed-use development (inaudible) at the
18 250 Water Street site because it will help
19 bring new residents and increased vitality and
20 because it includes deeply affordable housing
21 in a high-opportunity neighborhood that is out
22 of reach for too many New Yorkers.

23 In addition, the plan offers
24 a lifeline to the (inaudible) visiting the
25 museum last Sunday when I turned (inaudible).

2 Preserving the museum is
3 critical to stewarding New York City history
4 for generations to come.

5 Thank you for the opportunity
6 to speak today. I urge the Commission to
7 support the land use actions necessary to make
8 250 Water Street possible and bring this
9 project to life. Thank you.

10 VICE CHAIR KNUCKLES: Thank
11 you.

12 SPEAKER: Vice Chair, Mark
13 Bozek is now in the room.

14 SPEAKER: Thank you.

15 Mr. Bozek, please proceed.

16 MR. BOZEK: Hello. I've
17 testified in the past on numerous occasions in
18 full support of HHC's 250 Water project. But
19 today my status is changing, as I'm not
20 officially a tenant on Fulton and Water Streets
21 in the former Abercrombie & Fitch store where
22 my company -- my new company, Live Rocket, with
23 the very generous support (inaudible) as
24 converted into the Live Rocket studio on
25 September 12th, we will probably in hope

2 (inaudible) New York City by producing the
3 experience of the times that Bill Cunningham
4 (inaudible.)

5 And we are new tenants in the
6 former super draw space as well, which is where
7 I am seated right now on the corner of Fulton
8 and Water and Front Street. It will be painted
9 completely gray in what so-not-ironically is
10 called cobblestone path gray.

11 I was thrilled yesterday when
12 the windows along Water and Front Street were
13 installed with amazing (inaudible) from the
14 great New York Times legendary photographer and
15 fashion historian, Bill Cunningham.

16 It took several coats of
17 black paint and airing to finally get rid of
18 the Abercrombie aroma that they used to pump
19 into the air vents. And I encourage all of you
20 to pass by and take a look for yourself and see
21 what smart planning and smart progress can do
22 to a historical neighborhood.

23 I further encourage you, or
24 maybe I even implore you to take a shot of the
25 QR code so you can buy tickets.

2 Anyways, during these past
3 few months, I've been staying periodically at
4 the Hampton's Inn on Pearl Street, walking the
5 few blocks from the Seaport and past the 250
6 Water Street garage. I've begun to feel
7 connected to this neighborhood and looking
8 forward to years of being not only a studio and
9 retail tenant, but I also hope part of the
10 fabric that all things that represent -- that
11 it represents and will represent in the future.

12 To be completely frank,
13 passing that open garage impression many, many
14 times recently, I cannot help but feel pulled
15 out of the neighborhood and suddenly as if I'm
16 looking for a parking spot for a Yankee game in
17 the Bronx.

18 It's dirty and it's tired.
19 And regardless of how long it's been there, it
20 no more fits than the Yankees would fit in
21 Queens. There's absolutely nothing historical
22 about it. It's gross. It's wrong to use the
23 children (inaudible) parking lot represent what
24 you want for your children?

25 And why did (inaudible) with

2 other people at the HHC with words like
3 "bribery." It is so not what this organization
4 is all about. It sounds like a PBS special
5 from 1965. I wouldn't do it for my 13 year old,
6 and I think the progress and what they
7 presented is absolutely appropriate.

8 HHC has shown the utmost
9 professionalism in every step of my new startup
10 company's launch, at every single (inaudible)
11 and especially my new pal, Virgil, the
12 ever-present security minder on the
13 cobblestones.

14 New York must push forward
15 and not stand still while other cities welcome
16 such progress. Let's please remain the
17 historical district, not a hysterical one.
18 Thank you very much.

19 VICE CHAIR KNUCKLES: Thank
20 you.

21 Darbie Sokolow. Darbie
22 Sokolwo.

23 Please proceed.

24 MS. SOKOLOW: New York City
25 Planning Commissioners: As 41 young New

2 Yorkers living in Lower Manhattan, we strongly
3 support the visionary proposal to transform the
4 50-plus year old parking lot at 250 Water
5 Street on the edge of the financial and
6 historic districts into a productive building
7 bringing deeply affordable housing to one of
8 America's richest neighborhoods.

9 Many of us attended college
10 here or arrived after graduation to pursue our
11 careers and dreams. We are new to the job and
12 housing markets and our futures in New York
13 depend on how well the city is able to meet the
14 many challenges it now faces. The city needs
15 to recover from what will soon be two brutal
16 pandemic years.

17 The only way forward is
18 through bold and inclusive urban planning,
19 breaking down the symbolic walls between
20 neighborhoods, confronting the city's
21 complicated history and putting an end to the
22 disingenuous calls for preservation designed to
23 keep diverse communities out.

24 We need fresh approaches that
25 allow New York City to make economic

2 development, equitable and build more housing
3 both affordable and market rate. That will
4 allow our city to compete globally with the
5 cities of the future.

6 New York City is growing, and
7 we applaud the fact that at least 80 of the
8 planned 270 residential apartments will be
9 affordable for families with lower income,
10 ensuring easy access to public transit, good
11 jobs, and the beautiful East River waterfront.

12 This proposal embodies our
13 optimism and its level of investment and its
14 depth of civic commitment. We urge you to
15 approve the exciting 250 Water Street project
16 in the Seaport respectfully.

17 VICE CHAIR KNUCKLES: Thank
18 you.

19 Grace Lee, who will be
20 followed by Leslie Gruss.

21 Grace Lee.

22 SPEAKER: She's here, we're
23 getting her in the room.

24 Ms. Lee, you may unmute your
25 microphone.

2 Having some difficulties with
3 Ms. Lee.

4 SPEAKER: She can't unmute.

5 SPEAKER: There you go. We
6 want to move on to Ms. Gruss, we'll
7 troubleshoot.

8 VICE CHAIR KNUCKLES: Yes.

9 MS. GRUSS: Hi. My name is
10 Leslie Gruss and I'm opposed to the proposal in
11 front of you today.

12 I'm outraged that a developer
13 with complicity and city officials can brazenly
14 build a building taller than the zoning that
15 the treasured Historic Seaport District allows.

16 I'm concerned with the
17 precedent of a developer making a charitable
18 contribution to a nonprofit, in this case the
19 Seaport Museum, in exchange for extra stories
20 in a building that will reap huge financial
21 benefit to the developer. This will, in turn,
22 increase the income disparity between the haves
23 and the have-nots in New York City and in the
24 United States.

25 Using the buzz words of a few

2 affordable units is no excuse. Again, I'm
3 deeply opposed to the Howard Hughes proposal.
4 Thank you.

5 VICE CHAIR KNUCKLES: Thank
6 you.

7 Is Grace Lee available?

8 SPEAKER: She's dropped from
9 the room and might be because she's dialing in
10 so we can let you know when she comes in.

11 VICE CHAIR KNUCKLES: Okay.

12 Should we go to Adriennene
13 Ramstack? Adrienne Ramstack?

14 SPEAKER: It looks like we
15 might have Ms. Lee back in the room. Here we
16 go.

17 VICE CHAIR KNUCKLES: Ms.
18 Lee, please proceed.

19 MS. LEE: Hey, am I on now?

20 VICE CHAIR KNUCKLES: Yes.

21 Please proceed.

22 MS. LEE: Thank you, sorry.

23 I just had to reboot my Zoom.

24 Hello, my name is Grace Lee.

25 I'm a Lower Manhattan resident and mother of

2 three children who attended school for nearly a
3 decade at the Blue School just a few steps away
4 at 250 Water Street.

5 I'm also a co-founder of
6 Children for a (indecipherable) Coalition. I
7 stand in strong opposition to this development
8 because it is a threat to our kids and our
9 community.

10 The South Street Seaport
11 neighborhood is anchored by two schools that
12 are home to over 800 children, including some
13 as young as two years old.

14 You don't have to be an
15 engineer to know that the years of construction
16 of this outsized, out-of-scale luxury building
17 will undoubtedly impact those schools. The
18 work from this project will rob our children of
19 an outdoor play space for six years, which is
20 an entire elementary school career.

21 Our kids have spent nearly
22 two years shut inside our apartments due to
23 this pandemic which might get worse before it
24 gets better. These kids need to be in school,
25 have safe places to play, but no one can tell

2 us how do you expect these kids to learn
3 safely.

4 And as we continue to battle
5 COVID, we want to be sure that our unvaccinated
6 kids are back in classrooms that are safe and
7 ventilated. How are teachers supposed to open
8 the windows to dust and noise, which jeopardize
9 not just the health and safety of our children,
10 but also their ability to focus in a quiet
11 learning environment.

12 I am tired of our kids being
13 viewed as collateral damage to this pandemic
14 and now to this development. We cannot put a
15 price tag on the health and safety of our
16 children.

17 Howard Hughes already showed
18 indifference when they told our group of moms
19 not to worry, there was only a little bit of
20 mercury on the site. We went to the archives
21 and discovered that the site had been a
22 thermometer factory and that it presented more
23 danger than Howard Hughes initially wanted to
24 acknowledge.

25 So now, as parents, we have

2 to ask ourselves, what else do we not know
3 about? What else doesn't Howard Hughes want to
4 acknowledge?

5 Finally, I want to add that
6 the Seaport is one of most historically
7 significant places, not only in Manhattan, but
8 in our nation. And this building will
9 fundamentally change its character and history.

10 There is no point to having
11 the Seaport Museum if it comes at the expense
12 of destroying the seaport for which it
13 memorializes.

14 I'm a community member with
15 no financial stake in this project. I just
16 want my kids to learn and in a safe
17 environment, play outside at recess, and to
18 have windows open in their classrooms.

19 Families are already leaving
20 our community because of this project. And
21 what is a community without its families and
22 without its schools?

23 I am respectfully asking you
24 to vote now because of Howard Hughes has not
25 put enough consideration and how the project

2 will impact the schools and the community.

3 Zoning laws exist for a
4 reason, and Howard Hughes has not earned the
5 exception that they are seeking. Please vote
6 no to save the schools and the Seaport. Thank
7 you.

8 VICE CHAIR KNUCKLES: Thank
9 you.

10 Adriennene Ramstack.

11 SPEAKER: Adriennene is not
12 in the room at the moment. We'll keep an eye
13 on that.

14 VICE CHAIR KNUCKLES: Daniel
15 Robertson.

16 SPEAKER: Also has not -- is
17 not in the Zoom.

18 SPEAKER: Betsy
19 Nebel-Schainholz.

20 SPEAKER: Yes, I'll promote
21 her.

22 MS. NEBEL-SCHAINHOLZ: Hello,
23 can you hear me?

24 VICE CHAIR KNUCKLES: Yes.
25 Please proceed.

2 MS. NEBEL-SCHAINHOLZ: Okay.

3 My name is Betsy Neble-Skanholtz, and I come
4 before you against Howard Hughes Corporation
5 being given approval for a 99-year lease for
6 the public land it controls in the historic
7 district and against changing the designation
8 of the de-mapped streets in the Historic South
9 Street Seaport District as a means to transfer
10 air rights to 250 Water Street.

11 Changing the designation of
12 the de-mapped streets in the historic district
13 as a means to transfer air rights to 250 Water
14 Street is a transparent sham. It should be
15 rejected after so much as one look at the
16 gerrymandered map. The de-mapped streets and
17 development rights in question are city-owned
18 public assets. They are not there for a
19 developer to manipulate zoning rules in order
20 to advance a tower in the historic district.

21 Why would we reward them now?
22 If approved, this will set the stage for
23 continued erosion of this tiny district and God
24 help us as with the original ULURP agreement
25 with Howard Hughes Corporation, the community

2 was supposed to have access to the roof of Pier
3 17 at all times. It wasn't until many years
4 had passed and a 4th of July that the community
5 discovered by reviewing the ULURP agreement,
6 that we had the right to go up to the roof
7 of -- the roof that Howard Hughes was keeping
8 us off of.

9 Not to mention that Howard
10 Hughes Corporation had negotiated that the
11 roof -- that the community had access to only
12 10,000 square feet, which turned out to be on
13 the west side of the roof, mostly behind the
14 elevator shaft. Look who got the shaft. The
15 community.

16 Howard Hughes Corporation has
17 never been penalized for their restriction of
18 the community to the roof. Why would we reward
19 them now? Take a close look at what they're
20 pushing for and offering now.

21 Because if these approvals
22 are given to them, the ultimate plans will
23 disintegrate and there will be no benefits to
24 the community or the South Street Seaport
25 Museum that the city couldn't offer the museum

2 if the air rights were sold outside the
3 district.

4 Why would we reward them now?

5 Thank you.

6 VICE CHAIR KNUCKLES: Thank
7 you.

8 SPEAKER: Adriennene Ramstack
9 has returned to the room.

10 VICE CHAIR KNUCKLES: Please
11 proceed.

12 MS. RAMSTACK: Hello. Hi.

13 VICE CHAIR KNUCKLES: Hello.

14 MS. RAMSTACK: Hi. Thank you
15 so much for --

16 VICE CHAIR KNUCKLES: Hello?

17 MS. RAMSTACK: Hello? Hi.

18 Can you hear me?

19 VICE CHAIR KNUCKLES: Yes, I
20 can. Please proceed.

21 MS. RAMSTACK: Wonderful.

22 Thank you. My name is Adrienne Melon-Ramstack,
23 and I am the parent of an incoming first
24 grader. And I chose this area where I live,
25 the Financial District specifically, for the

2 Peck Slip School. It was encouraging to me
3 that we had such a wonderful school in our
4 vicinity; and for me, that was incredibly
5 enticing to live in this area and to send my
6 children to the Peck Slip School.

7 He's, as I said, going into
8 first grade, and so his entire elementary
9 school career at this point has been mired by
10 global pandemic, in and out of school going on
11 and off of Zoom. And for him to continue to go
12 to school once more with disturbance and
13 unrest, potentially unsafe conditions is
14 something that just really breaks my heart for
15 him.

16 I am not completely opposed
17 to this plan. I am opposed to it in the way
18 that it's being positioned.

19 I think it's fantastic that
20 Howard Hughes is planning to endow the Seaport
21 Museum. But at the same time, what about
22 endowing our schools? We've got the Peck Slip
23 School, and we've got the Blue School right
24 there, and we are going to be looking at
25 detrimental -- I believe detrimental admission

2 rates, and it's going to effect our schools for
3 years to come and our children's learning.

4 I would like to -- I would
5 like to recommend that Howard Hughes think
6 about what they can do for our schools and for
7 our children, considering everything that's
8 going to be taken from them if this plan is
9 approved. Thank you.

10 VICE CHAIR KNUCKLES: Thank
11 you.

12 Sam Rivera. Sam Rivera, to
13 be followed by Stacie George.

14 SPEAKER: Sam Rivera is here,
15 getting him unmuted.

16 MS. PROCLEM: Hi. My name is
17 Jill Proclm, and I'm presenting on behalf of
18 Sam Rivera.

19 VICE CHAIR KNUCKLES: Okay,
20 please proceed.

21 MS. PROCLEM: Sam Rivera is
22 the executive director of New York Harm
23 Reduction Educators and Washington Heights
24 Corner Project in Manhattan. These two
25 nonprofits are in the process of merging into

2 one organization that serves residents of
3 Manhattan and the Bronx and provides harm
4 reduction services in the community.

5 While it's located in East
6 Harlem and Washington Heights, these
7 organizations are individuals from all parts of
8 Manhattan, including all neighborhoods in Lower
9 Manhattan, the Lower East Side, Chinatown, and
10 the Financial District.

11 Sam Rivera himself was born
12 and raised on the Lower East Side, and he still
13 has deep roots and connections in the Lower
14 East Side community. He also has a close
15 friendship with the actor Louis Guzman, who is
16 also from the same neighborhood and continues
17 to support the work done from marginalized
18 communities in New York.

19 He recently gave Sam the
20 opportunity to speak on his work on his show,
21 and he supports many community-based projects
22 that create positive opportunity in Lower
23 Manhattans. He also fought hard for affordable
24 housing in the South Street District in the
25 (inaudible).

2 (CROSSTALK)

3 MS. PROCLEM: Sam strongly
4 supports (inaudible) that will create
5 affordable housing in Lower Manhattan
6 (inaudible.)

7 (CROSSTALK)

8 MS. PROCLEM: (Inaudible) and
9 operates two housing facilities and (inaudible)
10 one was traditional housing and the other was
11 mixed use and affordable housing that also
12 offered supportive services.

13 Sam can strongly attest to
14 the importance of these type of affordable
15 housing projects, as he has witnessed
16 first-hand the positive impacts that these have
17 and the importance that New York City has --
18 needs to have more projects like these now and
19 in the future, as there is such an urgent need
20 for housing and especially affordable housing.

21 The 250 Water Street project
22 will also meet our requirements for resiliency
23 and sustainability. It is so important and
24 exciting because a mixed-use affordable housing
25 facility that Sam managed called Castle Gardens

2 was also a LEED gold.

3 Sam knows how important
4 sustainable green buildings are to New York
5 City and the positive environmental impacts
6 that LEED-certified buildings have as we face
7 the harmful effects of climate change.

8 HHC has also committed to
9 (inaudible) and sustainability throughout the
10 Seaport. In fact, HHC is also a good neighbor
11 fostering community spirit via diverse and
12 engaging programming and in a broad range of
13 local civil groups and social organizations and
14 nonprofits.

15 I have personally previously
16 worked at the Girl Scouts of Greater New York,
17 and I know that they supported the Girl Scouts
18 through charitable donations the past holiday
19 season.

20 CHAIR LAGO: I'm afraid that
21 the time has run out. But if you would like to
22 submit the letter, that would be great.

23 MS. PROCLEM: We did.

24 CHAIR LAGO: Thank you.

25 MS. PROCLEM: Thank you.

2 CHAIR LAGO: Our next speaker
3 is Stacie George, to be followed by Joshua
4 Pickard.

5 SPEAKER: Stacie has been
6 promoted. We'll get her in the room.

7 MS. GEORGE: Hi. Thank you.
8 Good afternoon, everyone. My name is Stacie
9 George, and I am speaking on behalf of Live
10 Nation Entertainment, where I am a senior vice
11 president for Live Nation in New York.

12 CHAIR LAGO: I'm afraid we've
13 lost you, Ms. George.

14 SPEAKER: Yes, it seems like
15 she just dropped entirely.

16 CHAIR LAGO: Okay. Then we
17 will move on to Joshua Pickard.

18 MS. GEORGE: Can you hear me?

19 CHAIR LAGO: Yes, you're
20 back, please.

21 MS. GEORGE: Sorry about that
22 guys. I'll be quick.

23 My name is Stacie George and
24 I'm speaking on behalf of Live Nation
25 Entertainment, where I am a senior vice

2 president for Live Nation in New York. Live
3 Nation is the world's leading live
4 entertainment company that is privileged to
5 work with artists to bring their creativity to
6 life on stages around the world.

7 Live Nation is a committed
8 partner with the Seaport District in bringing
9 live music and the performing arts to rooftop
10 at Pier 17.

11 We feel the proposed project
12 at the Seaport Museum and 250 Water Street are
13 appropriate to the Historic Seaport District
14 and crucial to economic development, saving the
15 museum and bringing affordable housing to the
16 community.

17 I strongly support the HHC
18 proposal to develop a mixed-use building at 250
19 Water Street that will spur economic
20 development, add residential housing near
21 transit and good jobs, create permanent deeply
22 affordable housing in Lower Manhattan's
23 affluent Seaport neighborhood, and generate
24 funding for the Seaport Museum.

25 Live Nation has a fantastic

2 relationship with the Seaport in bringing
3 diverse performances and events, and we believe
4 that overall development proposal will
5 strengthen our relationships in Lower
6 Manhattan, appropriate for the Seaport District
7 and beneficial to the future of Lower
8 Manhattan.

9 Thank you for your time
10 today.

11 CHAIR LAGO: Thank you,
12 Ms. George.

13 Our next speaker is Joshua
14 Pickard to be followed by Richard Dyckema.

15 MR. PICARD: Hi. Can you
16 hear me?

17 CHAIR LAGO: Welcome.

18 MR. PICARD: Hi. Good
19 afternoon. My name is Joshua Pickard, a
20 partner in NoHo Hospitality Group, which
21 operates eight restaurants in downtown New
22 York.

23 I'm speaking today in support
24 of HSC and their mixed-use building at 250
25 Water Street on behalf of myself and my

2 partners (inaudible). We invested in the
3 Seaport to support this evolution process into
4 a wonderful balance between its history and the
5 future.

6 This development will help
7 spur increased economic development, add
8 residential housing near transit, create jobs,
9 create permanent deeply affordable housing in
10 Lower Manhattan's affluent Seaport
11 neighborhood, and generate funding for the
12 Seaport Museum.

13 I have lived in Downtown New
14 York City since 1981 and know the Seaport quite
15 well over the years. I am a founding board
16 member that created the NoHo bids, so I
17 understand the development process in such
18 cherished neighborhoods.

19 I was happy to see the
20 modifications made and the landmarks approval
21 and process. And now I feel that this
22 development will be an important addition to
23 the Seaport District as it has been carefully
24 scaled to the existing historical structures
25 that is inclusive to the community needs.

2 Over the past 32 years, I've
3 been involved in building 22 restaurant
4 concepts in four states. I recently completed
5 a three-year project with Howard Hughes at Pier
6 17, where we recently opened Carne Mare and
7 Mr. Dips.

8 I can tell you with years of
9 first-hand experience of HHC is the most
10 conscious -- conscientious of builders we have
11 ever worked with. They take an extraordinary
12 level of responsibility with its handling of
13 all projects in the area.

14 While we understand the
15 construction can be temporarily disruptive, we
16 have confidence that this team (inaudible)
17 safe, sensitive, and responsive construction
18 operation at 250 Water Street. The building is
19 designed as contextual to its surrounding,
20 specifically the building is lower-rise where
21 it means the interior of the historic district
22 and the tower along Pearl Street, which is
23 wider and faces the high-rise Financial
24 District.

25 I thank you, and I urge this

2 Commission to support the land-use actions
3 necessary to make 250 Water Street possible.

4 CHAIR LAGO: Thank you,
5 Mr. Pickard.

6 MR. PICARD: Thank you.

7 CHAIR LAGO: Our next speaker
8 is Richard Dykema, to be followed by
9 Thomas Benjamin.

10 MR. DYKEMA: All right. I'm
11 Richard Dykema can you hear me?

12 CHAIR LAGO: Yes. Please
13 proceed.

14 MR. DYKEMA: Thank you. My
15 name is Richard Dyckma, and I'm a resident of
16 the Fulton Seaport neighborhood. I walk in the
17 Seaport District almost every day. I believe
18 that this proposed project is very well-suited
19 to the entire neighborhood, as the previous
20 speaker said, on one side so long a major
21 street, which would be Water Street further
22 down but called Pearl Street at that point.

23 We need housing in the United
24 States. We need housing in particular in
25 metropolitan areas like New York City.

2 Everywhere somebody tries to build housing,
3 they're opposed by people who don't like the
4 density, who don't like that it's going to be
5 more -- they don't like that there's
6 construction, but, of course, if you give in to
7 that kind of local opposition, you won't build
8 more housing. You won't be solving the
9 problems that come from not having enough
10 housing in the country.

11 Howard Hughes has put
12 together an excellent proposal here that fit in
13 Lower Manhattan in a number of ways. There are
14 also going to be finally allowing the Seaport
15 Museum to open.

16 I think this project is going
17 to be a great improvement to the neighborhood,
18 and I hope the Planning Commission and the city
19 counsel will approve it. Thank you.

20 CHAIR LAGO: Thank you,
21 Mr. Dyckma.

22 Our next speaker will be
23 Thomas Benton, to be followed by Jay Hellstrom.

24 SPEAKER: Thomas is not in
25 the room and the Zoom anywhere.

2 CHAIR LAGO: Okay. Then
3 we'll go to Jay Hellstrom, to be followed by
4 George Briger.

5 MR. HELLSTRUM: Can you hear
6 me?

7 CHAIR LAGO: Welcome.

8 MR. HELLSTRUM: Thank you.
9 My name is Jay Hellstrom, and I live a half a
10 block away from the project in the historic.

11 I'd like to focus on a single
12 issue: Air rights. Air rights are an integral
13 part of the fatally flawed foundation of this
14 application. Let's follow this sordid tale.

15 It is very clear that the
16 applicants seek to divide and conquer. They
17 saw support for financially strapped Seaport
18 Museum as a means of providing political cover.
19 Let's call it for what it is, quid pro quo.

20 To save the museum, to get
21 approval of a widely inappropriate number of
22 variances and, unfortunately, in the process,
23 undermining my community. The bribe was
24 originally \$50 million, and then in association
25 with a new museum building that could be built.

2 But they aren't funding it, nor are they
3 building it.

4 The ironic part is hedge fund
5 Bill Ackman and the Texas developer Howard
6 Hughes played a sneaky business maneuver, and
7 they're not paying for those bribes. They're
8 asking the city to pay for it, for the Howard
9 Hughes purchase of air rights at a low base
10 value. Not only are they not paying, it won't
11 come close yet, even approaching \$50 million,
12 and probably will do little to save the museum.
13 An endowment throws off five percent a year.
14 Do the math, please.

15 Let's talk about these air
16 rights. They're embedded in the structure in
17 the formation of the historic district. Air
18 rights are the public property as it is the
19 transparency of the City responsible for the
20 integrating of those proceeds back into the
21 fabric and financial viability of the historic
22 district and the museum. Again, these air
23 rights are ours, the public taxpayer. They are
24 air rights publicly bid for in a third-party
25 auction and sold to the highest bidder for use

2 outside of the district.

3 Proceeds going to benefit the
4 historic district and museum, that's what was
5 originally intended. It is the fundamental
6 mechanism to protect the low-scale historic
7 district, enabling the full ten blocks of
8 living history as it's been over the last two
9 centuries. These air rights are being handed
10 over to a developer and a hedge fund manager at
11 an unknown value for them to use inside the
12 district to a bizarre and manipulative system
13 of de-mapping streets.

14 You should not be complicit
15 in this divisive and profoundly
16 precedent-setting procedure. It undercuts the
17 integrity of the City Planning Commission. I
18 urge you to turn your back on this dubious
19 legal proposal and support the citizens. Not
20 just for this historic district --

21 CHAIR LAGO: I'm afraid --
22 I'm afraid, sir, that your time has expired,
23 but we would very much welcome your submitting
24 written commentary.

25 Our next speaker is George

2 Breger, to be followed by Joel Sosinksy.

3 SPEAKER: George is not in
4 the Zoom.

5 CHAIR LAGO: Okay. Then we
6 will move on to Joel Sosinsky to be followed by
7 Eddie Travers.

8 MR. SOSINSKY: Hello.

9 CHAIR LAGO: Welcome.

10 MR. SOSINSKY: Okay. Just my
11 name is Joel Sosinsky and I'm a resident of the
12 South Street Seaport District. I've been a
13 resident for many, many years.

14 I urge the CPC to reject this
15 proposal. From the date that HHC brought --
16 bought 250 Water Street, all knew that this had
17 been developed to make a huge profit for this
18 ultra-capitalistic corporation. Apparently,
19 the Howard Hughes Corporation believes that
20 this attempt to get CPC approval will somehow
21 allow CPC to give this ultra-capitalist Texas
22 corporation its blessing to make a enormous
23 profit and basically destroy the South Street
24 Seaport Historic District.

25 The funding of the South

2 Street Museum and the offer of so-called
3 affordable housing. And let's just talk about
4 affordable housing for a second. In the
5 millions of dollars of profits that HHC is
6 looking for selling elevated views of the
7 Brooklyn Bridge to the oligarchs of this world.
8 It's a folly to only offer several dozens of
9 so-called affordable housing.

10 If the CPC approves their
11 current proposal, this is totally obnoxious. I
12 would implore them to do their job, to protect
13 the South Street Seaport Historic District.
14 And failure to reject the current proposal
15 would be totally contrary to your mission to
16 preserve and protect New York City landmarks in
17 historic districts. Do not be complicit in
18 this scheme. Thank you.

19 CHAIR LAGO: Thank you,
20 Mr. Suzinsky.

21 Our next speaker will be to
22 Eddie Travers, to be followed by Joanne Gorman.

23 Is Mr. Travers connecting?

24 SPEAKER: Mr. Travers is in
25 the room. You can unmute your microphone.

2 MR. TRAVERS: Sorry. Can you
3 hear me?

4 CHAIR LAGO: Welcome, yes.

5 MR. TRAVERS: Sorry. Yeah,
6 my name is Eddie Travers, and I am speaking
7 today in opposition to the development of 250
8 Water.

9 I'm the owner of two local
10 restaurants in FiDi here. And while I would
11 certainly benefit financially with this
12 development, and it would not be good for my
13 daughter.

14 And my daughter, Lydia, she's
15 a six-year old girl with -- she's a cardiac
16 baby so she, obviously, has serious underlying
17 health conditions. And, you know, we moved
18 down here specifically to go to Peck Slip
19 School because it's an excellent school, and
20 our businesses are in the area.

21 Now, as a result of this and
22 all the talk, you know, I was involved with the
23 PTA at Peck Slip, and we've had to make --
24 myself and my wife had to make the decision to
25 move our daughter over to Battery Park City

2 School.

3 And, you know, with COVID and
4 everything else, we were told part of keeping
5 kids safe would be to leave windows open and so
6 air would filtrate through these rooms.
7 Obviously, this will not be able to be done
8 with all the construction that's going to be
9 going on and -- outside the Peck Slip School.

10 So, again, it's a wonderful
11 school. And you know, we hate that we have to
12 make that decision, but we have to look after
13 our daughter's health.

14 And, you know, we're
15 seriously concerned for all the kids in our
16 neighborhood. And, again, we're very much
17 against this development. Thank you very much
18 for your time.

19 CHAIR LAGO: Thank you for
20 your time, Mr. Travers.

21 Our next speaker will be
22 Joanne Gorman, to be followed by Denny Solis.

23 MS. GORMAN: Good afternoon,
24 Commissioners. My name is Joanne Gorman. I'm
25 co-founder of Friends of South Street Seaport

2 and a member of the Seaport Coalition.

3 Howard Hughes is proposing
4 land use modifications that reconfigure
5 planning rules to incorporate and manipulate
6 public assets to advance it's profit-driven
7 agenda.

8 Were city-owned air rights
9 meant to be use preserve Seaport assets and
10 public streets de-mapped for public benefit are
11 used by the developer as tools for another
12 purpose.

13 HHC played on a
14 financially-strapped Seaport Museum and the
15 mayor's affordable housing goals to execute its
16 plan. And it initially dangled 50 million
17 contribution as bait. Money that was never
18 going to be an actual donation out of its
19 pocket.

20 It was a deception to move to
21 manipulate city's agency, local elected
22 officials, and the community at large to
23 acquiesce to a tower that plants a skyscraper
24 foothold where it doesn't belong. Howard
25 Hughes wants a skyscraper. It just doesn't

2 want its neighbors to be skyscrapers.

3 Under the guise of
4 applicants, Howard Hughes has asked our city
5 agencies that the general public is not
6 afforded. HHC has team members working on the
7 250 plan who previously held key positions in
8 the very city agencies that HHC now has
9 applications before.

10 The prior legal counsel for
11 the Landmarks Commission, now playing an active
12 role as HHC counsel on the Landmark's
13 application, presented her priority list of
14 speakers to the landmark (inaudible) executive
15 director and current legal counsel. And as the
16 OPC hearings were underway, she coordinated in
17 real time with them to get her Howard Hughes
18 supporters heard.

19 Another Howard Hughes team
20 member, prior legal counsel for your Department
21 of City Planning, recently introduced a
22 contrived LSTD framework that reinterprets the
23 meaning of street, adjacency, common ownership
24 in order to transfer city-owned air rights to
25 HHC's private development site without

2 triggering an open public procurement process.

3 Five months before it bought
4 250 Water, Howard Hughes' counsel was already
5 reaching out to the Landmarks Commission. From
6 2019, continuing to the present, Howard Hughes
7 organized and participated in multiple city
8 interagency recurring meetings, as well as
9 meetings with our museums, borough president
10 and city council member.

11 The meetings brought
12 representatives of city agencies and HHC into
13 constant contact; LPC, city planning, EDC,
14 Office of the Deputy Mayor, the list goes on.
15 Creating a setting choreographed by HHC for all
16 to unite around and become vested in its plan
17 for 250 Water.

18 On May 4th, the Landmarks
19 Commission approved a 324-foot building as
20 appropriate to the Seaport Coalition. On May
21 16th, the Seaport Coalition initiated a legal
22 challenge to the Landmark's decision. The City
23 is on notice as it continues to expend
24 resources to rush this project through.

25 I urge you not to approve it.

2 Thank you.

3 CHAIR LAGO: Thank you,
4 Ms. Gorman.

5 Our next speaker will be
6 Denise Solis, to be followed by Taina Prado.

7 MR. SOLIS: Just joined.
8 Good afternoon, Commissioners. My name is
9 Denny Solis, and I support the 250 Water Street
10 project.

11 Many others who have spoken
12 in favor of this project have made the correct
13 and appropriate policy arguments. Still, I'm
14 going to focus on my statement on the personal
15 side of this.

16 My immigrant parents had to
17 break the law and lie about our residence to
18 ensure that my three siblings and I could
19 attend a better school in a nicer neighborhood.
20 The outcome was a path toward upward social
21 mobility, successful careers, educational
22 attainment, including a PhD in psychology, a
23 master's degree in economics, and a successful
24 business owner.

25 My story is not anecdotal.

2 As there are many example of studies that
3 display similar outcomes where families gain
4 access to higher opportunity areas. The
5 opportunity to build affordable housing will
6 allow working-class families like mine who grew
7 up poor a chance to access better schools and
8 achieve their American dream.

9 New York City needs more
10 projects like this which builds means much
11 needed affordable homes for working-class
12 familiars, encourages increased investments and
13 will be part of Lower Manhattan's economic
14 recovery.

15 I urge this body to support
16 the land use actions necessary to make this
17 project possible. Thank you for your time.
18 Have a great day, everybody.

19 CHAIR LAGO: Thank you,
20 Mr. Solis.

21 Our next speaker will be
22 Taina Prado, followed by Michelle Koppersmith.

23 SPEAKER: I don't see Taina
24 in the room.

25 MS. PRADO: Hello.

2 SPEAKER: There we go.

3 CHAIR LAGO: Welcome.

4 SPEAKER: Welcome.

5 MS. PRADO: Thank you so
6 much. I'm actually here to give testimony on
7 behalf of Jessica Lappin, President of the
8 Downtown Alliance.

9 So, yes, good afternoon,
10 Chair Lago and members of the commission. I'm
11 Jessica Lappin, president of the Downtown
12 Alliance, which manages the business
13 improvement district for Lower Manhattan South
14 of Chambers Street.

15 I'm pleased to speak today in
16 support of the Howard Hughes development
17 project at 250 Water Street. While the South
18 Street Seaport is not by legal definition a
19 part of our assessment area, it is a vital
20 asset for the neighborhood and the entire city.

21 We believe this mixed use
22 building proposal continues to be an important
23 opportunity to create jobs, boost our local
24 economy at such a critical juncture in the
25 city's recovery. Build sorely needed

2 affordable housing in Community Board 1 and
3 generate a path towards -- a path forward to
4 save the Seaport Museum.

5 New York City needs economic
6 development now more than ever. This
7 \$850 million investment in the Seaport by
8 Howard Hughes is projected to create more than
9 1,000 construction jobs, over 1,500 permanent
10 jobs in the commercial, retail and nonprofit
11 sector and spark new patrons to support the
12 local businesses and merchants, especially
13 those have been struggling during the pandemic.

14 This project has undergone a
15 lengthy state stakeholder engagement process
16 and over the course of public review process,
17 the applicant has worked hard to be responsive
18 to a breadth of community concerns, as well as
19 feedback received from LPC in refining --
20 refining the proposal; lowering its height and
21 ensuring it will be a benefit to the city as a
22 whole.

23 In addition to being endorsed
24 by the Daily News, the Post, the New York Times
25 editorial board, 250 Water Street has strong

2 local support from Counsel Member Margaret Chin
3 and Manhattan Borough President Gale Brewer, as
4 well as a broad coalition of residents,
5 businesses and civic groups.

6 Furthermore, 250 Water Street
7 plans to be a resilient and sustainable
8 structure equipped to handle the impacts of
9 climate change. Howard Hughes has already
10 shown its commitment to address this reality by
11 building Pier 17 above the 100-year flood plain
12 as well as relocating the historic Tin Building
13 to the six feet higher than the 100-year flood
14 plain. Our neighborhood knows firsthand how
15 very important protecting the Seaport area from
16 rising sea levels is to this community.

17 In closing, on behalf of the
18 downtown alliance, the board of directors and
19 myself, we strongly support Howard Hughes's
20 application and encourage you to vote in favor
21 of the land use actions to make this
22 development possible.

23 Thank you. I just to give a
24 special shout-out to the CPC team. I know
25 there's some technical issues, but I appreciate

2 you working through them so we can testify here
3 today. Thank you so much.

4 CHAIR LAGO: Thank you. And
5 if you could pass along to Ms. Lappin and the
6 Downtown Alliance team that as much as I would
7 prefer to see the storefronts in Lower
8 Manhattan actually occupied, your Art on the
9 Avenue project is just a fantastic boost to see
10 great works of local artists, rather than
11 vacant storefronts.

12 MS. PRADO: Yes, we're very
13 excited. It's going to be up until November,
14 so we're very excited that we're able to do it
15 in and working with the property owners to get
16 them in the spaces.

17 And I just want to point out
18 that one hundred percent of the proceeds go
19 directly to the artists. So it's been very
20 well-received.

21 So thank you I will share
22 your (inaudible). Thank you.

23 CHAIR LAGO: Our next speaker
24 will be Michelle Koppersmith, followed by Edwin
25 Schlossberg.

2 MS. KUPPERSMITH: Hi. My
3 name is Michelle Koppersmith. I'm a resident
4 of CB3, which closely borders CB1, and I'm here
5 to speak in favor of this project.

6 I've had the opportunity to
7 speak I think three or four times now in
8 support of this project, and I am glad that I
9 have the opportunity to do so again.

10 I would just like to say that
11 our city desperately needs more housing and
12 where better to do it than a transit-rich high
13 opportunity neighborhood like the Seaport
14 District, I spent my Sunday there, and I know
15 it's a lovely place. The parking lot is not a
16 lovely place. And I really hope that the city
17 thinks that more people should be able to enjoy
18 these amenities right outside their doorstep.

19 And I would like to say also
20 that there's been some reference to the tragedy
21 of the 9/11 as a reason to not rebuild at this
22 location. I'd like to reference a more -- an
23 ongoing tragedy is which is that so many of our
24 most vulnerable New Yorkers died from COVID
25 because they lived in crowded housing. We have

2 a housing crisis in this city, and we need to
3 fix it and here's a great opportunity to do.

4 I'd like to mention, as I've
5 said, I've already done this three or four
6 times and it's -- it's a -- it's unfortunate
7 that we need to go through so many hoops just
8 to build just a few desperately needed housing
9 units.

10 And I really encourage all
11 the commissioners to vote in favor of this
12 project which also already gone through the
13 Landmarks Preservation Commission and CB1 so
14 that more New Yorkers can enjoy a lovely and
15 high-opportunity neighborhood. Thank you.

16 CHAIR LAGO: Thank you,
17 Ms. Koppersmith.

18 Our next speaker is Edwin
19 Schlossberg to be followed by Austin Celestin.

20 SPEAKER: Edwin is not in the
21 room.

22 CHAIR LAGO: Thank you. So
23 we will proceed to Austin Celestin, to be
24 followed by Keith Schainholz.

25 SPEAKER: Austin is not in

2 the room as well.

3 MR. CELESTIN: I'm here. I'm
4 in person.

5 SPEAKER: He's in person.

6 SPEAKER: Sorry.

7 CHAIR LAGO: You really are
8 here.

9 MR. CELESTIN: I did not
10 write good morning in this. So good afternoon.
11 My name is Austin Celestin. I'm a sophomore at
12 NYU, studying urban design.

13 I remember the first concept
14 of this project that stood at 990 feet, and to
15 be quite honest, I would say it's the best
16 version, it had the most housing, the most
17 affordable units, and the most funding for the
18 Museum.

19 With every reduction, these
20 contributions only got smaller and smaller,
21 which is where we are now. But even in the
22 this shrunken state, the current design is far
23 better than what could have been cobbled
24 together.

25 Where do I start listing the

2 benefits of the site? It's a ten-minute walk
3 from a dozen subway lines, great jobs, great
4 schools, waterfront access, and a short walk to
5 the Brooklyn Bridge, among many other things.

6 There aren't many places
7 where affordable housing would be as great of a
8 benefit as this. Sure 70, 70, 80 units is not
9 that much, but that is 70 families that have
10 the opportunity to access everything that the
11 neighborhood has to offer.

12 A project of this type is
13 badly needed, and to reiterate, something
14 larger would have been better as it would have
15 only allowed more working class families to
16 enjoy the aforementioned abundance of
17 resources.

18 I would also like to bring up
19 a point that was made by a board member in one
20 of their meetings. And in the July 12th
21 meeting, one of the members mentioned that the
22 local Key Food, the oranges were quite
23 expensive, and because of that, it didn't make
24 sense to have affordable housing in the
25 project.

2 I didn't think I would need
3 to say this, but the cost of an orange is not
4 prerequisite for affordable housing. It's a
5 reprehensible way to justify blocking
6 affordable housing in a baffling response to
7 that problem. If that were a concern, why not
8 say their groceries are quite expensive, Howard
9 Hughes, do you plan on putting some of the
10 proceeds to food assistance programs or to help
11 with other rental assistance, not groceries are
12 expensive affordable housing won't work here?
13 Because by that logic, mixed-income projects of
14 this type shouldn't go anywhere and would only
15 serve to worsen the economic segregation in the
16 city.

17 We're in a housing crisis
18 right now. We shouldn't be in a position where
19 we're building less housing in a decade than we
20 were in the Great Depression. We added 629,000
21 residents but only 200,000 units.

22 And the restrictive zoning
23 and the regulations at this site and others
24 across the city is a large contributing factor.
25 Upholding the status quo only serves to worsen

2 this housing crisis. And although it's a spot
3 rezoning and it's a drop in the bucket, this
4 zoning serves to alleviate that pressure ever
5 so slightly. I think it would be a greatly
6 missed opportunity if the Commission voted down
7 this project.

8 And for that reason and for
9 many more, I would say that it's important that
10 commission votes to approve this project.
11 Thank you.

12 CHAIR LAGO: Thank you,
13 Mr. Celestin.

14 Our next speaker is Keith
15 Schainholz to be followed by Linda Roche.

16 SPEAKER: Keith does not
17 appear to be in the room.

18 CHAIR LAGO: Then we'll
19 welcome Linda Roche, followed by Elaine
20 Kennedy.

21 MS. ROCHE: Thank you, Madam
22 Chair, I'm here. And thank you, Commissioners,
23 for the opportunity to speak today in
24 opposition of the application. My name is
25 Linda Roche, and I'm a long-time resident of

2 the Seaport area.

3 The application before you
4 today will affect not just 250 Water Street but
5 the whole of the New York City landmark
6 historic districts, setting a precedent.

7 I ask you to think long and
8 hard before you vote on whether this
9 application, this very complicated and
10 convoluted application, is appropriate.
11 Whether a megatower is appropriate in a four-
12 and five-story historic district. Who would
13 have believed our city, New York City would
14 allow such destruction of a historic area, the
15 birthplace of New York City commerce and much
16 more?

17 The 324-foot tower Howard
18 Hughes is proposing will have major
19 consequences on the surrounding neighborhood,
20 including the health and learning of the
21 children in the two adjacent schools, shadows
22 on surrounding building, added congestion to
23 sewer line and sanitation which are already at
24 their limits. Negative traffic impact and much
25 more.

2 The fact that air rights can
3 be manipulated by developers to build an
4 inappropriate structure and adjoining streets
5 so that they can tie the Pier 17 to 250 lot to
6 gain air rights is unacceptable. And now we're
7 requesting a 99-year lease, which would give
8 them the ability to do even more damage to the
9 historic district, which according to Howard
10 Hughes is not a historic district anymore.
11 They rebranded it the Seaport district.

12 The Seaport Coalition
13 gathered more than 6,000 signatures on a
14 petition, opposing this outrageous and
15 out-scaled construction. The community is not
16 opposed to construction, we would welcome a
17 building on the site, but we demand that it be
18 120 feet which is what is allowed, still taller
19 than any other building in the historic
20 district.

21 And holding a carrot to fund
22 the museum and add affordable housing which
23 probably wouldn't be that affordable, has no
24 place in this process. This should not be part
25 of the decision.

2 And wouldn't it be nice if we
3 had some green space? The Financial District
4 has no recreational green space, not none, and
5 that would be nice.

6 I would also like to take a
7 look. This is to scale. Does that look
8 appropriate? Does that building look
9 appropriate? I say no.

10 Thank you very much.

11 CHAIR LAGO: Thank you,
12 Ms. Roche.

13 Our next speaker will be
14 Elaine Kennedy, to be followed by
15 Jessica Ortiz.

16 MS. KENNEDY: Hi. Good
17 afternoon, everybody. I'm Elaine Kennedy,
18 26-year resident of South Bridge Tower and
19 former board member.

20 My testimony is on behalf of
21 the current board of directors in opposition to
22 the application of HHC or 250 Seaport District
23 Items number 54, 55 and 56 before you today.

24 I have this whole speech all
25 prepared here, and I'm going to put it away

2 because you heard it all already. You've heard
3 all the objections. I want to be honest and
4 real. Let's get down to it.

5 This is not about affordable
6 housing, we know that. It's not going to solve
7 the housing process in the city. It's not
8 about saving the museum because a rich
9 corporation like this could easily have donated
10 \$50 million to support the museum if they were
11 so inclined.

12 It's not about community
13 because where's our middle school that we asked
14 for in all the workshops? Where's our green
15 space? Where's the playground for the kids
16 that we asked for? No, they're left in the
17 street to play.

18 So this boils down to one
19 word: This whole problem is summed up in the
20 word location. Location, location, location.
21 What better place to build a tower to maximize
22 your profits and then in a low rise district?
23 Therefore, this whole tower, this whole thing,
24 the view will not be obstructed by other
25 buildings as it is in the Financial District

2 where one tower goes up and another tower comes
3 in and steals the light from that. Okay. What
4 better way to maximize your profits?

5 All right. So we know that.
6 But the problem is the other word: Location.
7 It's in a historic district. Build this
8 anywhere else, we have no problem. Development
9 is the lifeblood of New York City and New York
10 City needs blood now. But this is -- there's a
11 more important thing here and I ask every
12 commissioner to put everything -- consideration
13 aside and to consider the fact that you sit at
14 a junction in history. You will go down as the
15 Commission -- because tomorrow you got SoHo,
16 NoHo coming up, and it's the same problem.

17 I grew up there, another
18 low-rise district that is noted for its
19 character and charm. Okay. You sit at a
20 junction in history, and you will go down as
21 the Commission that preserved historic
22 districts in these cities or destroyed them,
23 and I don't envy your jobs. Thank you.

24 CHAIR LAGO: I assume you
25 don't envy us in part because of the length of

2 the hearing. I want to thank you for sticking
3 with us. Thank you, Ms. Kennedy.

4 Our next speaker will be
5 Jessica Ortiz, to be followed by Amy Verra.

6 MS. ORTIZ: Hello. Can you
7 hear me?

8 CHAIR LAGO: Welcome.

9 MS. ORTIZ: Thank you, Chair
10 Lago. Good afternoon, Chair Lago and members
11 of the commission. My name is Jessica Ortiz,
12 and I'm a representative of SEIU 32BJ. I'm
13 here on behalf of my union to share our
14 concerns concerning Howard Hughes' proposed
15 development at 250 Water Street.

16 We believe that the developer
17 should commit to providing this building
18 service jobs in order to build a more equitable
19 economy in New York City. Howard Hughes, LLC,
20 has not made a commitment to providing jobs.
21 Most building service jobs are filled by local
22 members of the community we believe developers
23 should be urged to make a commitment to uphold
24 prevailing wage.

25 We respectfully urge you to

2 recommend that the developer commit to
3 providing good (inaudible) and don't undermine
4 community standards. Thank you.

5 CHAIR LAGO: Thank you,
6 Ms. Ortiz.

7 Amy Verra, to be followed by
8 Nick Ramphal.

9 MS. VERRA: Hello, can
10 everyone hear me? Hello? Hello? I can't hear
11 you all. But if someone can give me an
12 indication that you can hear me that would be
13 great. Okay. Thank you. Thank you.

14 My name is Amy Verra, and I'm
15 representing the office of Assembly Member
16 Yuh-Line Niou. Assembly Member Niou is at
17 Albany now for an extraordinary session and she
18 wanted to share this testimony to the City
19 Planning Commission today.

20 Many of us here, including
21 myself, have testified at the previous hearings
22 with the Landmarks Preservation Commission and
23 other agencies in the opposition to the
24 applicant's proposal, and I returned today to
25 once again oppose the revised proposal and

2 highlight the continued disregard of our
3 community throughout this process.

4 I am proud to represent the
5 South Street Seaport Historic District.
6 There's simply no place like it in New York
7 City. Our 11 blocks represent this city's
8 humble early beginnings of brick buildings
9 along a beautiful stretch of water.

10 In New York, more than in any
11 other city, our architecture tells our story of
12 where we have been and who we will become.
13 That's why it is so important that we protect
14 this community treasure.

15 In the case of the 250 Water
16 Street, a key part of that preservation came
17 through restrictions, limiting building heights
18 to 120 feet and floor area ratios. That
19 language is clear, which makes this proposal
20 unacceptable and absurd. The building's
21 height, even with its alterations, far exceeded
22 what will be deemed unacceptable under a fair
23 interpretation of these restrictions.

24 Equally concerning is that
25 the building's footprint merely shifts density

2 to the edge of the district. 250 Water Street
3 is highly polluted with contaminants such as
4 elemental mercury, PCPs, metals, pesticides,
5 volatile organic compounds, petroleum, and
6 tar-related products. It is estimated that one
7 million cubic feet of clean and dirty soil will
8 be need to be excavated across the entire site.

9 The school children, nearby
10 residents, and the general public are currently
11 not at risk of being exposed to those
12 contaminants because of the asphalt parking lot
13 covering the site. However, once the asphalt
14 is removed for remediation and development,
15 there's significant risk of exposure and harm.

16 I stand with our community
17 and urge the CPC to see the truly devastating
18 ramifications of this project. This project
19 has never fit the clear historic preservation
20 goals of our community and has failed to
21 address the needed environment benefits of
22 affordable housing needs and density issues
23 that our community needs.

24 In addition, it fails to
25 address the environmental impacts set forth by

2 the building's construction and brownfields
3 cleanup project. The greed of developers must
4 not come before the safety of our community,
5 who will have to endure the consequences of the
6 actions committed. Thank you.

7 CHAIR LAGO: Thank you,
8 Ms. Verra. And I have to admit that I'm very
9 pleased that Assembly Member Niou is up in
10 Albany, as one of the items under consideration
11 is possible amendments to the open meeting law,
12 which would allow us to continue to take
13 advantage as we did during the Governor's
14 emergency executive order, of being able to
15 participate remotely.

16 I think it's -- it is
17 possible to find something good coming out of
18 this horrific pandemic. It is the way we have
19 just so enhanced public access through being
20 able to take advantage through today's
21 technology.

22 Our next speaker will be
23 Mishal Ramphal, to be followed by Patrick
24 Jones.

25 SPEAKER: There's a Nick

2 Ramphal. I'm assuming that's the same person.

3 You can unmute your mic.

4 MR. JONES: Hello?

5 CHAIR LAGO: Welcome.

6 MR. JONES: Hi, thank you.

7 Good afternoon to all the members of the City
8 Planning Commission. I thank you all for the
9 opportunity to speak today. My name is Patrick
10 Jones, and I'm here to strongly support the HHC
11 proposal to develop the mixed-use building at
12 250 Water Street.

13 This project, which
14 encourages local investment, will also spur
15 economic development, add residential housing
16 near transit hubs and create great local jobs
17 and affordable housing in the Lower Manhattan
18 Seaport neighborhood.

19 HHC has been a friendly
20 neighbor, fostering a community spirit with
21 diverse, engaging programming and support of a
22 broad range of local civics groups, social
23 security organizations and nonprofits. Over
24 the past decade, HHC has invested over
25 900 million in projects including the

2 renovation of Pier 17 and the restoration of
3 the Tin Building.

4 In addition, a major part of
5 that project will allow HHC to provide
6 significant funding to the South Street Seaport
7 Museum, an anchor in this historic district.

8 The development of 250 Water
9 Street, a planned design approved by New York
10 City LPC, as well as support from local
11 editorial boards offers a vital and timely
12 opportunity to bring affordable housing, jobs
13 and economic development to the Seaport and
14 Lower Manhattan.

15 Local City Council Members
16 Margaret Chin and Manhattan Borough President
17 Gale Brewer have also offered their strong
18 support.

19 This project is poised to be
20 a robust part of lower Manhattan and New York
21 City's economic recovery when it is needed the
22 most.

23 I respectfully urge the
24 commission to support the land use actions
25 necessary to make 250 Water Street possible.

2 Thank you, and I really
3 appreciate the time.

4 CHAIR LAGO: Thank you,
5 Mr. Jones.

6 Is Mr. Ramphal back?

7 SPEAKER: Hold on just one
8 moment.

9 CHAIR LAGO: And he will be
10 followed by Nelson Chan.

11 SPEAKER: No.

12 CHAIR LAGO: Okay. So it's
13 Nelson Chan, followed by Alex Ray.

14 MR. RAMPHAL: Hi is Nick
15 Ramphal that will.

16 CHAIR LAGO: Welcome.

17 MR. RAMPHAL: Thank you for
18 allowing me to speak this afternoon. I'm
19 calling to speak in favor of the 250 Water
20 Street project.

21 First of all, I think it is
22 very rare to find anything where you're going
23 to get Margaret Chin and Gale Brewer and the --
24 and the Daily News and the New York Post and
25 the New York Times to agree on anything in New

2 York City. We are a cacophonous city with
3 many, many opinions.

4 And so to see that sort of
5 wide-ranged support suggests to me that this is
6 a strong argument to be made for the
7 development of the 250 Water Street site.

8 But the numbers that I find I
9 cannot argue with are the 1,500 permanent jobs
10 in the commercial, retail, and nonprofit
11 sectors that will be created on a permanent
12 basis in New York City.

13 And I listened to the moms
14 and I -- and I listened to their -- their
15 arguments, which I think are very heartfelt.
16 But it's hard me to escape that this lot has
17 been vacant for 50 years, and HHC is beginning
18 construction in mere -- in mere months from now
19 on a well-designed and shovel-ready project.

20 And because of the level of
21 scrutiny that this project has received for
22 many quarters, I think it's worth pointing out
23 that from an environment perspective, this will
24 be certified as LEED silver at a very minimum,
25 with a goal to reach gold.

2 It is imperative that we
3 provide as a city more affordable housing. And
4 the fact that 30 percent of the units will be
5 provided to low income individuals, I think
6 speaks very strongly in favor of the project
7 itself, especially given the fact that the
8 Seaport is a very affluent district where
9 family income generally is more than \$150,000
10 and there's next to no affordable housing in
11 there.

12 I do believe in the
13 development of the Seaport District very
14 strongly, because the area is very well
15 supplied with key transportation lines. It has
16 one of New York's largest MTA subway hubs near
17 by, and they are key bus lines that will allow
18 residents to live near excellent public schools
19 and waterfront open space and good paying
20 employment opportunities, all over --

21 CHAIR LAGO: I'm afraid that
22 -- Mr. Ramphal, I'm afraid that your time has
23 expired.

24 MR. RAMPHAL: Thank you very
25 much.

2 CHAIR LAGO: If you have
3 written testimony, we would welcome that.

4 MR. RAMPHAL: Thank you very
5 much. I would push that, though.

6 CHAIR LAGO: Our next speaker
7 will be Nelson Chan, to be followed by Alex
8 Ray.

9 SPEAKER: Mr. Chan, you
10 should be able to unmute your mic.

11 MR. CHAN: Okay. Sorry.
12 Good afternoon, members of the City Planning
13 Commission. I'm Nelson Chan, a lifelong New
14 Yorker, born and raised in the Lower East Side
15 and currently the director of Affordable
16 Housing for AAFE Downtown Manhattan Community
17 Development Corporation.

18 My passion and our mission is
19 to ensure that immigrant New Yorkers and
20 low-income communities of color can continue to
21 live in the neighborhoods that they help build.
22 Chinatown, the Lower East Side, and all of
23 Lower Manhattan are in the midst of a
24 affordable housing crisis that has only grown
25 more dire during COVID.

2 It is for this reason that
3 I'm here to testify today in support of 250
4 Water Street, a project that will create over
5 eight units of deeply affordable housing in
6 CB1, where a small number of affordable units
7 have been created in recent decades. The
8 project has been sized to more appropriate
9 level for the area, making it context all with
10 the surrounding community.

11 The development completes the
12 streetscape, provides a balance of uses, and
13 will be a positive catalyst for economic
14 development and job creation in the
15 neighborhood.

16 But for me, what is exciting
17 about this plan is the creation of a 80-plus
18 units of affordable housing. Permanent,
19 affordable housing at 40 percent of area median
20 income and below. This is incredibly unusual
21 in today's market, and especially important in
22 Community Board 1.

23 As an affordable housing
24 advocate, my hope is that this project's
25 permanent affordable housing will have a

2 community preference and even a NYCHA
3 preference. I'm also advocating for an
4 inclusion of social service staff to provide
5 adequate support for the tenant body as well.

6 Our community has been
7 devastated by the pandemic and is in desperate
8 of need of affordable housing, good jobs, and
9 supportive services. This project can be a big
10 step towards recovery in Lower Manhattan.

11 Again, I'm in support of this
12 the project and urge the commission to support
13 as well. Thank you for your thoughtful
14 consideration of this application to your
15 commitment to building an equitable city.
16 Thank you.

17 CHAIR LAGO: Thank you,
18 Mr. Chan.

19 Our next speaker is Alex Ray,
20 to be followed by A.J. Barr.

21 MR. RAY: Good afternoon. My
22 name is Alex Ray. I'm a historic
23 preservationist employed by Building
24 Conservation Associates. I'm reading a
25 statement on behalf of Raymond Pepi, president

2 of BCA. He had conflict, so he cannot be here
3 in person, so this is his testimony:

4 I have a long professional
5 association with the Seaport, beginning in
6 1980, when I was on the preservation staff the
7 State Maritime Museum, striving to preserve the
8 Schermerhorn Row block. I was also
9 instrumental in saving and rehabilitating the
10 Jasper Ward House, located on Peck Slip and
11 South Street. I founded my firm in the Seaport
12 in 1985 at 40 Dover Street.

13 With that connection and
14 familiarity with what the Seaport was and how
15 it has changed over time, my comments regarding
16 the Howard Hughes proposal reflects firsthand
17 knowledge of the Seaport's architecture,
18 materiality, scale and sense of place.

19 I consider the Seaport a
20 fragile architectural and maritime ecosystem,
21 so my reflexive attitude is that less is
22 preferable. After 40 years as a preservationist,
23 I realize that large asphalt parking lot
24 attract cars, but they do not contribute to the
25 wellbeing of any urban district, let alone a

2 historic one.

3 I also realize that
4 preservationists must accept the environmental
5 advantages of density when balanced by good
6 design that respects preservation. This
7 project does that, and so I support it without
8 reservation.

9 It is a plan that is at once
10 obviously large unfortunate but differential,
11 with architectural technologies that are
12 complementary to the intimate scale of the
13 Seaport. In modifying and reducing the height
14 and bulk of their earlier designs, the
15 architects have reached a responsible and
16 referential solution to a difficult problem.

17 The proposed Water Street
18 elevation reflects the character and scale of
19 the neighboring Seaport buildings, achieving
20 visual synthesis by crafting hierarchical and
21 material order. Happily, the proposed design
22 is it not glaringly modern, nor a facsimile but
23 collectively a measure and contemporary
24 interpretation.

25 Varying setbacks embodied by

2 components facing Pearl Street, shift the
3 massing westward to unburden lower building
4 heights on the Seaport side, providing welcome
5 sight lines for pedestrians walking in the
6 historic district along Water, Beekman, and
7 Peck Slip.

8 In effect, the team
9 successfully subdivided their reduced bulk in a
10 multidimensional and harmonious composition
11 designed to fit in with the urban fabric around
12 it.

13 I have absolutely no issue
14 with the project's scale, height, and density
15 attributes of the design that successfully
16 address contemporary urban deficiencies.

17 SLM' solution is a model of
18 contextual design and will be a welcome
19 contrast to other nearby buildings that are now
20 in congress monoliths shadowing the Seaport.

21 Thank you for the opportunity
22 to testify.

23 CHAIR LAGO: Thank you,
24 Mr. Ray.

25 I just would want to let the

2 Commissioners know, if others like me will have
3 to modify or cancel their evening plans based
4 on the 75 remaining speakers. It looks as if
5 we will be likely going until close to 3:00
6 p.m.

7 With that, I call AJ Barr, to be
8 followed by Richard Moses.

9 SPEAKER: AJ Barr is in the
10 room, and I had her -- she was -- she had
11 everything on earlier. And so I'm wondering
12 what's going on.

13 MS. FREE: I'm sorry.

14 SPEAKER: Here we go.

15 MS. FREE: This is Maria
16 Free, not AJ Barr.

17 CHAIR LAGO: If AJ Barr is
18 not here, then we will move on to Richard
19 Moses, followed by Melissa Silverwood.

20 MR. MOSES: Good afternoon,
21 Commissioners and Madam Chair. My name is
22 Richard Moses, I'm the president of the Lower
23 East Side Preservation Initiative, also known
24 as LESPI.

25 LESPI strongly opposes the

2 Howard Hughes Corporation's application for a
3 special permit for their 25-story mixed-use
4 tower at 250 Water Street within the South
5 Street Seaport Historic District.

6 But mainly the construction
7 of a grossly out-of-scale building, but one of
8 Manhattan's most important and popular historic
9 districts would be highly detrimental to the
10 district's collection of unique and
11 irreplaceable four and five storey 19th century
12 historic commercial structures.

13 In no way can this proposal
14 considered to be in conformance with the
15 district's physical fabric and special sense of
16 place.

17 Additionally, this use or
18 abuse of the ULURP process and effective
19 gerrymandering of the zoning map to allow for
20 an otherwise ease impermissible transfer and
21 development rights sets a terrible precedent
22 for historic districts as well as other
23 neighborhoods throughout the city.

24 We respectfully ask the City
25 Planning Commission to reject this application.

2 Thank you very much.

3 CHAIR LAGO: Thank you,
4 Mr. Moses.

5 Our next speaker is Melissa
6 Silverwood, to be followed by Deron
7 Charkoudian.

8 SPEAKER: Melissa Silverwood
9 does not appear to be in the Zoom.

10 CHAIR LAGO: Okay then, Deron
11 Charkoudian, to be followed by Angela Terrilli.

12 MR. CHARKOUDIAN: Good
13 afternoon. Can you hear me?

14 CHAIR LAGO: Yes, welcome.

15 MR. CHARKOUDIAN: Great. My
16 name is Deron Charkoudian. I'm a longtime
17 Financial District resident and a parent of a
18 Peck Slip school student.

19 I oppose this out-of-scale
20 development at 250 Water Street. I share
21 numerous concerns voiced during earlier
22 testimony today. I urge you not to approve
23 this proposal.

24 Thank you for your time
25 today.

2 CHAIR LAGO: Thank you,
3 Mr. Charkoudian.

4 Our next speaker is Angela
5 Terrilli to be followed by Stacey Shub.

6 MS. TERRILLI: Hello. My
7 name is Angela Terrilli and I oppose this --
8 the 250 Water Street development.

9 Howard Hughes Corp. will
10 forever change the historic district of the
11 Seaport with this structure. Current zoning
12 should be enforced and not changed by the whims
13 of an outside developer.

14 So far, HHC has failed
15 horribly at the Seaport. Super expensive
16 stores have not had a long life here. Why? We
17 are a neighborhood of regular people, not the
18 super rich. No dead horses are being dragged
19 out by the allure of big money.

20 We do not have the half
21 million dollars to throw at politicians and
22 special interest groups. I wonder where it
23 will end. Not well, I'm afraid.

24 De Blasio will be out of
25 office, HHC will return to Texas, and our --

2 and our neighborhood will be forever scarred by
3 this very, very tall building. I implore you
4 all to not allow this change in zoning.

5 And just to go to the man who
6 was talking about how horrible the -- the
7 garage is there, we agree with you. We would
8 love it to be a park, a soccer field for
9 children. Why wouldn't -- couldn't we do that
10 with it?

11 Anyway, I beg our democratic
12 government to listen to the little people to
13 defer to preserving our history, not for profit
14 of a Texas developer. Texas of all states.
15 Thank you.

16 CHAIR LAGO: Thank you,
17 Ms. Terrilli.

18 Our next speaker is Stacey
19 Shub to be followed by Alex Liscio.

20 MS. SHUB: Hi, my name is
21 Stacey Shub. Have you heard the saying believe
22 people when they tell you who they are? Howard
23 Hughes has said in their own words their goal
24 is to create monopolies and control cities.
25 Let that sink in for a moment. Create

2 monopolies and control cities, their words to
3 which I wholeheartedly agree.

4 Looking past their flowery ad
5 agency's well-crafted language to paint
6 themselves as saviors of the historic South
7 Street Seaport, bringing jobs, recovery and
8 saving the museum, please see them for who they
9 really are: A Texas-based for-profit company
10 looking out for their bottom line, responsible
11 to their shareholders and not the community.

12 You probably also heard past
13 is prologue. When you hear everything they're
14 saying, let's look towards the past and see
15 what we can expect for the future. They sadly
16 lied in some way on probably every application
17 ULURP and transaction since their arrival in
18 2012.

19 I've witnessed the
20 consequences of this arrogance. A promised
21 build open green space on Pier 17. It's not
22 there. Go look. Magically, it's a
23 3,000-person concert venue.

24 Oh, you want that grass they
25 promised? Sure. Reserve a plot and pay a fee

2 of \$40 for 90 minutes or a few thousand on New
3 Years Eve.

4 Remember the green market
5 celebrating the press as a done deal, bringing
6 much needed foot traffic, jobs, and affordable
7 food, and an incubator for under-represented
8 communities? Nope. Reneged on that also.

9 So where is the economic
10 windfall for all of their development of the
11 Seaport to date? They promised the same things
12 they're promising now. Where are those jobs
13 being created?

14 Bottom line, no community
15 garden, no grass, no local farmers' market,
16 just more public space being privatized to
17 financially benefit their shareholders.

18 They even quietly flipped air
19 rights to give almost \$2 million to a Chinese
20 developer. Where is the affordable housing or
21 give back to the community or money to the
22 museum from that? Not a penny.

23 HHC doesn't know what the
24 Seaport wants or needs, or they wouldn't have
25 replaced mom-and-pop shops with \$500 Sarah

2 Jessica heels or other ridiculous failures like
3 Corso Como.

4 Please don't be blinded by
5 their promises of affordable housing. It's
6 simply a part of the cost of doing business to
7 them and nothing more. And will these promises
8 even be kept? Ask the residents of their
9 building in Hawaii.

10 HHC is being accused of
11 violating this very same promise. Exploiting
12 requirements to provide affordable housing by
13 promising it and then seeing the fees of the
14 affordable housing residents soar 50 percent
15 within six months of opening, forcing residents
16 to take on second jobs or declare bankruptcy.
17 This is how they operate.

18 Yes, New York City needs
19 affordable housing but having a for-profit
20 entity building multi-million dollar units to
21 support a handful of affordable housing units
22 is not the answer.

23 Please don't overlook the
24 fact that the 1,500 families across the street
25 at South Bridge Towers almost all are former

2 affordable housing residents themselves,
3 including me. Many elderly living on fixed
4 income on what has become a naturally occurring
5 retirement community. They are still paying
6 monthly fees well below market rates, and many
7 elderly residents who called South Bridge
8 Towers home for decades have all their friends
9 and resources here are at risk of displacement
10 by this project. This very well could result
11 in a net loss for the neighborhood. Please
12 reject.

13 CHAIR LAGO: Thank you,
14 Ms. Shub.

15 Our next speaker will be Alex
16 Liscio, followed by Denice Courter.

17 MR. LISCIO: Thank you. Good
18 afternoon everyone.

19 My name is Alex Liscio, and
20 on behalf of Brookfield Properties, I'm pleased
21 to provide our enthusiastic support for this
22 very important project. It is our view that
23 the Howard Hughes' Corporation proposed
24 development of 250 Water Street will be an
25 outstanding addition to the Lower Manhattan

2 community, via the transformation of
3 50-year-old parking lot with no historical
4 significance into a sustainable mixed use
5 development that will further enhance the
6 historic Seaport District --

7 In addition to dramatically
8 improving the surrounding streetscape, this
9 project will be also create thousands of jobs,
10 introduce 80 affordable apartments and help
11 facilitate the reopening of the South Street
12 Seaport Museum.

13 Brookfield has a long history
14 of collaborating in New York with the project's
15 architecture SOM and it is our position that
16 the recalibrated design that has been approved
17 by the Landmarks Commission is both understated
18 and highly relevant to the proposed South
19 Street Seaport district.

20 We appreciate the
21 Commission's consideration, and we strongly
22 urge this body to support the land use action
23 as necessary to bring 250 Water Street to life
24 in the months ahead. Thank you.

25 CHAIR LAGO: Thank you. Our

2 next speaker will be Denice Courter to be
3 followed by Lisa Wong.

4 MS. COURTER: Hello, my name
5 is Denice Courter, and I'm a parent of two kids
6 who graduated from the Peck Slip School until
7 last year. I'm a downtown business owner and a
8 FiDi homeowner since 2007.

9 Based on many meetings that
10 have been hosted by Howard Hughes, there, in my
11 opinion, will be efforts to minimize the noise
12 and the inconvenience of building a mixed use
13 building in the Seaport.

14 Many parents and community
15 groups have voiced their concerns about noise
16 and safety and their efforts are very much
17 appreciated by parents like myself.

18 From my experience, the
19 management team at Howard Hughes have made many
20 accommodations and are committed to keeping a
21 open dialogue with the local stakeholders.
22 Their efforts are appreciated by many families
23 that call downtown home.

24 From donating \$30,000 to fund
25 the Peck Slip music program to fund (inaudible)

2 and Spruce Street School, Howard Hughes has
3 supported many other downtown schools, as well
4 as the Fulton stall market.

5 The cleanup 250 Water and the
6 development of a mix-used building will enhance
7 the Seaport neighborhood and all of Lower
8 Manhattan. The HHC management team has worked
9 with many local community groups and schools to
10 create a mixed-use building that will work with
11 the aesthetic of the neighborhood, bring new
12 jobs to Lower Manhattan, and financially
13 support the beloved Seaport movement.

14 This project and this
15 building is more than likely years away, we do
16 look forward to the completed project in the
17 building.

18 Thank you for the chance to
19 support the improvement of the neighborhood.
20 Thank you.

21 CHAIR LAGO: Thank you. Our
22 next speaker will be Pat -- I'm sorry, Lisa
23 Wong, to be followed by Patrick Quinn.

24 MS. WONG: Hello, can you
25 hear me?

2 CHAIR LAGO: Yes. Welcome.

3 MS. WONG: Thank you City
4 Planning Commission for welcoming us to speak.
5 I am Lisa Wong, and I've lived in New York City
6 for 41 years, in Lower Manhattan for 14 years,
7 and absolutely love the rich history and
8 character of Lower Manhattan. And it's been a
9 treasured home where our son has attended
10 excellent public schools, PS234, LMC, and
11 Millennium High School which I was co-president
12 of the parents association for three years.
13 And proudly, my son serves on CB1 as the only
14 student member of 50 members.

15 Professionally, I do real
16 estate, residential real estate for 24 years
17 and have worked for decades of painters and
18 sculptors sore, and I'm a modern dancer teacher
19 as well.

20 I strongly am behind HHC's
21 250 Water Street development. As a real estate
22 professional, I've seen firsthand how a
23 mixed-use development can become a new nexus
24 for a neighborhood and a much-needed one that
25 our beloved Seaport and the beautiful front and

2 South Street restaurants and shops really need.
3 They've struggled painfully even since and
4 before the hurricane and there's no relief in
5 sight.

6 I think this project will
7 bring a lot of energy and commerce and
8 excitement and will invigorate the location by
9 bringing office workers, low income tenants,
10 retail, new community owners, community
11 facility users and add to the extraordinary
12 restaurants they've already planted in Pier 17.

13 So just as to 200 Chambers
14 and 101 Warren did for Tribeca, I feel that 250
15 Water can do for our Lower Manhattan
16 neighborhood.

17 As I've likened it before, it
18 would take it from essentially a graveyard to a
19 flourishing nexus of commerce and life that the
20 area deserves.

21 And most importantly, it
22 supports the Seaport Museum, and I find it very
23 unusual that so many people are saying we love
24 our Seaport but are against this when the
25 Seaport itself wants this to happen. I think

2 the Seaport can determine what would be good
3 for its future, rather than others, if they're
4 supporting it.

5 I've also worked in 24 years
6 with many developers, and I find it very rare
7 to find a developer like Howard Hughes
8 Corporation that will engage a community this
9 way. They've been a great neighbor, they've
10 supported schools and projects and sports teams
11 and community building events, and it's very
12 rare in my experience.

13 As well as do we remember how
14 schlocky that mall was before? It's not an
15 easy thing to bring quality restaurants and
16 something of a higher caliber --

17 CHAIR LAGO: Ms. Wong, I'm
18 afraid that your time is up.

19 MS. WONG: Sure.

20 CHAIR LAGO: But if you have
21 written submissions, we would welcome it.

22 MS. WONG: Thank you.

23 CHAIR LAGO: Our next speaker
24 is Patrick Quinn, to be followed by Tammy
25 Meltzer.

2 MR. QUINN: Hi, my name is
3 Patrick Quinn. I'm here today representing IPIC
4 Theaters, a nearby business located in the
5 Seaport in the beautiful and historic Fulton
6 Market building.

7 We're here to strongly
8 support the HHC proposal to develop a mixed-use
9 building at 250 Water Street that will spur
10 economic development and add residential
11 housing near transit. It will create
12 permanent, deeply affordable housing in Lower
13 Manhattan's affluent Seaport neighborhood and
14 will generate funding for the Seaport Museum.

15 At IPIC, we take great pride
16 in the look and feel of the neighborhoods in
17 which we operate and while we love the Seaport,
18 we had been disappointed years in our
19 operation, 250 Water still remains an unsightly
20 gap in the cityscape. The parking lot at 250
21 Water is a major detraction for the
22 neighborhood, and it impedes the walkability of
23 the neighborhood, particularly at nighttime.

24 The construction of the
25 building design that the Landmark Preservation

2 Commission already approved will activate this
3 block from morning until night, not only
4 improving safety but also improving
5 neighborhood morale.

6 This will reinforce the
7 boundaries of the historic district while
8 staying contextual to its surroundings by being
9 taller along Pearl Street and lower as it meets
10 the interior of the historic district.

11 We truly believe that the 250
12 Water project will transform the pedestrian
13 experience throughout the seaport by connecting
14 critical blocks of the historic district with a
15 cohesive mixed use plan. This will translate
16 into increased engagement with the Seaport from
17 residents already within the district as well
18 as those outside. We do not engage with the
19 historic district regularly. That's critical
20 to the long term sustainability of business
21 within the district.

22 There are many businesses
23 like ours that are struggling to survive as a
24 result of the pandemic and the addition of the
25 roughly 270 apartments plus the 1,500 permanent

2 jobs that the development will generate, will
3 support local businesses and add to the
4 vibrancy of the community.

5 In order for IPIC and other
6 businesses to survive and for the Seaport to
7 thrive, we; need 250 Water to be built. This
8 proposal solves so many problems that the
9 Seaport District and the city currently face,
10 and does so through smart urban planning, all
11 while respecting the district's architecture
12 and guidelines. It's an incredible
13 achievement.

14 We at IPIC urge this body to
15 support the land use actions necessary to make
16 250 Water Street possible.

17 Thank you so much for your
18 consideration today.

19 CHAIR LAGO: Thank you,
20 Mr. Quinn.

21 Our next speaker will be
22 Tammy Meltzer, to be followed by David Sheldon.

23 MS. MELTZER: Can you hear
24 me?

25 CHAIR LAGO: Yes. Please go

2 ahead, Ms. Meltzer.

3 MS. MELTZER: Can you see the
4 shared screen?

5 CHAIR LAGO: Yes, I can. We
6 can.

7 MS. MELTZER: Good afternoon.
8 I'm Tammy Meltzer, Chair of Manhattan Community
9 Board 1.

10 On July 20, 2021, we passed a
11 resolution opposing the 250 Water Street ULURP
12 application. Howard Hughes Corporation's
13 application seeks to make major changes to the
14 nearly 40-year Seaport zoning. This is an
15 egregious departure from years of carefully
16 crafted regulations meant to guide or orderly
17 growth of the Seaport in protecting the unique
18 scale of the Seaport Historic District.

19 In 2003, the city approved a
20 CB1 sponsored ULURP, implementing the current
21 C62A zoning with overwhelming support. Since
22 then, CB1 has adopted multiple resolutions
23 supporting new buildings at 250 Water Street
24 that comply within the existing zoning and are
25 extremely troubled by now the bulk of proposed

2 changes needed to just get one outside
3 building. The 1972 Seaport transfer mechanism
4 moved development rights outside of the
5 historic district.

6 CB1 opposes the proposal to
7 make 250 Water Street a receiving site. The
8 applicants claimed that there are no proposed
9 receiving sites outside of the district or
10 alternate developers are patently false. CB1
11 presented one such developer and several sites
12 to the Manhattan Borough President and Council
13 member on March 13th, 2020, but this was
14 dismissed as the City was already in
15 negotiations with HHC on many fronts.

16 CB1 strongly opposed the
17 proposed to redefine de-mapped portions of
18 Fulton, Front and Water Streets as zoning lots.
19 This is being done to slowly create a fiscal
20 connection to 250 Water Street to enable HHC to
21 shoehorn development rights from Pier 17 to 250
22 Water.

23 And this is one more example
24 of an attempt to skirt long-standing transfer
25 mechanisms. The de-mapped streets are

2 city-owned and intended to serve the public
3 interest should not be used to enhance a
4 private developer. Allowing this dangerous
5 precedent as city-wide signals as potential
6 districts are available to be compromised
7 through gerrymandering.

8 The timing of this
9 application is extremely problematic. As of
10 today, our comments are at best incomplete and
11 are subject to massive change.

12 The City and Seaport Museum
13 have no commitment in writing to; guarantee the
14 museum's endowment and HHC has affirmed that
15 the mechanism is not theirs to create.

16 Will this be another failed
17 promise? In 2019 EDC did not fulfill and has
18 yet to fulfill the FCRC funding stream that CB1
19 supported. There is no technical requirement
20 for affordable housing this is but a promise.

21 We strongly support
22 additionally needed of affordable housing in
23 Lower Manhattan, including four times as much
24 housing at 5 World Trade Center. Instead of
25 zoning gymnastics needed for the 80 percent

2 market rate housing in this very flawed
3 proposal.

4 CB1 has not seen a copy of
5 the proposed amended 99-year lease and just
6 this Monday received the third amendment that
7 was inked on 2020.

8 We have been denied and the
9 public has been denied a meaningful discussion
10 regarding the disposition of properties for the
11 ULURP.

12 This city should postpone --

13 CHAIR LAGO: Thank you very
14 much, Ms. Meltzer. I'm afraid that your time is
15 up, but I would -- we would very much welcome
16 your submitting the written testimony.

17 Our next speaker will be
18 David Sheldon, to be followed by Christopher
19 Marte.

20 MR. SHELDON: Good afternoon.
21 Thank you for this opportunity to testify.
22 I've been an active participant in the life of
23 the South Street Seaport for over 20 years.

24 I would ask you what is the
25 plan of the South Street Seaport Historic

2 District? The district was created to preserve
3 and protect this irreplaceable portion of our
4 city and its history, not just in buildings but
5 in ships, in an active waterfront, in a museum
6 in artifacts and all the activities and the
7 practices and the skills that those industries
8 and that district were home to.

9 And all this in the midst of
10 a living New York City neighborhood, that is
11 the plan for the South Street Seaport historic
12 district. Air rights were developed so that it
13 could maintain its low level scale. Those air
14 rights were established to be sold to sites
15 outside of the district in order to maintain
16 that scale and where those public assets were
17 being sold, that money would properly go to the
18 features and attributes and facilities of the
19 South Street Seaport. That is the plan for the
20 South Street Seaport Historic District.

21 Zoning after at least a dozen
22 fights about what would be the appropriate
23 height level, all parties agreed to 120 feet,
24 and this was encoded in the zoning. That is
25 the plan for the South Street Seaport Historic

2 District.

3 Now it appears that their own
4 EDC wishes to sell off this district to this
5 developer, the Howard Hughes Corporation. Sell
6 it not to the highest bidder, but as we have
7 heard, to the only bidder the EDC is willing to
8 entertain.

9 What is the Hughes vision of
10 the seaport? Start with Pier 17, which cannot
11 accommodate tall ships. Go from there to the
12 foot of Fulton Street to the Cadillac sales
13 lot. Go from there to the corner, to Sarah
14 Jessica Parker shoes. Go past the DJ speakers
15 that now dominate the public areas of Fulton
16 Street, such of it as is left open by the
17 Sapphire Bar.

18 Go now to 250 Water Street.
19 Look at the blueprints there. That is not
20 about affordable housing. That is a building
21 about luxury housing apartments. Luxury
22 residential, which according to the Hughes
23 business plan is part and parcel of how it
24 develops its properties in conjunction with
25 what it calls aspirational retail. In an

2 atmosphere of what it also terms monopoly-like
3 control. That is the Hughes scheme for the
4 seaport.

5 So I ask you now, to make a
6 decision. Not between a museum and a district
7 it is supposed to have created to represent
8 because that money is being talked about for
9 the museum, and it only talked about so far is
10 coming from the EDC and could have easily come
11 from the sale of air rights to any developer or
12 any site.

13 CHAIR LAGO: Thank you,
14 Mr. Seldon. And if you would like, you can
15 submit written testimony.

16 MR. SHELDON: Don't buy the
17 scam. Thank you.

18 CHAIR LAGO: Our next speaker
19 is Christopher Marte, to be followed by Andrea
20 Wasserman.

21 MR. MARTE: Thank you. My
22 name is Christopher Marte, and I'm the State
23 Committee Member of the 65th Assembly District
24 and democratic nominee for City Council.

25 I'm speaking in strong

2 opposition to the rezoning and other actions in
3 regards to the 250 Water Street site
4 development. It's just not the structure
5 itself but its development process that
6 demonstrates how Howard Hughes want any
7 exception to every rule to move forward with
8 this project, no matter the cost to their
9 neighbors.

10 If this rezoning goes
11 through, it will (inaudible) of the nation of
12 the Seaport's historic district which was put
13 in place by stakeholders and the Community
14 Board 2013 to allow for development but also to
15 keep the historic nature of the Seaport alive
16 and driving.

17 The de-mapping of public New
18 York City streets and the transfer of air
19 rights should not be used to help a luxury
20 developer to turn a bigger profit. Howard
21 Hughes has no right to control all of the land
22 and air within the Seaport. We don't want
23 another Hudson Yards, where one developer has a
24 monopoly over a neighborhood.

25 In addition, Howard Hughes is

2 now asking to extend the 99-year lease for
3 public land use controls in the historic
4 district. Lower Manhattan thrives because of
5 its diversity, and that's what they're trying
6 to take away.

7 The Howard Hughes Corporation
8 admitted to shareholders in 2019 internal
9 budget meeting that it was using support of the
10 Seaport Museum And the affordable housing as a
11 political cover for manipulating the zoning in
12 the district. This is the same corporation
13 that last year went through three CEOs and
14 their future as a corporation seems to be in
15 flux. We have no firm commitment that this
16 proposal project and investment they often will
17 actually materialize.

18 And I continue to share
19 suspicion that they might be creating a
20 strategy to flip 250 Water Street to the
21 highest bidder.

22 Additionally, the DEIS that
23 was released demonstrates a clear ignorance of
24 the developers in the city in regards to the
25 massive impact that this project will have on

2 the surrounding neighborhood.

3 Light and shadow has an
4 impact on the attention span and health of
5 children in a classroom. Increased traffic
6 brought by potential development can endanger
7 seniors and kids that currently enjoy the use
8 of the street as a public space. These two
9 assets, among many more, can show how deeply
10 flawed this DEIS was.

11 An unfortunate trend that we
12 have been seeing repeated over and over
13 throughout our district in Lower Manhattan from
14 the (inaudible) to the Two Bridges Towers.

15 This wasn't the only option
16 at the table, communities, stakeholders,
17 investors brought proposals to shift air rights
18 outside of the Seaport so we can have funding
19 for the Seaport, create affordable housing and
20 develop a win, win, win strategy. However,
21 Howard Hughes has used our lobbyists, strategic
22 tactics, supportive politicians and to get
23 their way through.

24 So I hope and I ask members
25 of this Commission to reject this proposal

2 outright and start from scratch. Thank you.

3 CHAIR LAGO: Thank you,
4 Mr. Marte.

5 The next speaker will be
6 Andrea Wasserman, to be followed by Diane
7 Brown.

8 SPEAKER: Andrea Wasserman is
9 not in the Zoom.

10 CHAIR LAGO: Then Diane
11 Brown, to be followed by Delmont Freeman.

12 MS. BROWN: Hello. This is
13 Diane Brown speaking. Can you hear me?

14 CHAIR LAGO: Welcome,
15 welcome.

16 MS. BROWN: Thank you. I am
17 honored to be a part of this procedure. I
18 am -- earlier in the meeting, I heard a
19 wonderful shout-out to the New York City
20 College of Technology, where I completed their
21 world-class hotel management hospitality
22 management program and later became honored to
23 participate in the Seaport working group of
24 2012.

25 This -- the outcome of this

2 working group was to develop policy and
3 procedures for the future of the historic South
4 Street Seaport District. Historically, the
5 South Street Seaport was a wonderful -- a
6 hundred years ago, it was a marketplace for
7 farmers and fisherman and local food suppliers,
8 and in the reconstruction of the historic
9 district, Howard Hughes Corporation promised a
10 10000-square-foot food market, green markets,
11 farmers market, whatever you will. Years have
12 gone by, it never materialized, there is a tiny
13 Fulton stall market, but it's hardly what the
14 occasion called for.

15 We want to be able to provide
16 nutritious and good food for all the residents
17 at all income levels in the Seaport District.
18 They did put up some lovely photo portraits of
19 farmers, but that was it, just pictures. No
20 market.

21 The -- Gale Brewer was part
22 of the Seaport working group, and I share her
23 passion for the revival of the wonderful South
24 Street Seaport Museum. Unfortunately, I do not
25 share anybody's confidence that Howard Hughes

2 will make good on their alleged promise of
3 \$50 million to provide endowment for the
4 Seaport Museum. As was with so many of their
5 promises, such as the green roof on Pier 17, it
6 seems to have evaporated.

7 Again, the public effrontery
8 of the Howard Hughes Corporation, as well as
9 all the behind the scenes sculduggery which the
10 researchers of the Seaport Coalition have
11 uncovered, indicate to me that this is not a
12 partner to be trusted, and I would sincerely
13 hope that the Planning Commission would decline
14 to approve this 250 Water Street proposal.
15 Thank you.

16 CHAIR LAGO: Thank you,
17 Ms. Brown.

18 Our next speaker will be
19 Belmont Freeman, to be followed by Kimberly
20 Busi.

21 MR. FREEMAN: Good afternoon.
22 Are you hearing me well?

23 CHAIR LAGO: Yes.

24 MR. FREEMAN: Very good.

25 Thank you very much for allowing me to speak.

2 I'm an architect with over 40
3 years of practice in New York City, an
4 urbanist, and the member of the faculty of
5 Columbia University, where I have, in the past
6 several years, taught at design studio within
7 the historic preservation program.

8 In my practice and my
9 teaching, I try to advance my conviction that
10 modern design and historic architecture, low
11 buildings and tall buildings can when well
12 designed coexist to mutual benefit.

13 250 Water Street is a
14 sensitive site on the edge of the South Street
15 Seaport Historic District and abutting a higher
16 density zone to the east and within the larger
17 context of the Lower Manhattan that is evolving
18 into a vibrant 24-hour residential and cultural
19 neighborhood.

20 I have followed the proposals
21 for the development of the site in their
22 various iterations. And I believe that the
23 developers and their architects have arrived at
24 a design that skillfully balances multiple
25 architectural, urbanistic, economic and social

2 parameters that apply to the site.

3 I appreciate how the base of
4 the building steps down to the scale of the
5 older buildings on the east side of Water
6 Street, resorting the historic culture of the
7 street and extending the pedestrian ambiance of
8 the historic district to encompass this block.

9 The architects place the bulk
10 of development precisely where it belongs, on
11 the edge of the district, pressed against Pearl
12 Street and pulled away from Beekman Street and
13 Peck Slip to preserve the corridors.

14 The existing parking lot at
15 250 Water is no urbanistic asset. By the
16 contrary, it is a blight on the neighborhood.
17 I believe the proposed design for the site is
18 appropriate for this site. And given the
19 amenities and the much needed housing that the
20 project promises to deliver, it will be a
21 positive addition to the South Street Seaport
22 Historic District and to Lower Manhattan.

23 I encourage the Commission to
24 approve it. Thank you.

25 CHAIR LAGO: Thank you,

2 Mr. Freeman.

3 Our next speaker is
4 Kimberly Busi, to be followed by Adam Ganzer.

5 MS. BUSI: Thank you. Hello.
6 My name is Kim Busi, and I'm testifying today
7 as a long-term resident of Lower Manhattan.
8 I'm somebody who watched many disasters befall
9 our beautiful, wonderful neighborhood, and I've
10 watched our neighborhood time and time again
11 revive.

12 I raised my family, and I'm
13 also a clinician, I'm actually a physician and
14 a psychiatrist and now a school leader that
15 serves children with special learning needs.

16 My child, my younger child
17 was the beneficiary -- had the great luck to be
18 one of the first students actually in the
19 allegorical class of the Spruce Street School.
20 So I know firsthand what it means to benefit
21 from smart development. And I say "smart" with
22 a purpose because I think we're dealing here
23 with a smart development.

24 Before that, children had to
25 traverse City Hall Park to go into Tribeca for

2 school, and the classes were so overcrowded
3 that they had trailers parked on the side of
4 the school and on the streets, just to have --
5 to house the overflow of students. So smart
6 development made my child have access to what
7 an amazing, amazing education at Spruce Street.

8 Because I am such a fan and
9 believe so much in that and saw the benefits of
10 the community, I was part of -- I was the first
11 PSA president at Spruce Street, and I was part
12 of the Sheldon Silver School of (inaudible)
13 task force that ultimately lead to sighting and
14 then getting approval for the Peck Slip School
15 that there are many parents of here today.

16 So I'm speaking to you in
17 strong support of this project.

18 As I said, I've seen
19 firsthand and I benefited firsthand and my
20 children have benefited firsthand to actually
21 have a school to go to in the neighborhood that
22 they live in, and I appreciate that to no end
23 because I think that that is extraordinarily
24 important to children and their mental health.

25 I have seen firsthand, as I

2 said, this community get devastated and rebuilt
3 and, like, real trauma and real resilience and
4 real rebuilding it's been successful, it's been
5 so successful, you know, there have been a boom
6 of families and children down here.

7 And Howard Hughes, I will
8 tell you, has consulted with our community.
9 I've been actually like interested in this
10 project for many years, even before Howard
11 Hughes was on the scene. And I followed very
12 closely since they started presenting and I can
13 tell you that I've watched it very closely and,
14 obviously, like a citizen here only the best --
15 best intentions for the community that I love
16 and never leave.

17 This -- this recent -- these
18 last few years, I think is now like the third
19 time, because it was hurricane -- first it was
20 9/11, then it was Hurricane Sandy, really,
21 really traumatic for our community, people lost
22 home and businesses and that's happening again
23 during this COVID pandemic and we have on table
24 here -- and it's been postponed and it's been
25 delayed -- but we have on the table here --

2 CHAIR LAGO: Ms. Busi, I'm
3 afraid that your time is up, and we have over
4 50 speakers waiting, so if you could commit
5 your written comments --

6 MS. BUSI: Absolutely, I just
7 urge you to --

8 CHAIR LAGO: Thank you.
9 Our next speaker is Adam
10 Ganzer, to be followed by William Thomas.

11 SPEAKER: Adam Ganzer is not
12 in the Zoom.

13 CHAIR LAGO: Then William
14 Thomas, followed by Bob Ghassemieh.

15 MR. THOMAS: Hello, can you
16 hear me?

17 CHAIR LAGO: Welcome.

18 MR. THOMAS: Beautiful. Hi
19 everyone, my name is Will Thomas. I'm here to
20 support the proposal for 250 Water Street as
21 the executive director of Open New York. We're
22 an independent grassroots pro-housing
23 organization and we hope that the Planning
24 Commission will support this project as well as
25 it provides desperately needed housing.

2 New York has a terrible
3 housing shortage, as I've heard repeated many
4 times to the planning commission. Between 2010
5 and 2017, median rents increased by more than
6 double median wages. Homelessness has reached
7 the highest level since the great depression.
8 Pre-COVID, one out of every ten elementary
9 school students in New York City public schools
10 went home to shelters.

11 So moving on from a global
12 pandemic, we'll need as much affordable housing
13 as we can get in the 80 below-market homes that
14 this rezoning will offer is an ideal place to
15 start.

16 That said also, the market
17 rate homes that this rezoning will allow will
18 also help by proactively preventing
19 displacement elsewhere.

20 The median household income
21 of the Seaport is well over six figures. More
22 broadly, the Financial District is a very
23 desirable neighborhood. Although this would be
24 many families' first choice if the wealthy
25 can't find new places to live here, they're

2 going to simply bid up the price of existing
3 housing nearby, and the families that would
4 have otherwise lived in that housing will,
5 instead, move to more affordable neighborhoods.

6 As displacement demand
7 increases, up goes the rent, which forces
8 current tenants to allocate ever larger shares
9 of their incomes to stay in their home and not
10 those that can't pay this rate. So if we don't
11 let young professionals live here, they're not
12 going to disappear, they're going to further
13 displacement pressures across the city.

14 We live in a city where there
15 aren't enough homes for the people that want to
16 live here, it is far too many consequences,
17 that's the hulking mass over the neighborhood,
18 the quality of life issue that we really have
19 to address. And so I would ask the Commission
20 to especially prioritize solutions there over
21 any aesthetic concerns.

22 I would also ask the Planning
23 Commission to make one recommendation for the
24 developer's proposal, the inclusion of parking
25 here will likely only add to construction costs

2 and to increase housing prices and as the area
3 is so transit-rich I would ask that the
4 Commission encourage -- I would encourage the
5 developers to replace the parking with
6 literally anything else; community space,
7 retail, more housing. You know, it's
8 Manhattan, so it's not required, but I would
9 appreciate that. Thank you.

10 CHAIR LAGO: Thank you,
11 Mr. Thomas.

12 Our next speaker is Bob
13 Ghassemieh, followed by Matt Reinenger.

14 MR. GHASSEMIEH: Hi, this is
15 Bob Ghassemieh. Can you hear me?

16 CHAIR LAGO: Yes.

17 MR. GHASSEMIEH: Hi. I
18 represent the ownership of the hotel commonly
19 known as the Mr. Seaport located very close to
20 250 Water, it's on the corner of Peck Slip and
21 Front Street.

22 Our group owns the real
23 estate in addition to operating the hotel
24 business located there, which hotel businesses
25 one of the largest employers in the Seaport

2 District.

3 We strongly support the
4 proposed development. Us property owners are
5 very lucky to have an organization like Howard
6 Hughes Corporation who have spent a billion
7 dollars approximately improving the community
8 and making it a desired place to live, work,
9 and visit. That doesn't include the additional
10 building they'll still be expending on these
11 additional developments and future
12 developments.

13 Their investments in
14 developments have been carefully thought out,
15 well-planned, and have been -- and have allowed
16 the Seaport to be competitive with other parts
17 of Manhattan and Brooklyn.

18 As we all know, the Seaport
19 was quite dilapidated just as recent as seven
20 or eight years ago, but has significantly
21 improved in all facets, mainly from Howard
22 Hughes's vision and commitment to the
23 neighborhood.

24 The 250 Water project is
25 appropriate in design and scale and are only

2 further improved viability and longevity, which
3 us property owners and businesses need to
4 survive and compete. The mixed use development
5 will boost economic development, add
6 much-needed residential housing near the public
7 transits, both affordable and market rate
8 housing and, of course, create valuable jobs
9 that this city desperately needs as it tries to
10 resurface from COVID. Of course, the museum
11 will bring a cultural draw to the Seaport,
12 which Howard Hughes' funding in association
13 with the development.

14 Our property, specifically in
15 the Seaport, is one of the closest large
16 properties and businesses to the parking lot at
17 250 Water and it's an eyesore and it's in need
18 of improvement.

19 Howard Hughes has proven to
20 be a responsible developer, and we're lucky
21 that it is them leading this construction. We
22 all know construction can be disruptive
23 temporarily and few property owners are as
24 impacted as we are based on proximity. But it
25 will still be the right decision. It will

2 improve the project and improve the Seaport
3 community. Thank you.

4 CHAIR LAGO: Thank you for
5 your testimony.

6 Our next speaker is Matt
7 Reinenger, to be followed by Jared Brown.

8 SPEAKER: Mr. Reinenger is
9 not in the Zoom.

10 CHAIR LAGO: Then Jared
11 Brown, to be followed by Victoria Hillstom

12 MR. BROWN: Good afternoon.

13 CHAIR LAGO: Please begin.

14 MR. BROWN: Good afternoon,
15 Commissioners.

16 The Howard Hughes Corporation
17 has a long history of unfulfilled promises to
18 accomplish its goals, starting with the plush
19 green gardens with (inaudible) that the
20 community promised. If the community would
21 only grant them the ability to install this
22 community asset on Pier 17 rooftop.

23 However, somehow that verdant
24 roof has morphed into a profit center, has a
25 major entertainment value for concerts. No

2 public space ever materialized other than small
3 areas north of the elevators. However, one may
4 rent the green area to enhance the experience
5 of utilizing their bar. They are set up
6 exclusively on the roof for paying customers.

7 Playoffs every one against
8 each other so they have more avenues of
9 (inaudible) was the favorite saying of the
10 eccentric billionaire Howard Hughes -- Howard
11 Hughes. His corporate successor, HHC has
12 admitted to its shareholders that they are
13 using the support of the South Street Seaport
14 Museum as, quote, political cover for blowing
15 up the zoning of the district.

16 Let us not for a moment
17 contribute any altruistic behavior to
18 Leonard Ackerman with the HHC and more likely
19 than not, the intention here is to obtain the
20 necessary permit and approvals to sell it off
21 to a new developer, just as they did with the
22 super-tall skyscraper, built as of right along
23 the East River waterfront adjacent to but just
24 outside the historic Seaport at a former 80
25 South Street development site.

2 Rather than build, HHC
3 flipped the 80 South Street development site in
4 2016 -- excuse me -- at a significant profit,
5 which is a model that I predict that they will
6 embrace in the current project.

7 The proposed project would
8 reportedly facilitate the restoration and
9 reopening and the potential expansion of the
10 existing South Street Seaport Museum on the
11 museum site. That funding provides a museum
12 with stabilized (inaudible) continuation of its
13 earlier -- as referred to by the Borough
14 President.

15 Please keep in mind that it's
16 not HHC putting up the money for this, but the
17 money they negotiate to pay for the air rights,
18 HHC must purchase from the City in the hope
19 that the City in these challenging times will
20 apply that money to the museum.

21 I challenge anyone to show me
22 one speck of paper where HHC has committed to
23 paying money directly to the museum, which they
24 are bragging about.

25 I oppose the HHC plans for

2 250 Water Street that manipulates zoning and
3 public assets to advance the private
4 developer's drive for profits over stewardship
5 of the Historic District.

6 I respectfully ask you to
7 vote no on the proposal by the HHC corporation.
8 Respectfully submitted, Jared Brown.

9 CHAIR LAGO: Thank you,
10 Mr. Brown.

11 Our next speaker is Victoria
12 Hillstom to be followed by Wendy Cassidy.

13 MS. HILLSTOM: Hello.

14 CHAIR LAGO: Yes, welcome.

15 MS. HILLSTOM: Yes. Thank
16 you very much for having me.

17 I would first like to say in
18 all candor, I'm not exactly clear where to
19 begin. This is a nightclub destination. These
20 are nightclub operators that have just
21 testified until they were blue in the face over
22 the economic benefit of building, a nightclub
23 destination in the South Street Seaport.

24 I assume that the 500-foot
25 laws they're trying to avoid with all of this,

2 you know, fancy -- fanciful hullabaloo. I
3 designed an automat in London, Mayfair at
4 London, I'm not anti-nightlife whatsoever.

5 Carlos Alamda, Andrae Balaz,
6 Eric Good, Sean Fearson, some of the reputable
7 nightclub operators are involved in this plan.
8 These are second-string nightclub operators
9 that have sought under Howard Hughes to turn
10 the South Street Seaport into a nightclub
11 destination without revealing their true
12 intent. They spoke of all of these
13 construction jobs and economic development.
14 Not one of them said I am a nightclub operator,
15 and this is what we want to put in the South
16 Street Seaport.

17 I would ask this commission
18 when a nightclub operator begins by lies and
19 misinformation, they are not good neighbors.
20 The mayor's task force spends a fortune to shut
21 these people down. Every single year, there
22 are fantastic nightclub operators, there are
23 pathetic nightclub operators, and I -- there's
24 no other nice way to say this, it is the bottom
25 of the barrel to be presenting this project as

2 economic development without speaking of the
3 hours, the prostitution, and the drugs it
4 introduces to a community.

5 We are very big proponents of
6 affordable housing. We have a project pending
7 at 5 World Trade Center, it is very
8 disingenuous to address city planning with --
9 under false pretences. We saw it on the 4th of
10 July with the velvet ropes, and I would
11 respectfully submit that is a very, very ugly
12 dark mark on the City of New York, that they
13 would have trotted themselves in here, hearing
14 after hearing, and really based on fraud and
15 misrepresentation, didn't say what it was that
16 they wanted to build, much less a nightclub
17 operator, is actually that's their favorite
18 game to promise \$50 million that is not in
19 writing and the benefits are never received.

20 So I would ask you to very
21 adamantly strike down this plan. It is
22 reprehensible.

23 CHAIR LAGO: Thank you,
24 Ms. Hellstrom.

25 Our next speaker is Wendy

2 Cassidy, to be followed by Laura Sewell.

3 MS. CASSIDY: Hi, good
4 afternoon. My family and I have opposed the
5 250 Water Street project. The risk is too high
6 for the health and well-being of our community.
7 Please protect our daughter from these toxins
8 and the shadows.

9 We live in close proximity to
10 the site, our daughter goes to school less than
11 20 feet from the site. We are terrified and
12 not willing to risk the health and well-being
13 of our daughter. Please object this. Thank
14 you.

15 CHAIR LAGO: Thank you,
16 Ms. Cassidy.

17 Our speaker is Laura Sewell,
18 to be followed by Timmer Gallon.

19 MS. SEWELL: Hi, I'm Laura
20 Sewell. I'm a vice president of LESPI, the
21 Lower East Side Preservation Initiative.

22 While we would welcome
23 appropriate development at 250 Water Street or
24 the opportunity to comment on the transfer of
25 air rights outside of the historic district,

2 LESPI cannot support out-of-scale development
3 within the historic district.

4 For those who think that
5 preservationists intend to preserve a parking
6 lot, please be assured that we do not believe
7 that the parking lot is of great historic
8 value. The district, however, is.

9 The historic districts
10 represent a tiny fraction of New York City's
11 geographic area. The zoning that protects
12 Historic Districts was put in place for good
13 reason. Promises -- and that's all they are at
14 this point -- of a small amount of affordable
15 housing or promises of support for a struggling
16 nonprofit are really not the issue under
17 consideration today. Because they're not
18 there, they're not here, they're not at the
19 hearing.

20 So speaking to them is not
21 our area of expertise, but we do have to
22 highlight what's been pointed out by some of
23 the other speakers. Approving these items
24 would set a terrible precedent for historic
25 districts throughout the city.

2 Let's urge the Commission to
3 defend the historic district and deny them.
4 Thank you.

5 CHAIR LAGO: Thank you,
6 Ms. Sewell.

7 Our next speaker is Timmer
8 Gallon, to be followed by Philip Santini.

9 SPEAKER: Timmer is not in
10 the room.

11 CHAIR LAGO: Then Philip
12 Santini, to be followed by Patrick Hoffman.

13 SPEAKER: Philip is not in
14 the room.

15 CHAIR LAGO: Then Patrick
16 Hoffman, followed by Madeleine McGrory.

17 SPEAKER: Patrick is not in
18 the room.

19 CHAIR LAGO: Madeleine
20 McGrory, to be followed by Maria Free.

21 SPEAKER: Madeleine is not in
22 the Zoom.

23 CHAIR LAGO: Maria Free, to
24 be followed by Carolyn Ratcliffe.

25 SPEAKER: Maria Free is not

2 in the room.

3 CHAIR LAGO: Carolyn
4 Ratcliff, to be followed by Shyaporn
5 Theerakulstit.

6 SPEAKER: Carolyn is not in
7 the room.

8 MS. RATCLIFFE: Yes, I am.

9 SPEAKER: There you are.

10 CHAIR LAGO: Welcome.

11 SPEAKER: You got promoted.
12 Okay.

13 MS. RATCLIFFE: Okay, yes,
14 yes. My name is Carolyn Ratcliffe. I'm
15 president of the Lower East Side Preservation
16 Initiative. I've lived in New York City since,
17 like, 1974. I'm seen many changes come about
18 in the city. I'm a big fan of South Street
19 Seaport historic preservation.

20 I feel that the South Street
21 Seaport is one of the most important districts
22 in New York City. I strongly feel that
23 there -- this proposal is out of scale for the
24 area and represents a threat to the existing
25 landmarks law to allow developers to offer

2 (inaudible) in order to get zoning rights
3 removed.

4 I sincerely urge the
5 Commission to look at much of the evidence that
6 is being presented about this developer and
7 what it is that they're proposing, what it will
8 cost the City to give away (inaudible) what we
9 will were given.

10 Development is important. No
11 one wants a parking lot, but I think everyone
12 does want something that is done responsibly
13 and that respects historic preservation and
14 does not set -- seeing for further demolition
15 of landmark and Historic Districts. Thank you.

16 CHAIR LAGO: Thank you for
17 testifying.

18 Our next speaker is Shyaporn
19 Theerakulstit to be followed by Robin Warshay.

20 MR. THEERAKULSTIT: Yeah, my
21 name is Shyaporn Theerakulstit I've been a
22 resident of the South Street Seaport for about
23 ten years. Yes, it's been -- as has been
24 echoed before, we're just asking for an end to
25 the excessive influence of real estate on our

2 city government, we demand reform of the fake
3 community consultations on zoning that serve on
4 the sideline through debate and dissent.

5 We want to avoid the
6 excessive demolition of historic districts that
7 the DeBlasio MIH affordable housing policy will
8 potentially impose. If I can do framework for
9 affordable housing that is free of negative
10 effects of the current policy, we would like
11 real 100 percent affordable housing on
12 publicly-owned land.

13 We'd like to reject housing
14 policy that is based on erroneous giveaways to
15 luxury real estate developers in exchange for a
16 small percentage of dubiously-named affordable
17 housing, stop the spot zoning, respect the
18 maritime heritage of the South Street Seaport.
19 Just reexamine the right to land use policy
20 that allows for this sort of thing to happen.

21 And yeah, just in general --
22 like years ago when they were looking in the
23 Meatpacking District and West Village and
24 Tribeca at the high-line railroad, developers
25 would complain that it was rusting, it was an

2 eyesore, it should just be torn down, and space
3 should be allowed for new construction, new
4 shiny construction.

5 And the same rhetoric is
6 being used right now for the parking lot.
7 Yeah, the parking lot is not great, but that's
8 not a reason to put in something that doesn't
9 match the historical character of the
10 neighborhood. It doesn't mean that you just
11 ignore the historic district. No, you put in
12 something that actually matches, not just at
13 ground level but in full shape and form that
14 actually matches the historical character of
15 the historic district.

16 Anyway, that's it. Thank you
17 for letting me speak.

18 CHAIR LAGO: And thank you
19 for testifying.

20 Our next speaker is
21 Robin Warshay, to be followed by Warren Green.

22 SPEAKER: Robin is not in the
23 Zoom.

24 CHAIR LAGO: Then Warren
25 Green, followed by Todd Fine.

2 SPEAKER: I have not seen
3 Warren in the Zoom either.

4 CHAIR LAGO: Todd Fine,
5 followed by Jessica Walker.

6 SPEAKER: Yes.

7 CHAIR LAGO: If you could
8 keep your mask on while testifying please.
9 Thank you.

10 MR. FINE: Hudson Yards is
11 now failing in its monopoly model that was
12 established by city planning. It doesn't feel
13 like part of the city. It's not meeting its
14 promises as the Howard Seaport corporation
15 isn't, and it's expecting an endless public
16 subsidy.

17 Atlantic Yards is not
18 producing anything close to the number of
19 affordable housing that you pledged, and it's
20 not going to meet its 2,225 target. It's a
21 real shame for that agency. These places don't
22 feel like part of the city. They're a monopoly
23 model. They try to control the retail, the
24 residential, and the business, and they're
25 creating parts of the city that don't feel like

2 New York that New Yorkers hate. New Yorkers
3 hate these developments. People hate the South
4 Street Seaport, what it's becoming. People
5 hate Hudson Yards, and we're trying to build
6 more of them. There's company towns that
7 people hate.

8 And with endless broken
9 promises, and EDC is going out of its way to
10 give them subsidies and all these benefits for
11 things that nobody wants that aren't producing
12 the benefits that you promised and tell us over
13 and over again.

14 The justification again is
15 affordable housing. As I mentioned, the
16 affordable housing and very similar projects
17 didn't actually materialize, they were flipped
18 or they broke the promises to you.

19 And so it's not just
20 permitting this model here, but it's also doing
21 it at the World Trade Center where the city
22 planning has ceded its ability to influence the
23 general project plan of the World Trade Center
24 and that it fought hard for in 2005, 2006, 20
25 years after 9/11, you fought hard to have

2 influence over the World Trade Center with
3 these liberty bonds the City allocated to these
4 big developments and your ceding them, ceding
5 them to allow what? Silverstein and Brookfield
6 to again create a monopoly model of ten
7 buildings at this area while promising
8 25 percent affordable housing.

9 But you can do better than
10 this. You can do better at the Seaport with
11 these -- all of these air rights that you're
12 getting at EDC. You can do better at the World
13 Trade Center if you actually stood and up
14 listened to New Yorkers and did what they
15 wanted with these infinite billions and
16 billions of dollars in subsidies you're giving
17 to these huge megacorporations that are
18 creating places that people hate and everyone
19 knows it and nobody likes, but there's some
20 sort of financial bubble or something that's
21 going on in the world that's proliferating
22 this, and it doesn't seem to make sense.

23 And so this is not just an
24 attack on what New York feels like, but it's
25 actually an attack one of the most important

2 historic districts in the entire country,
3 probably -- New York may be the most
4 important -- Lower Manhattan is probably the
5 most important historic area in the country.
6 And we're going to build a skyscraper?

7 No city in the world would do
8 this. No other cities like Paris or Germany or
9 anywhere would be as crazy to build a
10 skyscraper in the cradle of its country, but
11 we're doing it. We need to stop it. We need
12 to use these public benefits for real
13 affordable housing both here and at 4 World
14 Trade Center which --

15 CHAIR LAGO: Thank you.

16 MR. FINE: To act outside
17 World Trade Center. Please. Thank you.

18 CHAIR LAGO: Our next speaker
19 is Jessica Walker, to be followed by
20 Paul Hovitz.

21 SPEAKER: Let me confirm.
22 Jessica is not in the room, on the Zoom.

23 CHAIR LAGO: Paul Hovitz, to
24 be followed by Donald Reinschmidt.

25 SPEAKER: Paul is not in the

2 Zoom.

3 CHAIR LAGO: Donald Ranshte,
4 to be followed by Sam Zimmerman.

5 SPEAKER: Trying to go in
6 here. Mr. Ranshte, you should be able to
7 unmute your microphone.

8 MR. RANSHTE: Very good.
9 Thank you all, Commissioners, for being so
10 patient and for staying long today to hear this
11 very important testimony.

12 My name is Donald Ranshte.
13 I'm executive vice president of the Building
14 Trades and Employers Association. We represent
15 a thousand businesses in New York City who
16 employ close to 100,000 people.

17 We've been a part of this
18 process for many, many years now. We've
19 closely watched the proposal as they were
20 brought along in the land use process, and we
21 fully support the Howard Hughes Corporation and
22 their proposal for 250 Water Street.

23 In our study of the proposal,
24 we find that Howard Hughes has really been a
25 good partner with New York City, with local

2 communities. They did an excellent job in
3 their prior work at the Seaport. We expect the
4 same when there's so many eyes closely watching
5 what it is that they will be attempting to do.
6 We would like you to support and vote in favor
7 of this proposal.

8 We will be submitting written
9 testimony with more facts, but we're --
10 wholeheartedly would like you to support this
11 as well. Thanks.

12 CHAIR LAGO: Thank you,
13 Mr. Ranshte.

14 Our next speaker is Sam
15 Zimmerman, to be followed by Keith Durst.

16 MR. ZIMMERMAN: Hi. Hello,
17 everyone. My name is Sam Zimmerman. I live on
18 East Broadway in the Lower East Side. I've
19 spoken in support of this development and
20 thankful for the opportunity to do so again
21 today.

22 I just want to reiterate
23 something that people have already said, which
24 is that this is an unique opportunity to
25 develop what's now a parking lot into housing.

2 I know that this project has already been
3 downsized as a result of the LPC process,
4 losing 30 affordable homes over the course of
5 that. So I think it's absolutely critical that
6 it not be downsized any further.

7 Manhattan needs to build all
8 the housing it can, especially affordable
9 housing. And the best place for that
10 development is in neighborhoods like this.
11 Wealthy, transit-rich, high opportunity areas.

12 I've been trying to listen to
13 as much of the hearing as I could today, and I
14 have to say I found some of the testimony to be
15 given to be shocking, frankly. I heard
16 multiple people testify that we can't build
17 housing in this area because of 9/11, which I
18 found, frankly, offensive.

19 I've seen testimony from
20 multiple opponents, people who are trying to
21 say what should and shouldn't be built in this
22 neighborhood, who were quite clearly testifying
23 from homes outside the city.

24 I know one of the first
25 people I heard give testimony against the

2 development that lives in a \$5 million
3 penthouse that's been on the market for over a
4 year, where the listing says that the buyer
5 will enjoy gorgeous views of the East River and
6 Brooklyn Bridge.

7 I don't say that to be
8 dismissive of people who have real concerns
9 about this project, even if I may not agree
10 with those concerns. But I think it's
11 important to say plainly that a significant
12 part of the opposition to this development
13 comes from wealthy, white property owners who
14 are acting to support their own property
15 values.

16 And the same things each and
17 every time, a development or zoning that might
18 affect the wealthy or overwhelmingly white
19 neighborhood happens (inaudible) gentrifying
20 neighborhoods in the boroughs. It's long past
21 time that the wealthy, high opportunity
22 neighborhoods build their share.

23 And I hope that SPC takes
24 this into account when making its decision
25 here. Thank you.

2 CHAIR LAGO: Thank you,
3 Mr. Zimmerman.

4 Our next speaker will be
5 Keith Durst, followed by Rose Imperato.

6 MR. DURST: Hello. My name
7 is Keith Durst. It says that I'm still on
8 mute, but can you hear me?

9 CHAIR LAGO: We're hearing
10 you fine.

11 MR. DURST: Great. Thank
12 you. I am a long-time New York City resident,
13 many years Community Board 1 resident, and a
14 Community Board 1 business owner, more than one
15 business in Community Board 1 and one in the
16 Seaport as well.

17 The Seaport District, which
18 we're getting ready to open a new business down
19 there where we're intending to hire 100-plus
20 people to actually run and work in that
21 business.

22 I also happen to have some
23 dear friends that have been the beneficiaries
24 of some of the low-income housing on some of
25 the different products that have been offered

2 in that community when we have projects such as
3 this that do get approved and do allow for
4 people that would not normally be able to eat
5 or live in Manhattan, maintain residence in
6 Manhattan and certainly have a family in
7 Manhattan and be able to afford to be a part of
8 the community down there.

9 So I'm overwhelmingly in
10 support of this, not just for the business and
11 business that I'm intending to own and operate
12 and run in the Seaport area, but for the
13 community of people that live down there and
14 that are going to continue to live down there
15 and want to have the affordable housing units
16 that are going to be offered to that community.

17 What it is now and what the
18 Seaport has been for someone like me, I'm a
19 30-year resident, I've lived all over Lower
20 Manhattan and seeing the parking lots and
21 seeing the amount of investment that Howard
22 Hughes has actually put into the community
23 already to make this someplace nice, not to
24 make it someplace that just this kind of
25 afterthought for tourism. We walk under this

2 kind of drippy over -- overhang from the FDR,
3 running down over and seeing how much
4 investment has gone into it and seeing all the
5 different programming and community
6 availability that's happened down there.

7 We found it to be -- live up
8 to every that word on every aspect of what
9 we've done with them until now, and we're
10 excited to be more involved with them, and we
11 believe that adding the affordable housing that
12 they're putting in is only going to make it
13 better.

14 So we're in support of this.
15 Thank you very much for your time.

16 CHAIR LAGO: Thank you,
17 Mr. Durst.

18 Our next speaker is Rose
19 Imperato, to be followed by Todd Haiman.

20 SPEAKER: Rose is not in the
21 Zoom.

22 CHAIR LAGO: Then Todd
23 Haiman, to be followed by Daisy Paez.

24 MR. HAIMAN: Hello. Good
25 afternoon. My name Todd Haiman. I live in the

2 South Street Seaport for over 20 years. I'm
3 one of the owners of the Captain Rose House
4 historic building originally constructed in
5 1773. It was established and built over 20
6 years ago by a local developer, whom I'm
7 grateful to.

8 This was done with an
9 appreciably respectful hand toward the
10 community and its history. My home and so many
11 others on Waterfront, South Street,
12 Schermerhorn Row are architecturally contextual
13 to the historic nature of the neighborhood.
14 They have a certain height, mass, low density
15 and scale. They have a sense of place and
16 history.

17 Constructing the massive
18 tower at 250 Water Street using gerrymandering
19 and borrowed rights, surpassing previous zoning
20 limits that often eclipses the character of our
21 neighborhood, and when this is done, we slowly
22 disconnect from what makes a Seaport a part of
23 history. It just becomes a reference point and
24 a name. And this becomes -- we're part of
25 forgotten New York. We lose the uniqueness,

2 effectiveness, and it just dissolves.

3 Look, there's a definite need
4 for affordable housing in New York City and in
5 the district. But what is the benefit of
6 affordable housing when the same company,
7 Howard Hughes Corporation, brings in
8 restaurants with superstar chefs and expensive
9 entrees. There's a bit of disconnect here.

10 And, yes, I really want the
11 Seaport Museum to exist and be stable. But it
12 shouldn't be tied to a decision on the 50 Water
13 Street development. Please reject the
14 proposal. Consider on -- that adding on these
15 additional stories, the original appropriate
16 zoning at 250 Water Street will literally and
17 figuratively overshadow a significant amount of
18 public space and the Peck Slip School.

19 It will steal sunlight from
20 the Peck Slip School all year long, the
21 school's entrance to the street, which will be
22 closed to traffic directly in front of it, the
23 outdoor play space, the six foot terrace will
24 all be in shade.

25 The Blue School, Water

2 Street, the newly developed Peck Slip Park will
3 also be in shadow. I know this because I'm a
4 landscape designer, and this is the thing that
5 I know of.

6 Please reject the proposal.
7 Most residents --

8 CHAIR LAGO: I'm afraid we've
9 lost you, Mr. Haiman.

10 MR. HAIMAN: Am I back again?

11 CHAIR LAGO: You're back.

12 MR. HAIMAN: Terrific. Most
13 residents in our neighborhood will appreciate a
14 properly zoned 120-foot-high building instead
15 of the existing unsightly 50-year-old parking.

16 Development is part of
17 progress, we realize that, but let's keep
18 within reason, within the parameters of what
19 contextually exists. Please reject the
20 proposal.

21 The truth is, these
22 architects and developers are talented and
23 smart enough to create an appropriate building
24 and public space that fulfills not only the
25 needs of the developers financially, but it

2 reaches the neighborhood and the community.

3 The design should reinforce
4 the emotional and physical well-being,
5 strengthen the community and culture, and
6 (inaudible) its values.

7 Again, please reject the
8 proposal and request Howard Hughes return with
9 a more appropriate proposal. They can do it.
10 Please don't settle. Thank you very much.

11 CHAIR LAGO: Thank you,
12 Mr. Haiman.

13 Our next speaker is Daisy
14 Paez, followed by Nancy Linden.

15 SPEAKER: Daisy is not in the
16 Zoom.

17 CHAIR LAGO: Then Nancy
18 Linden, followed by Mariama James.

19 MS. LINDEN: Hello. Can you
20 hear me?

21 CHAIR LAGO: Yes. Welcome.

22 MS. LINDEN: Okay. Thank
23 you. I'm Nancy Linden of Baltimore, Maryland.

24 The Seaport Historic District
25 is a priceless resource, it's a vital link to

2 the history of seafaring in New York and of our
3 country. The massive monolithic building which
4 the Hughes Corporation proposes would
5 irrevocably alter the character of the
6 district, and we would lose something
7 irreplaceable.

8 Please, do not approve this
9 tower. Thank you.

10 CHAIR LAGO: Thank you,
11 Ms. Linden.

12 Our next speaker is Mariama
13 James, followed by William Meehan.

14 SPEAKER: Ms. James does not
15 appearing to be in the Zoom.

16 CHAIR LAGO: William Meehan,
17 followed by Philip Ritz.

18 SPEAKER: Mr. Meehan is here.
19 We're trying to get him promoted. There we go.

20 MR. MEEHAN: Hi. Sorry. Can
21 you hear me?

22 CHAIR LAGO: Yes. Please
23 proceed.

24 MR. MEEHAN: Hi. My name is
25 William Meehan. I'm speaking today in support

2 of the proposed mixed-use development at
3 250 Water Street.

4 We're in a housing crisis,
5 causing hundreds of thousands of New Yorkers to
6 either be homeless, housing insecure, or forced
7 to live in overcrowded housing where COVID can
8 spread easily.

9 I wish that this development
10 could be as tall as the South Bridge Towers
11 across the street, since that's important
12 neighborhood context and would provide more
13 affordable housing for low-income New Yorkers.

14 That being said, the current
15 proposal with 80 deeply affordable homes is a
16 huge improvement over the existing parking lot.

17 This location is perfect for
18 housing because it's not only in the Seaport,
19 it is right next to the Financial District with
20 walking access to a dozen MTA services and
21 thousands of well-paying jobs.

22 Opponents to the project do
23 not propose any viable solutions that would
24 support the Museum or provide the same levels
25 of affordable housing. Rejecting this proposal

2 would not prevent construction; it would only
3 result in the construction of smaller building
4 without any affordable units. And it would
5 leave the Seaport Museum without an adequate
6 funding stream.

7 I agree wholeheartedly with
8 Borough President Brewer's statement from
9 earlier that support for the Seaport Museum is
10 integral to this proposal. What good is a
11 Historic District if it cannot keep its
12 historic institutions alive? The endowment
13 will help maintain the museum in perpetuity,
14 and it is well-worth improving the development.

15 Thank you for your time.

16 CHAIR LAGO: Thank you,
17 Mr. Meehan.

18 Our next speaker is Philip
19 Ritz, followed by Daniel Del Vecchio.

20 SPEAKER: Mr. Ritz is not in
21 the Zoom.

22 CHAIR LAGO: Daniel Del
23 Vecchio, followed by Allen Milman.

24 SPEAKER: Mr. Del Vecchio is
25 here.

2 MR. DEL VECCHIO: Hello. My
3 name is Daniel Del Vecchio, and I strongly
4 support the Howard Hughes proposal to the
5 mixed-use building at 250 Water Street that
6 will spur the economic development, add
7 residential housing, good jobs, create
8 permanent deeply affordable housing in the
9 Lower Manhattan Seaport neighborhood, and
10 generate funding for the museum as discussed.

11 This lot has been vacant for
12 50 years and separately needs the investment
13 from Howard Hughes to breathe new life into the
14 space, with the redesign approved by the
15 Landmarks Preservation Commission, supported by
16 the City Council and also endorsed by all three
17 daily papers.

18 I urge this body to support
19 the land use actions necessary to make
20 250 Water Street possible. Thank you.

21 CHAIR LAGO: Thank you,
22 Mr. Del Vecchio.

23 Our next speaker is Allen
24 Milman, to be followed by Neil Flaherty.

25 MR. MILMAN: This is Allen

2 Milman. I've attended virtually all of these
3 hearings and except for one or two instances,
4 most of the negative aspects regarding a little
5 dust in my -- in my child's schoolroom or not
6 enough fresh air, not enough of a view.

7 Nobody seems to want to talk
8 about the economic viability of an
9 entertainment center in the middle of Lower
10 Manhattan in support of -- some people talked
11 about nightclubs, but nightclubs are not the
12 only thing that's going on down there.

13 And if you look at cities
14 around the world, whether it be in city states
15 like Singapore, Hong Kong, everybody has some
16 sort of a destination to attract tourism and
17 grow -- grow the economy.

18 Howard Hughes Corporation is
19 like the Energizer Bunny. If we invest in it
20 now, it will keep on giving for a very, very
21 long time. The jobs that will being created
22 down there, the attraction of foreign visitors,
23 the construction -- construction only can take
24 so long. Eventually, the building will be
25 built.

2 So there is -- there is a
3 responsibility of the community to decide
4 whether or not they want to expand the economic
5 development. While everybody seems to be
6 running from New York, Howard Hughes
7 Corporation makes a very, very strong commitment
8 to supporting the museum, to supporting the
9 commitment, and to expanding the South Street
10 Seaport.

11 I'm in favor of the
12 construction of the new building at the
13 considered height.

14 CHAIR LAGO: Thank you,
15 Mr. Millman.

16 Our next speaker is Neil
17 Flaherty, to be followed by Kamau Ware.

18 MR. FLAHERTY: Good
19 afternoon. My name is Neil Flaherty. I'm
20 testifying in support of the 250 Water Street
21 project.

22 I worked in the Financial
23 District for 20 years and have been a South
24 Street Seaport Museum volunteer for 40 years
25 and a passionate member of this community.

2 The proposed project at
3 250 Water Street is a necessary and timely
4 investment in our community after decades of
5 challenges and setbacks. As New York's oldest
6 neighborhood, it is also our city's most
7 quintessential, reflecting New York's
8 ever-evolving cityscape, unparalleled history
9 on every corner, and boundless grit and
10 determination.

11 This project will bring an
12 anchor for the historic district that has
13 suffered so many traumatic times from 9/11, the
14 2008 crash, Superstorm Sandy, and now the
15 pandemic.

16 We desperately need a period
17 of stability and certainty. The project as
18 proposed will add affordable housing, something
19 this community has been in need of for decades,
20 and it will complete our streetscape by filling
21 in a glaring gap that is currently occupied by
22 a nondescript parking lot, and it will add new
23 life to our streets, supporting our small
24 business, eateries cultural institutions.

25 With the towers and peaks of

2 the Financial District only feet away, the
3 project's height is appropriate and keeps the
4 trademark low-rise character of the Historic
5 District along the waterfront intact.

6 This is a concrete plan and
7 not a concrete monstrosity. It is a thoughtful
8 project built with input from all parties, and
9 it will help the Seaport arrive at a steady
10 ground after a lifelong journey, marked by
11 instability and choppy waters.

12 I hope you will join us in
13 supporting this bold investment in Lower
14 Manhattan. Thank you for your time, and thank
15 you for the -- continuing to work through this
16 marathon session. So thank you for your
17 dedication.

18 CHAIR LAGO: Thank you,
19 Mr. Flaherty.

20 Our next speaker will be
21 Kamau Ware, followed by Brendon Sexton.

22 SPEAKER: Kamau Ware is on
23 the phone, so we're getting him or her unmuted.

24 CHAIR LAGO: So why don't we
25 proceed then with Brendan Sexton.

2 SPEAKER: Nope, nope.

3 CHAIR LAGO: They're here,
4 great.

5 MR. WARE: I'm sorry. I
6 think I hit *6 too soon.

7 Well, hello. Thank you all
8 your public service and for everybody leading
9 to this conversation. My name is Kamau Ware,
10 and I'm in support of the project at 250 Water.

11 I am the founder of the Black
12 Gotham Experience, which is located in the
13 Seaport District. We were founded in 2010, we
14 really look at elevating the stories of black
15 history missing from the public square
16 throughout the City of New York. We have been
17 a part of the Seaport District historic
18 community since 2017. We were initially
19 invited by the Lower Manhattan Cultural Counsel
20 and have received support from the Howard
21 Hughes Corporation, which has helped us stay
22 there since.

23 We have also collaborated
24 with other people in the Seaport, like the
25 Seaport Museum, the Waterfront Alliance, and

2 also with the schools in the neighborhood, and
3 we bring people in to talk about history and
4 how (inaudible). And I think that as a student
5 of history, there are really things about
6 preservation that are near and dear to my
7 heart.

8 I'm also a big fan of the
9 future, and I think that part of what has
10 coalesced from the time that I've been there is
11 a community of people who are all engaged with
12 telling different types of stories, engaged on
13 a community, not just having diversity as a box
14 to check but really bringing different voices
15 to the table.

16 And so I support the project
17 not only because I love history, but also
18 because I think that the future is brighter
19 with these kind of initiatives in place.

20 And as I always like to say,
21 I always appreciate everybody's opinions and
22 everybody's passion. But I support this
23 because my experience working with the range of
24 people in the Seaport, including the Howard
25 Hughes Corporation to make a more inclusive

2 neighborhood that tells more stories that
3 expand not just this particular district, but
4 also expands the context of our city and our
5 country.

6 So thank you for your time,
7 and I look forward to what's next.

8 CHAIR LAGO: Thank you,
9 Mr. Aware.

10 MR. WARE: You're welcome.

11 CHAIR LAGO: Our next speaker
12 is Brendan Sexton, to be followed by Susan
13 Murray.

14 MR. SEXTON: Okay. Can you
15 hear me? This is Brendan.

16 CHAIR LAGO: Yes, welcome.

17 MR. SEXTON: Thank you very
18 much. I'm chair of the board of the South
19 Street Seaport Museum. I've actually been a
20 board member twice. I'm a long-time supporter
21 of the museum.

22 And I want to say that this
23 proposal before you today builds on a history
24 of 50 years, 50 years that -- I hope it
25 rectifies a history of 50 years that the real

2 estate of the district was supposed to help
3 support the museum, and the museum interprets
4 and helps support the spirit of this district,
5 which is irreplaceable. And the key mechanism
6 for supporting the museum when the district was
7 set up was that some of the real estate would
8 be harvested and help support the museum.
9 Museums are notorious money-losers and ours is,
10 I'm afraid, typical.

11 This plan that you have now
12 before you is the chance for that 50-year-old
13 concept that actually work. It has always been
14 difficult, risky and most of the time and in
15 most years, the real estate did not support the
16 museum, it was not throwing off money for the
17 museum. This proposal will.

18 That allows us to preserve
19 what everybody here likes about the district;
20 and it is, therefore, I think a legitimate
21 preservationist goal to support this proposal
22 and get these important resources to the
23 museum.

24 We think that the height is
25 contextual. When we look at our window at the

2 museum, we see these giant structures of the
3 Wall Street high-rises. This building will be
4 shorter than many of them, and we certainly see
5 the ridiculous eyesore of the parking lot, and
6 the trade-off for us is easy to make, at least
7 we think so because I suppose you say we're
8 selfishly interested in just the museum's
9 interest. No, we're interested in the whole
10 neighborhood's interest. These are our
11 neighbors. These are -- we're interested in
12 the whole city's interest because those are
13 also our neighbors.

14 The apartments that are being
15 built here, we would love to see more
16 apartments built, especially affordable, of
17 course; but, in general, we love neighbors. We
18 at the museum want these -- we want housing,
19 and we think this proposal is the most
20 realistic to do that we've seen at least. And
21 I know every other proposal for the same site
22 have failed over the years.

23 I ask you please give this
24 one a chance because it means so much to the
25 district, so much to the neighborhood, and so

2 much to the families that would be housed, and
3 so very much to our museum. Thank you very
4 much.

5 CHAIR LAGO: Thank you,
6 Mr. Sexton.

7 MR. SEXTON: Yeah.

8 CHAIR LAGO: Our next speaker
9 is Susan Murray, to be followed by William
10 Meehan.

11 And I'll note that
12 William Meehan was a double-sign-up, so our
13 next speaker after Susan Murray will be Roland
14 Lewis.

15 SPEAKER: Ms. Murray, you may
16 unmute your microphone.

17 MS. MURRAY: Great. We're
18 connected now?

19 CHAIR LAGO: Yes.

20 MS. MURRAY: Thank you. My
21 name is Susan Murray. I'm a proud South Street
22 Seaport Museum volunteer and an advocate for
23 the Seaport Historic District.

24 I wholeheartedly support the
25 250 Water Street proposal because it will

2 fulfill the legacy of the Seaport and secure
3 the future of preserving and protecting New
4 York City's most unique and important
5 neighborhood.

6 As a child from a working
7 class family, I was fortunate to have had a mom
8 who brought me and my siblings to just about
9 every New York City cultural or historical site
10 we could reach by foot, bus and/or subway. I
11 am truly thankful that the Historic District
12 was founded 50 years ago, especially since
13 historic preservation was just beginning to be
14 a priority for planners in towns and cities
15 across the country. But as a volunteer since
16 the early 1980s, I know that the Seaport Museum
17 has had its share of ups and downs.

18 In recent years, I have
19 witnessed the physical and financial impact
20 Hurricane Sandy had on the entire neighborhood.
21 Of course, the latest challenge has been
22 COVID-19. Fortunately, now we have the
23 250 Water Street proposal, which will provide
24 our community members not only stability, but
25 the ability to thrive. The project will

2 deliver a huge and much-needed investment and
3 affordable housing that will bring
4 socioeconomic diversity and help to reenergize
5 the community's small business and local
6 institutions.

7 I often hear about New York's
8 strong resilience in the face of a crisis.
9 Just think what new jobs and retail stores will
10 do for resilience and economic recovery. And
11 think about how the buildings base facade will
12 blend in with and beautify the district. As
13 compared with the current parking lot, which
14 does not bend into anything or inspire anyone
15 to consider the district's history.

16 There is also the
17 environmental benefit of having a project that
18 will clean up something no neighborhood wants,
19 a brownfield site with toxic substances such as
20 pesticides, PCBs, and mercury.

21 As we begin to recover from a
22 devastating pandemic, now is the time to
23 proudly invest in communities like the Seaport.
24 250 Water Street is exactly the kind of project
25 New Yorkers need to advance into a better

2 future while staying firmly connected to our
3 past.

4 I firmly and confidently
5 support the 250 Water Street and sincerely hope
6 you will also. Thank you.

7 CHAIR LAGO: Thank you,
8 Ms. Murray.

9 Our next speaker will be
10 Roland Lewis, to be followed by Jessica Tyler.

11 MR. LEWIS: Good afternoon,
12 going on good evening. I'm Roland Lewis.

13 I want to thank you for the
14 time to testify, and I'll also commend the
15 Commission for the stamina of going through
16 this long hearing, but a very important
17 hearing.

18 I was formerly the executive
19 director of Habitat for Humanity housing
20 advocate and also a practitioner and also then
21 after that, the head of Waterfront Alliance,
22 the president of the Waterfront Alliance for 13
23 years until last year.

24 So, first of all, I'm wearing
25 that housing hat, I am strongly in favor of

2 this project. The additional affordable
3 housing units are critical for this district,
4 for the area, for the city, and I only wish
5 there were more. And also I add that lower
6 rate of 40 percent of area median is
7 commendable. And beyond that, again wearing
8 that Water Alliance hat, I do appreciate the
9 funding for the Seaport Museum, the beating
10 heart of the Seaport District.

11 I had the fortune of working
12 in the district for over ten years but the
13 misfortune of having an office that looked over
14 that parking lot. I think what the Howard
15 Hughes Corporation has done with tremendous
16 community input and advice is come up with a
17 solution that does respect the Seaport
18 District, the historic nature on the Front
19 Street side and allows for a tower on Pearl
20 Street side. Again, a commendable design
21 solution.

22 And as I said, I think it
23 will be an addition to the Seaport District
24 that is in consort with the existing area and
25 also allows for the museum to survive and

2 flourish. And, in fact, frankly, two things I
3 shall end. One, as much as I appreciate the
4 Howard Hughes Corporation, we did fight them
5 when I was at the Waterfront Alliance on the
6 new market building, an ill-conceived idea
7 that, unfortunately, did not get passed.

8 And now we are supporting --
9 I am supporting as a private citizen of this
10 better idea, this good idea to help the Seaport
11 District, the city, the affordable housing,
12 jobs, et cetera. It's okay. So, again,
13 strongly in favor of the development, and I
14 hope the Commission follows suit and approves
15 it.

16 Thank you very much for your
17 time.

18 CHAIR LAGO: Thank you,
19 Mr. Lewis. Our next speaker is Jessica Tyler,
20 to be followed by Taylor Crossland.

21 MS. TYLER: Thank you,
22 Commissioner. Can you hear me?

23 CHAIR LAGO: Yes, please. Go
24 ahead.

25 MS. TYLER: My name is

2 Jessica Tyler, and I work in Lower Manhattan.
3 And today, I will be reading the testimony of
4 Seth Pinski who was the former president of the
5 NYC Economic Development Corporation but is
6 unable to join the public hearing today. This
7 is Seth's testimony:

8 Good afternoon,
9 Commissioners. I am Seth Pinski, former
10 president of the NYC Economic Development
11 Corporation, and I thank you for your time
12 today.

13 As someone with experience in
14 a nonprofit business and government sectors in
15 New York City, I urge you to approve the
16 proposed plan for 250 Water Street an example
17 of smart urban planning that is decades overdue
18 and never much needed now at this critical
19 moment of our city's history.

20 For the sake of the Seaport,
21 it is time to right some of its past mistakes.
22 These mistakes include making this parking lot
23 a part of a Historic District, the reason for
24 which remains unclear to me, and the downzoning
25 of this parcel, a parcel that is adjacent to

2 one of our city's largest public transit hubs.

3 Additionally, this project
4 represents a particular opportunity given that
5 thanks to the loss of Mitchell Lama housing
6 nearby, the area is now an affordable housing
7 desert.

8 As it evaluates this project,
9 the Commission should certainly consider that
10 cities across America, including New York, are
11 facing a dire housing crisis and a desperate
12 need for new economic activity.

13 To meet this challenge, we
14 must champion the smart-design density near
15 public transit, housing that allows people to
16 live affordably near business centers,
17 equitable access to resources, including our
18 waterfront, and economic development that
19 enables small businesses to survive and compete
20 with online businesses. All of these
21 objectives are advanced in bountiful and
22 meaningful ways by the 250 Water Street
23 proposal before you.

24 Given this, I'm hoping that,
25 as you consider this project, reason will carry

2 the day, that this beautiful building will be
3 built, the Seaport Museum will receive funding
4 through a binding agreement, and that 80-plus
5 families making 40 percent of AMI will have
6 good homes in places close to transit in one
7 the city's most distinct and affluent
8 neighborhoods.

9 In short, I urge you to
10 approve this inspiring project that will
11 continue the revitalization of the Seaport and
12 hasten New York City's desperately needed
13 economic recovery. Thank you.

14 CHAIR LAGO: Thank you,
15 Ms. Tyler.

16 Our next speaker is Taylor
17 Crossland, to be followed by Jonathan
18 Goldwater.

19 SPEAKER: Taylor Crossland
20 doesn't appear to be in the Zoom.

21 CHAIR LAGO: So we'll go
22 directly by Jonathan Boulware, to be followed
23 which Walter Mehl, Jr.

24 MR. BOULWARE: Thank you,
25 Chair Lago, Commissioners, for the opportunity

2 to speak.

3 My name is John Boulware. I
4 serve as president of the South Street Seaport
5 Museum. I have been here at the museum for
6 just under ten years. I also live in the
7 district, raising a family here, and I've loved
8 this place, the Seaport, and its museums since
9 I was a kid. I visited here countless times
10 both by land and by sea before finding myself
11 here just a year before Hurricane Sandy, nearly
12 to the day.

13 And over the past ten years,
14 I have studied the history of the seaport and
15 its museum including the many varied periods of
16 success and setback I will say. And with that
17 in mind, I'd like to make a few observations.

18 The first is that feelings
19 and opinions run strong on the topic of the
20 Seaport, and I think that's a good thing. I
21 maintain a healthy respect for our neighbors
22 and friends who look at the same circumstances
23 and reach different conclusions. And I take
24 heart that people from all sectors of this
25 discussion, broadly agree on the essentiality

2 of the Seaport Museum to New York City.

3 The second is that it was the
4 volunteers that would eventually found the
5 Seaport Museum that saved the buildings in the
6 first place. There wasn't a literal wrecking
7 ball, but metaphorically they stood in front of
8 it. No volunteers, no museum; no museum, no
9 district. And that's really the beginning of
10 the symbiosis between those organisms, and
11 that's one of the things that makes the Seaport
12 unique. There is no similar setup.

13 The third is that the effort
14 that carved out this particular unparalleled
15 space was made possible by a broad coalition.
16 It was an effort that included the City of New
17 York, including its City Planning Department,
18 numerous not for-profit advocates, some of whom
19 you've heard from today, enormous bands of
20 enthusiasts, including luminaries of New York,
21 including Rockefellers and Carnegies and Pete
22 Seeger singing on Pier 16. I'm, frankly, sorry
23 that I missed that period.

24 And it was envisioned that by
25 that group, again including the City itself

2 specifically, that the museum would be
3 supported by the various commercial land use
4 actions of the district, and it has not
5 happened.

6 The promise has not been
7 realized, despite decades of programmatic
8 successes. 9/11, the setbacks of 2018, Sandy
9 and now COVID make it, frankly, remarkable that
10 this museum is alive. It is though ardently
11 supported, as you've heard tonight. And
12 despite decades of strong fundraising, strong
13 earned income, the museum has always lacked a
14 strong stabilizing force of endowment funding.

15 I think coming out of the
16 pandemic, there will be a correlation between
17 endowed museums and those who survive. Having
18 said that, I recognize that this particular
19 matter is not before you. But here's what is:

20 The proposal before you will
21 employ a mechanism that was designed in this
22 place specifically for this purpose. The first
23 air rights transfer in the city was conducted
24 here for the benefit of the museum. It will
25 deliver from a planning perspective on the

2 promised enshrined in the founding concept by
3 those, who 54 years ago, founded South Street
4 Seaport Museum. I just have about fifteen
5 seconds left here.

6 The district is truly unique,
7 and that is an overly used word, but the museum
8 is its beating heart, South Street is not --

9 CHAIR LAGO: Mr. Boulware,
10 Mr. Boulware, I'm afraid that your time is up,
11 and, again, we have a very long list of others
12 seeking to testify. And we would welcome
13 receiving any written testimony. Thank you.

14 Our next speaker is Walter
15 Mehl Junior, followed by Jeremy Moss.

16 While you're checking for
17 Walter Mehl, Jr., we have another Walter signed
18 up, and I just wanted to check to make sure
19 that it's not a Walter Mehl, Sr., or the third
20 rather, than just a duplicate entry.

21 SPEAKER: Yes, we'll look
22 into that.

23 MR. MEHL: Hi, Walter here.

24 CHAIR LAGO: Welcome.

25 MR. MEHL: Sorry about that,

2 I had to just move over. So can you hear me
3 clearly?

4 CHAIR LAGO: Yes, please go
5 ahead.

6 MR. MEHL: All right. Thank
7 you. My name is Walter Mehl. I'm a managing
8 partner of a 300-person firm that has been in
9 existence in New York City for over 106 years.
10 About a quarter of a century ago, we decided to
11 move our offices from Midtown to the Seaport
12 area, actually right on Water Street, just a
13 few blocks south of this development project.

14 We've enjoyed growing our
15 business on Water Street and have re-signed
16 leases twice in the same building since we came
17 downtown in the '90s. Part of the reason that
18 we have stayed downtown, in this neighborhood
19 specifically, is because all that it has to
20 offer to us as a business but, more
21 importantly, to our employees as a place to
22 work.

23 When I reflect back on this
24 location in the district in the '90s, when we
25 first moved down there, it was a different

2 place. We had limited opportunities. And
3 where I think about where it is today, the
4 vibrancy, what the development has done for the
5 neighborhood, for retail, it has really become
6 a spectacular venue for them to have a business
7 and for people to be able to live and play.

8 Presently, we have staff that
9 have made that their home, some raising
10 families in the district. I think they're
11 doing that largely because what has been
12 developed for them down there and created
13 housing for them because it is a different
14 place now then it was 24 hour years ago when we
15 first came down.

16 So when I reflect on where
17 it's gone and where it can go and I think about
18 the transformation of this parking lot into new
19 mixed-use development with housing and retail,
20 I'm excited about this opportunity for Water
21 Street, and I'm excited that my company's and
22 investment and commitment to this district is
23 being commensurately by the board of developers
24 that have the same passion for this
25 neighborhood.

2 As such, I'm in favor of this
3 project, and I support this endeavor as well.

4 CHAIR LAGO: Thank you,
5 Mr. Mail.

6 I'm noting that we are
7 getting relatively close to the end of the
8 people would have signed up for this public
9 hearing. If you haven't registered to speak
10 but have decided during the course of this
11 hearing that you would like to, now is the time
12 to register. And you can find instructions on
13 how to register, whether online or via phone,
14 at www.nyc.gov/nycengage.

15 And with that, we'll turn to
16 Jeremy Moss, to be followed by
17 Jonathan Gardenhire.

18 MR. MOSS: Thank you. Can
19 you hear me?

20 CHAIR LAGO: Yes. Please go
21 ahead, Mr. Moss.

22 MR. MOSS: Right. Thanks.
23 So I'm here in two capacities today to speak in
24 support of the 250 Water Street development by
25 Howard Hughes.

2 One, I'm a long-time owner at
3 323 Pearl Street, the condominium one block
4 north of the project.

5 And, number two, I am
6 executive vice president at Silverstein
7 Properties, who many know as the organization
8 responsible for rebuilding the World Trade
9 Center after 9/11 and an organization deeply
10 committed to revitalizing Lower Manhattan and
11 to its well-being.

12 Quick -- a few quick points.
13 The development, particularly after going
14 through the Landmarks Preservation hearing and
15 coming out with approval, is respectful of the
16 scale and architectural language of the
17 district. It provides much-needed housing as
18 many people have said, and I can tell you that
19 the growth of the residential population of
20 Lower Manhattan was critical to its post-9/11
21 recovery and remains critical to its continued
22 success. It's clear that the project will
23 support the Seaport Museum, which is truly the
24 heart and sole of the district.

25 And as an owner, I'm

2 delighted to see the parking lot transform into
3 a lively street scrape and to welcome my new
4 neighbors that will be able to live in the
5 building. Thank you very much.

6 CHAIR LAGO: Thank you,
7 Mr. Moss. Our next speaker is Jonathan
8 Gardenhire, to be followed by Bob Schneck.

9 SPEAKER: Mr. Gardenhire, you
10 should be able to unmute your microphone. Some
11 technical difficulties. This is second name.

12 CHAIR LAGO: We will come
13 back to Mr. Gardenhire.

14 Next is Bob Schneck, to be
15 followed by Adam Brodheim.

16 SPEAKER: Mr. Schneck is not
17 in the Zoom.

18 CHAIR LAGO: Adam Brodheim
19 followed by Ricky Wong.

20 MR. BRODHEIM: My name is
21 Adam Brodheim, and I'm a historic
22 preservationist studying at Columbia
23 University.

24 A number of other historic
25 preservationists have spoken before me in

2 support of this project, knowing that the
3 parking lot is a blight on the neighborhood and
4 that the new building is a well-designed and
5 appropriate design. I agree completely with
6 what they've said, and I don't want to rehash
7 it.

8 We live during a historic
9 climate crisis and in the midst of an
10 unprecedented housing shortage. Approving this
11 project would mean accepting that it's good to
12 construct a building shaped by the community
13 which will provide new homes to New Yorkers.
14 It would mean continuing New York's vibrant
15 tradition of creative destruction.

16 I study historic preservation
17 because I firmly believe that it's a tool for
18 building a sustainable 21st century New York
19 and grounded in community and progress.

20 Other folks today have talked
21 about the precedent that the project would set
22 for a historic district. The precedent it
23 would set is allowing our Historic District to
24 grow and evolve to meet our needs as New
25 Yorkers.

2 The Landmarks Preservation
3 Commission isn't going anywhere, it's already
4 brought up major changes to this project to
5 make it better fit the surrounding environment.

6 I'm a historic
7 preservationist, I'm a lifelong New Yorker and
8 I love our historic districts. And I'd love to
9 see this building rise inside a Historic
10 District, paving the way for our districts to
11 adapt and evolve. To do otherwise is a
12 disservice to the history of our city.

13 Someone earlier today said
14 that they didn't envy your job. I think you
15 all have great jobs with tremendous
16 responsibility, and you have an incredible
17 opportunity to here to demonstrate to this city
18 that development and preservation are not
19 incompatible, that we can build a new building
20 without losing our history.

21 In fact, we can create new
22 history. How a city came together, tore down
23 the parking lot and built our city just a
24 little better. Please support this project.
25 Thank you.

2 CHAIR LAGO: Thank you,
3 Mr. Brodheim.

4 Did you say, Ryan, that we
5 were working on bringing in
6 Jonathan Gardenhire?

7 SPEAKER: Yes. He has the
8 ability to unmute, but has not done that.
9 We've asked him to several times, and, yeah.

10 CHAIR LAGO: Okay. And then
11 we will move on to Ricky Wong, to be followed
12 by Frank Sciame.

13 SPEAKER: Mr. Wong, you can
14 unmute your microphone. We'll reach out.

15 CHAIR LAGO: Okay.
16 Frank Sciame, and then to be followed by Maria
17 Ho-Burge.

18 SPEAKER: Mr. Sciame, we can
19 see you, but you need to unmute. We can --

20 MR. SCIAME: Sorry.

21 SPEAKER: There you go.

22 MR. SCIAME: Good afternoon,
23 Chair Lago and members of the commission.

24 I'm Frank Sciame, CEO of
25 Sciame Construction, past board chair of the

2 South Street Seaport Museum and board member
3 and past board chair of the Landmarks
4 Conservancy. I'm also the developer of the
5 Captain Rose House, which a couple of people
6 have testified about and lived in. I'm happy
7 to hear that they are enjoying it. I was also
8 the co-developer of the historic Front Street.

9 This project shouldn't be
10 compared to any of the historic buildings in
11 the Historic District. We develop those
12 buildings with care because they were
13 buildings. This is about a vacant lot. As a
14 preservationist, I strongly believe that we
15 must save the historic Seaport.

16 The fact is that the
17 250 Water Street project is the only viable
18 plan that exists to achieve this goal. I
19 staunchly support the project. The plan will
20 add a dynamic, resilient building in place of a
21 parking lot that for half a century has
22 blighted the district. And has been the
23 textbook example of inappropriate land use.

24 We know that New York City
25 needs more housing, just look at the census and

2 compare our population grown to the number of
3 residential units built over the past decade.
4 It is a cause for celebration that 80 or more
5 of these planned 270 residential apartments
6 will be permanently deeply affordable to
7 families earning at or below 40 percent of AMI.
8 And these apartments will be close to public
9 transit, good jobs, and waterfront open space,
10 now only accessible to primarily affluent
11 residents who live in this area. The mechanism
12 proposed in this plan will be legally binding,
13 ensuring that MIAs conforming to affordable
14 housing is built.

15 As a builder, I'd like to
16 highlight that the Howard Hughes Corporation
17 has (technical difficulties) its commitment to
18 the Seaport through Pier 17, the restoration of
19 the Tin Building and the management of complex
20 projects throughout the area. They did it with
21 sensitivity and expertise.

22 The transparent rigorous
23 approach to the necessary environmental clean
24 up of 250 Water Street and the initial planning
25 as outlined in the draft environment impact

2 analysis for this project, are in keeping with
3 the community-minded value system.

4 The Howard Hughes Corporation
5 is not an out of town, insensitive developer.
6 Rather, it has been a trusted and robust
7 partner to the museum, to local nonprofits, to
8 arts organizations and to small businesses
9 throughout the neighborhoods. They've invested
10 nearly \$1 billion in the Seaport and continue
11 to create thousands of jobs. Now they are
12 asking you to allow them to invest \$850 million
13 more. I urge the Commission to allow them --

14 CHAIR LAGO: Mr. Sciame,
15 thank you.

16 MR. SCIAME: Thank you for
17 dedicating your time to this long meeting.

18 CHAIR LAGO: Our next speaker
19 will be Maria Ho-Burge, to be followed by David
20 Barker.

21 SPEAKER: Should be entering
22 the room.

23 MS. HO-BURGE: Hello.

24 CHAIR LAGO: Welcome.

25 MS. HO-BURGE: Hi, everyone.

2 Thanks so much. I'm dialing in from France
3 where I'm on vacation, actually. And this is
4 how important it was for me to be a part of
5 this meeting.

6 I want to let you know that
7 I'm in support of Howard Hughes Corporation
8 proposal to -- the proposition for the building
9 at 250 Water Street.

10 I actually wear three hats in
11 the community. I am a parent of kids at Peck
12 Slip School; I'm an active community member;
13 and I also own a small business on Front
14 Street. It's called Primp NYC salon.

15 In any case, I wanted to let
16 you know that I'm in favor of this, I've lived
17 in the community for over -- gosh, over fifteen
18 years now. And when I moved in, there was no
19 one on the street -- there was no one on the
20 videos after 5:00, and it was pretty empty.
21 I've since had two children, I've -- you know,
22 been a very active member of the Peck Slip
23 School community and also the Seaport community
24 at large.

25 And I wanted to let you know

2 that I'm in favor of this. For all of our
3 activities, we have to go through different
4 neighborhoods. We have to go to Battery Park,
5 Tribeca. I'm very much in favor of this as a
6 parent, as an active community member to bring,
7 you know, just to add to the thriving
8 businesses in the neighborhood.

9 The business on Front Street,
10 we struggle just to let you know, even
11 pre-COVID we struggled and very excited to have
12 a responsible neighbor like Howard Hughes come
13 in, provide low income housing, and provide
14 opportunity for us to have a full-fledged
15 neighborhood work hand in hand with the
16 community and also with the Landmarks
17 Commission and with the City in order to build
18 a responsible, mixed-use building.

19 Again, as a small business
20 owner we need the -- we need -- we need them
21 there. And I love what they've done with the
22 neighborhood, and I think they'll continue to
23 be responsible.

24 And as far as a parent, I
25 definitely think that it's a boon to our

2 neighborhood to have responsible corporate
3 partners in the area.

4 And I just wanted to let the
5 commission know that there are many, many
6 parents and -- and community members and also
7 community member and residents. And as far as
8 small business owners, we have very much a need
9 for a building like this in order to sustain
10 our small businesses.

11 And I want to thank the
12 commission for allowing me to speak, and I hope
13 that you will approve this project.

14 CHAIR LAGO: Thank you,
15 Ms. Ho-Burge. And we should say good night to
16 you, seeing it's 11:30 your time.

17 Our next speaker is David
18 Barker, followed by Robert Sosin.

19 MR. BARKER: Hello. This is
20 David Barker. I've spoken before in favor of
21 this development. I continue to be in favor of
22 it for many of the reasons already stated.

23 Myself, I'm a long time
24 resident of the neighborhood as both a renter
25 and an owner, and I've had children attend the

2 local schools, and, you know, I've seen the
3 Seaport area as a great amenity to the
4 neighborhood for the businesses, and just the
5 environment there and always seeing this
6 parking lot as kind of a blight as others
7 mentioned on the neighborhood. And I feel like
8 this building, this development would bring a
9 lot of additional life and vitality to the
10 district, so I'm strongly in support of it. I
11 feel like the Hughes Corporation represents a
12 great partner to the area.

13 We've seen issues before with
14 other properties that have not been properly
15 maintained or allowed to, you know, fall into
16 disrepair like the fish market or the building
17 at 161 Maiden Lane that's leaning over. I
18 think that having a responsible partner like
19 Howard Hughes is great for the area, and I
20 support it. Thank you.

21 CHAIR LAGO: Thank you,
22 Mr. Barker.

23 Our next speaker will be
24 Robert Sosin, to be followed by Thomas Burton.
25 In.

2 MR. SOSIN: I'm opposed to
3 repair rights from a historic district being
4 given to the corporation. I'm a lifelong
5 (inaudible) of this neighborhood. I'm a parent
6 at Peck Slip. And this air is part of this
7 district that I love. And I do not consent to
8 giving that away, and I feel it's wrong.

9 I feel Howard Hughes can
10 build a building within the 12-story limit that
11 has been set for a historic district, and they
12 knew that when they got it and they should
13 build within that.

14 So I oppose this plan and
15 (inaudible). Thank you so much for your time.

16 CHAIR LAGO: Thank you,
17 Mr. Sosin.

18 Our next speaker is Thomas
19 Burton.

20 SPEAKER: Mr. Burton is not
21 in the Zoom.

22 CHAIR LAGO: Okay. Those are
23 the names that I have. I'm going to, Ryan, go
24 through the people who have signed up but were
25 not here.

2 SPEAKER: Sure.

3 CHAIR LAGO: In the event
4 that they have rejoined.

5 Robert Becker.

6 SPEAKER: No.

7 CHAIR LAGO: Terry Brady.

8 SPEAKER: No.

9 CHAIR LAGO: Scott Dwyer.

10 SPEAKER: Yes.

11 Mr. Dwyer, you can unmute
12 your microphone.

13 MR. BECKER: Hi. This is
14 Robert Becker.

15 CHAIR LAGO: Thank you,
16 Mr. Becker. Please go ahead.

17 MR. BECKER: My name is
18 Robert Becker. I'm a senior vice president for
19 the Durst Organization, who is the owner of the
20 residential commercial buildings on Front
21 Street between Peck Slip and Beekman. I'm also
22 a resident of the Seaport for the last ten
23 years.

24 On behalf of myself and the
25 Durst Organization, we strongly support the

2 Howard Hughes proposal to develop a mixed-use
3 building at 250 Water. The project offers the
4 following benefits for the community in the
5 Seaport District.

6 First of all, the building
7 creates a welcoming entrance to the Seaport and
8 increases access to the waterfront and invites
9 pedestrians who enter the district through
10 activated streets as opposed to the parking lot
11 that many of us have spoken about earlier
12 today.

13 Secondly, New York City needs
14 economic development more than ever. This plan
15 will generate a significant investment in the
16 Seaport and create more than a thousand
17 permanent jobs in the commercial real estate
18 and nonprofit sectors. This development will
19 further strengthen the Seaport community.

20 The businesses of the Seaport
21 is struggling as many of the prior people have
22 discussed. This project will bring needed
23 patrons to local restaurant and retailers.

24 In New York City -- number
25 four, in New York City there's an urgent need

2 for housing. This project needs provides over
3 80 affordable units, and this will allow
4 families with low income to live close to good
5 jobs, good transportation, and other retail
6 services. As everyone has stated here today,
7 New York City needs this.

8 Number five, while we
9 understand construction can be temporarily
10 disruptive, as I mentioned before, I live a
11 block away from this, and the Durst
12 Organizations owns 90 apartments one block
13 away. We understand the impact of
14 construction.

15 However, Howard Hughes, has
16 been a good neighbor, and we have confidence
17 that this team will run a safe and sensitive
18 and respective construction operation. For a
19 land use standpoint, this is a smart use of
20 land rights. The transfer of land rights off
21 the waterfront to the upland facilitates not
22 only the development of 250 Water Street, but
23 also guarantees the low-rise waterfront
24 development that we wanted.

25 The last component that I

2 think everybody has spoken to -- about today
3 and they all agree, is that this project will
4 make it possible for significant funding for
5 the South Street Museum. Again, everyone today
6 has talked about the important component that
7 it has on the Historic District.

8 With this funding, the museum
9 was going to be able to restore and open its
10 historic buildings and plan for future
11 expansion in the heart of the district.

12 For all of these reasons,
13 which benefit the whole community in the
14 Seaport District, one of which I've lived in
15 for the past ten years, we urge you to approve
16 this project.

17 CHAIR LAGO: Thank you,
18 Mr. Becker.

19 SPEAKER: You just called
20 Terry Brady?

21 CHAIR LAGO: Yes.

22 SPEAKER: Yes, he's in the
23 room, I believe.

24 CHAIR LAGO: Great.

25 MR. BRADY: Good afternoon.

2 Thank you, again, for your patience. This has
3 been a long day. Can you all here me?

4 CHAIR LAGO: Yes, Mr. Brady.

5 MR. BRADY: Great. Thank you
6 very much. Thank you for the opportunity to
7 address the commission. My name is Terry Brady
8 and I live in Manhattan and I worked at the
9 Seaport District for the last three years.

10 I enthusiastically support
11 the Howard Hughes Corporation that calls for a
12 mixed-use structure at 250 Water street. I
13 have seen firsthand the positive effects the
14 Howard Hughes Corporation has made in the
15 district. Adding a multipurpose building to
16 the site of a rundown parking lot is yet
17 another divisive step forward for the city, the
18 local community, and the visitors to this
19 historic section of Manhattan.

20 The visitors, the -- benefits
21 of job creation, affordable housing, and
22 economic development cannot be overstated,
23 especially in our ever-changing environment.
24 The sizable investment by the Howard Hughes
25 Corporation in the construction and

2 post-construction phases will undoubtedly bring
3 substantially well-paying jobs to the district
4 and to the City.

5 Affordable housing is the
6 linchpin that will more people to both live and
7 in the work notice area. This will contribute
8 to the diversity and overall fabric of the
9 community. That, in turn, will strengthen the
10 economic base and add to the stability of the
11 entire district, the 250 Water Project will
12 assist in retaining existing businesses,
13 attract future commerce and bring vitality back
14 to the Seaport.

15 Another aspect that should be
16 overlooked is preservation and enhancement of
17 this historic district. We cannot address the
18 future without looking to the past. The
19 Seaport District is the front door to our
20 amazing city, and we cannot be left to fall
21 into disrepair or made an afterthought.

22 This can be accomplished --
23 this be cannot accomplished without financial
24 input and the partnership between the local
25 community and the corporate involvement. I've

2 personally experienced this commitment in my
3 dealing with the Howard Hughes Corporation, and
4 the enhancements made to date by the Howard
5 Hughes Corporation and the proposed 250 Water
6 Street project will certainly continue the
7 revitalization of the area for locals, New
8 Yorkers, and tourists to enjoy this unique and
9 special part of our city.

10 In closing, I strongly urge
11 the Commission to consider this initiative, and
12 I look forward to a bright and prosperous
13 future. Thank you so much for all our time.

14 CHAIR LAGO: Thank you,
15 Mr. Brady.

16 Did you also say that
17 Scott Dwyer was also present?

18 SPEAKER: He is. We have --
19 there we go. He is unmuted. He may -- there
20 we go.

21 MR. DWYER: Hi there. Can
22 you hear me?

23 CHAIR LAGO: Yes. Please go
24 ahead.

25 MR. DWYER: Thank you. My

2 name is Scott Dwyer. I'm representing Sons of
3 the Revolution of the State of New York, who
4 own and operate Fraunces Tavern Museum in Lower
5 Manhattan, a short walk from the South Street
6 Seaport, on a historic site dating from 1719,
7 and the museum which opened in 1907.

8 We strongly support the
9 Howard Hughes Corporation proposal to develop
10 mixed-use building at 250 Water Street that
11 will, among many other things, replace an
12 unsightly parking lot at 250 Water Street and
13 make possible signature funding for the
14 imperilled Seaport Museum an essential
15 component and an anchor of the Historic
16 District, allowing it to restore and reopen its
17 historic buildings and plan for its future
18 expansion.

19 After a lengthy stakeholder
20 process, the current design approved by the New
21 York City Landmarks Preservation Commission
22 will transform the lot and enhance the
23 neighborhood and the Historic District.

24 We urge this body to support
25 the land use actions necessary to make this

2 development possible. Thank you.

3 CHAIR LAGO: Thank you,
4 Mr. Dwyer.

5 I'm continuing with the
6 names. Christina Roccas.

7 SPEAKER: Yes, I have her
8 here.

9 MS. ROCCOS: Hi. Thank you.

10 CHAIR LAGO: Welcome.

11 MS. ROCCOS: My name is
12 Christine Roccas, and I'm the mother of three
13 daughters and a small business owner and the
14 wife of an entrepreneur.

15 I've lived most of my life in
16 New York City. And for the last 13 years, my
17 family and I have lived just a few blocks from
18 the South Street Seaport Historic District.
19 It's where my husband launched what has become
20 the nation's fastest growing cord blood bank,
21 and it's where we're raising our children.

22 I love everything our great
23 city has to offer, from culture and
24 entertainment to the diverse community of
25 people who continue to make it the most

2 exciting place in the world to live and work.

3 As you know, far better than
4 I do and imagine, part of the character of New
5 Yorkers is a passionate attachment to our
6 neighborhoods and the willingness to fight hard
7 for what we believe is right for them.

8 In that spirit, I'm here to
9 tell you a few reasons that I'm one thousand in
10 support of Howard Hughes Corporation's proposed
11 250 Water Street Project.

12 First, as a mom, I see the
13 parking lot that is currently on the project
14 site as a place that is not only unsightly but
15 also menacing and an easy spot for muggers.

16 In addition, beyond the
17 handful of jobs that the parking lot provides
18 to attendants, it's not generating any value to
19 our neighborhood.

20 Second, as a long-time
21 volunteer for underprivileged kids across the
22 five boroughs, I'm delighted that a significant
23 number of proposed residences will be set aside
24 for very low-income families. This will
25 provide much-needed affordable housing, as well

2 as access to some of the city's best public
3 schools for families with children.

4 Third, as the owner of a
5 condo near the project site and a renter with a
6 view of the project site, I look forward to the
7 positive ripple effects that a more vibrant,
8 retail-rich, pedestrian-friendly historic
9 Seaport district will have on my own property
10 value.

11 Fourth, I want to make a
12 special note about the way that the Howard
13 Hughes Corporation has approached this project
14 at every step of the way over the last several
15 years. They've proactively engaged the
16 community asking for our opinions, listening to
17 our input, and making significant changes to
18 the project in response. They've been a true
19 partner in the planning. I believe they will
20 continue to be a true partner throughout the
21 implementation.

22 Finally, in a slightly
23 different vein, I understand concerns have been
24 raised about the impact that construction noise
25 will have on all of us. With all due respect,

2 noise, whether from cars, trucks, or
3 construction, is an inevitable element of urban
4 living. Construction noise is a temporary
5 annoyance that all of us must tolerate if we
6 want progress, if we want a better future for
7 our neighborhood.

8 Thank you for allowing me to
9 speak for all of the reasons that I've
10 discussed. I ask you all to vote in favor of
11 the proposed 250 Water Street Project. Thank
12 you, again, for your time.

13 CHAIR LAGO: Thank you.
14 Daniel Robertson.

15 SPEAKER: Yes, he's here.
16 There we go.

17 CHAIR LAGO: If you could be
18 looking for Thomas Benton and George Brieger.

19 SPEAKER: Mr. Robertson,
20 you're unmuted. You should be able to speak.

21 MR. ROBERTSON: Hello. Can
22 you hear me?

23 CHAIR LAGO: Yes, please go
24 ahead.

25 MR. ROBERTSON: My name is

2 Daniel Robertson. I'm a 13-year resident of
3 the Seaport and Financial District. I've lived
4 here straight from school to start my career in
5 2008. I met my wife here in a building in the
6 Financial District. We got married in the
7 Financial District, had a reception at
8 Bridgewaters in the Seaport, which is now
9 occupied by the Ipic Theater.

10 We have two boys, ages five
11 and seven, who attend Peck Slip School. My
12 wife spoke, too, earlier. She's currently the
13 president of the Peck Slip parent/teacher
14 association, and I serve on the executive
15 board. And I'd like to speak in opposition to
16 the proposal in front of you today.

17 As we're all well-aware, and
18 Howard Hughes is well-aware, we had purchased
19 the land that is 250 Water Street. There's a
20 limitation of 120 feet as of right per
21 development on the site and (inaudible.)

22 The draft environmental
23 impact statement that is before the committee
24 today states that Howard Hughes' offer to
25 reduce the height of its proposal for 470 feet

2 to 324 feet reduces significant adverse impacts
3 to receptors in the area and the factors that
4 it takes into account for the space, shadows,
5 historic and cultural resources,
6 transportation, construction -- construction
7 noise and traffic.

8 Now, if Howard Hughes can
9 make the statement that there's a reduction of
10 significant adverse impacts to receptors based
11 on a reduction from 470 to 324 feet, let's
12 consider the impact of reducing the size of the
13 building to its legal height of 120 feet.
14 Those receptors are not mechanisms. They're
15 not electronics.

16 These receptors are our
17 children. These receptors are the
18 immunocompromised who live in the neighborhood.
19 They are everyone who lives and works and calls
20 the Seaport home.

21 Our concern is --

22 CHAIR LAGO: I'm afraid --

23 MR. ROBERTSON: Hello, can
24 you hear me?

25 CHAIR LAGO: Yes.

2 MR. ROBERTSON: The CPC and
3 the other government agencies here should not
4 be moved by Howard Hughes' strongarm tactics.
5 Howard Hughes has continued and promoted and
6 everyone has rightfully supported the fact that
7 Howard Hughes is offering supports to the
8 Seaport Museum and that Howard Hughes is
9 offering affordable housing as part of this
10 development.

11 But that begs the question of
12 why is Howard Hughes offering \$50 million to be
13 built to a height of 470 feet and \$0 if it's
14 built a foot less than that? Howard Hughes --

15 CHAIR LAGO: Mr. Robertson,
16 I'm afraid your time is up, but we would
17 welcome your submission of written testimony.

18 MR. ROBERTSON: Thank you for
19 your time.

20 CHAIR LAGO: Thomas Benton.

21 SPEAKER: Yeah, no. Don't
22 see Thomas Benton.

23 CHAIR LAGO: And then George
24 Brieger.

25 SPEAKER: He's there. Let's

2 see. Mr. Brieger.

3 MR. BRIEGER: Hi. Good
4 afternoon. George Brieger here.

5 CHAIR LAGO: Please go ahead.

6 MR. BRIEGER: Hi. I'm a
7 ten-plus year resident and homeowner across the
8 street, the South Bridge Towers, and I'm also
9 the parent of fourth-grader, a child entering
10 fourth grade at Peck Slip adjacent to the
11 construction site, proposed construction site.

12 I want to talk about noise
13 and dust. The draft environmental impact
14 statement acknowledges the presence of the two
15 schools adjacent to the proposed construction
16 site and acknowledges that the noise will
17 exceed, quote exceed the SCQR threshold unquote
18 for quote, an extended period, close quote.

19 It even acknowledges that the
20 playground, a block away at Fulton Street, will
21 be impacted by the noise.

22 But then fails to consider,
23 or even to mention the impact that the COVID
24 epidemic has on the situation, given that the
25 schools -- the two schools will have to operate

2 with windows open during the construction for
3 the many months of the construction site. They
4 have to operate with windows open because of --
5 to reduce -- to improve airflow.

6 COVID is here to stay for the
7 foreseeable future, the Delta variant of COVID
8 is a major issue for schools because children
9 are susceptible to it much more than the
10 plain-old COVID and Delta is just on the rise
11 in New York City. And the MU, the new variant
12 of COVID, is hitting now around the corner.

13 The environmental impact
14 statement is deficient, it fails to entirely
15 address this issue of noise. How are our
16 children supposed to learn, how are the
17 teachers supposed to teach across the street
18 from the construction site, given windows open
19 for many months?

20 Construction dust. The
21 environmental impact statement failed entirely
22 to address the issue of dust with windows open
23 in two schools on both sides adjacent to --
24 perpendicular to each other on either side of
25 the adjacent sides of the construction project.

2 Number three, the affordable
3 housing is bandied about by the developer. I
4 just have one question: What percentage of the
5 total square footage of the project is promised
6 to be for affordable housing? The affordable
7 housing, the affordable housing proponent as
8 percentage of the total space is never
9 mentioned, let alone guaranteed by the
10 developer. What --

11 CHAIR LAGO: Mr. Briger,
12 Mr. Brieger, I'm afraid that your time is up,
13 but we would welcome you submitting your
14 written testimony. Thank you.

15 So Edwin Schlossberg.

16 SPEAKER: No.

17 CHAIR LAGO: Keith
18 Sheinholtz.

19 SPEAKER: Nope. No. Not on
20 the Zoom.

21 CHAIR LAGO: AJ Barr.

22 SPEAKER: No. And I -- no,
23 she's not in the room.

24 CHAIR LAGO: Melissa
25 Silverwood.

2 SPEAKER: No, not in the
3 room.
4 CHAIR LAGO: Andrea
5 Wasserman.
6 SPEAKER: Nope, not in the
7 room.
8 CHAIR LAGO: Adam Ganzer.
9 SPEAKER: No, not in the
10 room.
11 CHAIR LAGO: Matt Reingenger.
12 SPEAKER: Nope.
13 CHAIR LAGO: Timmer Gallon.
14 SPEAKER: No, not in the
15 room.
16 CHAIR LAGO: Philip Santini.
17 SPEAKER: Not in the room --
18 Zoom.
19 CHAIR LAGO: Patrick Hoffman.
20 SPEAKER: Not in the room.
21 MR. BRADY: Madeline McLori.
22 SPEAKER: Not in the room.
23 CHAIR LAGO: Maria free.
24 SPEAKER: Not in room.
25 CHAIR LAGO: Robin Warshay.

2 SPEAKER: Not in the Zoom.
3 CHAIR LAGO: Warren Green.
4 SPEAKER: Not in the Zoom.
5 CHAIR LAGO: Jessica Walker.
6 SPEAKER: Not in the room.
7 CHAIR LAGO: Paul Hovitz.
8 SPEAKER: Hold on.
9 We have the name, but it
10 doesn't appear to be able to speak, so...
11 CHAIR LAGO: Okay.
12 SPEAKER: We can reach out.
13 CHAIR LAGO: We would welcome
14 also written testimony.
15 SPEAKER: Testimony, yeah.
16 CHAIR LAGO: Rose Imperato.
17 SPEAKER: Not in the Zoom.
18 CHAIR LAGO: Daisy Paez.
19 SPEAKER: Daisy is here.
20 CHAIR LAGO: I'm sorry --
21 MR. HOVITZ: Hello. Hi, this
22 is Paul Hovitz.
23 CHAIR LAGO: Welcome,
24 Mr. Hovitz.
25 Please begin. Mr. Hovitz,

2 we're not hearing you.

3 MR. HOVITZ: Can you hear me
4 now?

5 CHAIR LAGO: Yes. Please go
6 ahead.

7 SPEAKER: Go ahead. You must
8 have a push to talk. You push whatever you
9 push to talk.

10 MR. HOVITZ: Okay. How's
11 that? That's better?

12 CHAIR LAGO: Yes.

13 MR. HOVITZ: Okay. Save our
14 Seaport was created to save our Seaport Museum.
15 I was part of the South Bridge board of
16 directors when we initiated the effort to
17 downzone 250 Water Street to stop Millstein
18 from building a 23-story edifice on the lot.
19 250 Water was never part of the historic
20 district until we included it as a ploy to
21 ensure the downzoning.

22 For over ten years, there
23 were efforts to fund a museum that failed. The
24 City said it has given the museum all that it
25 can and cannot do so anymore.

2 If the approved HHC plan,
3 which Landmarks has okayed, doesn't go forward,
4 we shall have a 160 foot development as of
5 right. Zoning allows 120 feet and 40 feet
6 additional due to the flood zone. No one else
7 has mentioned that. If we go as of right, we
8 lose the museum, 70 affordable housing units,
9 and any hope to rebuild a new market pier,
10 which will fall into the river.

11 There's nearby can look out
12 at what was their view of the Brooklyn Bridge
13 and see the ghost town seaport. Either away,
14 whether as of right or Landmarks approved plan,
15 their view of the bridge is gone.

16 Although the development as
17 Landmarks approved, the museum gets millions of
18 dollars of endowment to bring it into the
19 digital age and continues as the invaluable
20 linchpin of the district.

21 So we allow a partial
22 application of historic air rates within the
23 history district, gain affordable housing, save
24 the Seaport Museum, and allow it to become a
25 brand-new digital age Seaport Museum with the

2 future possibility to rebuild a new market pier
3 with the creation of community space on that
4 site.

5 I am a retired vice chair of
6 Community Board 1. I very much appreciate your
7 folks' effort. I've sat in those long meetings
8 many times. So thank you, and I bid you good
9 night.

10 CHAIR LAGO: Thank you,
11 Mr. Hovitz.

12 I think, Ryan, you said that
13 Rose Imperato was not here?

14 SPEAKER: Not here, no.

15 CHAIR LAGO: Okay. Daisy
16 Paez.

17 SPEAKER: Daisy Paez is here.

18 MS. PAEZ: Hello, everyone.
19 And thank you for this opportunity to allow me
20 to express my opposition. Hello, my name is
21 Daisy Paez, district leader, assembly district
22 65, Part B.

23 I am a proud Latina who lives
24 in affordable housing, and I oppose the HHC
25 proposal. This proposed development for 250

2 Water Street looks to be disastrous for an
3 already resource-strained area. For the past
4 two decades, the Lower East Side has been
5 absolute -- has been an absolute hotbed of
6 development. Developers have come in and
7 pillaged the area for unheard-of profits.

8 They have disrupted the way
9 of life for many lifelong residents and have
10 paved the way for culture eradication through
11 gentrification without consideration for those
12 that have called the area home for generations.

13 Among the many issues that
14 will be discussed, and some may have not
15 opposing this development, I would like to
16 discuss the socioeconomic -- socioeconomic
17 impact of the development on 250 Water Street.
18 The waterfront area is already overcrowded and
19 overdeveloped. Adding approximately 338 new
20 dwelling units would add a substantial
21 population increase without the necessary
22 services such as schools, daycare, hospitals,
23 and added public transportation. Adding
24 commercial space would add an additional
25 logistical problem for pedestrian and vehicle

2 traffic.

3 I am curious to know who
4 benefits from this development? How many of
5 these units or commercial spaces will be used
6 to benefit the community? Will this project be
7 a typical money-grab that we have seen in the
8 community for over the past 20 years? How many
9 of these units will actually be affordable?
10 How much of this project will actually have a
11 positive impact on the community? Although the
12 physical construction may not displace people
13 directly, the resulting median rent increases
14 will.

15 The socio -- the
16 socioeconomic changes that this project brings
17 is not something that is good for the community
18 at large in an area that has historically been
19 a safe haven for those that are not the
20 wealthiest in the city. The last thing they
21 would need is another reminder of how poor some
22 of them are.

23 Therefore, in order to offset
24 these socioeconomic injustice, I'm asking that
25 50 percent of the entire project be used to

2 enhance the -- and contribute to the community.
3 50 percent of the units be dedicated to
4 affordable affordability and 50 percent of the
5 commercial space be used for community service
6 and centers.

7 Affordability should be
8 affordable, not an inflated median area income
9 that is unrealistic to the majority of the
10 native Lower East Siders. A reasonable rent
11 and incomes no more than 30 percent of a
12 household income should be dedicated to rent.
13 I myself am on a fixed social security small
14 pension income, and if I didn't have the
15 security of low income protection and Section
16 8, I would struggle to find affordable housing
17 in the city.

18 My story has not --

19 CHAIR LAGO: Ms. Paez,
20 Ms. Paez, I'm afraid that your time is up. But
21 we would welcome receiving your written
22 testimony. Thank you.

23 Mariama James?

24 SPEAKER: Not in the room.

25 CHAIR LAGO: Philip Ritz.

2 SPEAKER: Not in the Zoom.

3 CHAIR LAGO: Taylor

4 Croftland.

5 SPEAKER: Not in the Zoom.

6 CHAIR LAGO: Jonathan

7 Gardenhire.

8 SPEAKER: Jonathan is here.

9 Let's try this again. There we go.

10 MR. GARDENHIRE: Hello.

11 CHAIR LAGO: Welcome.

12 MR. GARDENHIRE: Hello. My
13 name is Jonathan Gardenhire. I'm the district
14 leader for the 65th Assembly District, Part B.
15 I'm also a lifelong resident of Lower Manhattan
16 and actually participated in programs at the
17 South Street Seaport Museum as a young boy.

18 And I just want to say that I
19 strongly oppose this plan. I'll keep it brief.
20 But, for one, there's not enough affordability.
21 I personally think that if the Howard Hughes
22 Corporation wants to be a steward of the
23 community, they would consider building a
24 structure that offers 100 percent affordability
25 at different levels.

2 And number two, as a museum
3 professional, I just don't understand why
4 anyone would support an institution that has --
5 you know, that has really, really mismanaged
6 its funds for decades. I honestly think that
7 their fundraising staff should start to
8 cultivate the FiDi community and could probably
9 get more money than Howard Hughes is offering
10 them.

11 But, again, I strongly oppose
12 this plan. I think it would be detrimental to
13 the community. And thank you for your time.

14 CHAIR LAGO: Thank you,
15 Mr. Gardenhire.

16 Bob Schneck.

17 SPEAKER: No, Bob is not in
18 the Zoom.

19 CHAIR LAGO: Ricky Wong.

20 SPEAKER: Let me just check.
21 Ricky is not in the Zoom.

22 CHAIR LAGO: Thomas Burton.

23 SPEAKER: No, Tom Burtin is
24 not in the room.

25 CHAIR LAGO: And has anyone

2 else signed up?

3 SPEAKER: Let me refresh
4 here.

5 No, there are no further
6 speakers signed up.

7 CHAIR LAGO: Okay. I see
8 that there are a number of people in the room.
9 If there's anyone who has not yet testified and
10 would like to, now would be the time. And I do
11 want to thank the people who have been in the
12 room for observing social distancing. Much
13 appreciated.

14 I want to note that the
15 record on this matter will remain open through
16 Monday, September 13th, 2021, to receive
17 written comments on the draft environment
18 impact statement.

19 And with that, the public
20 hearing on this matter is closed.

21 (Whereupon, the above matter
22 concluded.)

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C E R T I F I C A T E

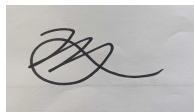
STATE OF NEW YORK)
 : SS.:
COUNTY OF RICHMOND)

I, MADELINE TAVANI, a Notary Public for
and within the State of New York, do hereby
certify:

That the above is a correct
transcription of my stenographic notes.

I further certify that I am not related
to any of the parties to this action by
blood or by marriage and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set
my hand this 6th day of September, 2021.



MADELINE TAVANI

ATTACHMENT 1

**INTERIM PEDESTRIAN-LEVEL WINDS SUMMARY
REPORT**

**CPP PROJECT 14356
03 SEPTEMBER 2021**



250 WATER STREET
New York, New York

PREPARED FOR:

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EXECUTIVE SUMMARY

A wind tunnel study of the 250 Water Street development, to be located in New York, New York was conducted to assess pedestrian wind comfort and safety.

Measurements of wind speeds in pedestrian locations of interest were combined with wind statistics and compared to the acceptability criteria of Lawson (See description of pedestrian wind criteria). Analyses were performed on both an annual (average over all seasons) and a seasonal basis to identify wind conditions that may be important for seasonal use of certain areas.

Two configurations, with and without the test building in place, were tested. The landscaping features were not included in the wind tunnel tests; hence, the test results reported here represent the worst wind conditions around the project site for each of the configurations.

The overall wind conditions around the project site were observed to be suitable for the intended use as sidewalks. Even though the inclusion of the 250 Water Street Building caused some wind speeds around the site to increase, all locations still remained suitable for use as pedestrian sidewalks.

All of the test locations passed the distress criterion.

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1. INTRODUCTION

An assessment of the acceptability of the wind environment around developments can inform designers about the suitability of outdoor areas for their intended uses. Where necessary, design modifications can be made, or intervention measures added, to mitigate areas with the potential for excessive wind speeds.

This report includes wind tunnel test procedures, test results, and a discussion of test results obtained in the CPP Wind Engineering laboratory.

All data collection was performed in accordance with the American Society of Civil Engineers (ASCE) Standard 7-16 (2017) and the ASCE Standard 49-12 on Wind Tunnel Testing of Buildings and Other Structures (2012).

2. WIND CLIMATE

The measured data were normalized to an approach reference wind speed and then combined with a climatological model (wind frequency and direction) derived from data measured at Newark International Airport (Figure 1). The climate data were adjusted to the site location using an analytical method to account for the exposure of the project site for each direction. The combination of the wind tunnel data and climatological data produces a cumulative probability distribution of wind speed for the site at each pedestrian measurement location. These results can then be compared to criteria for pedestrian wind comfort and safety.

3. MODEL SCALE AND CONFIGURATIONS

The test model scale and test Configurations are summarized in Table 1, below.

Table 1: Summary of model scale and test configurations

<i>Model scale</i>	1:300
<i>Testing Configurations</i>	
Configuration A	The project site without the test building and without the planned landscaping as shown in Figure 2a.
Configuration B	The project site with the test building and without the planned landscaping as shown in Figure 2b.

4. MEASUREMENT POINTS

Wind speed measurements were made at 37 selected locations to evaluate pedestrian comfort and safety around the project site. Mean (average) wind speed and turbulence intensity measurements were made at the model-scale equivalent of 5 to 7 ft above the surface for 16 wind directions in 22.5° increments from 0° (north). Wind speeds were measured with CPP 6-hole probes.

The measurement points were chosen to determine the degree of pedestrian comfort or discomfort at commonly frequented locations or locations of interest around the project site where the 250 Water Street project building may have effects on the wind environment. The test locations include locations where relatively severe conditions are frequently found, such as at building corners and on adjacent sidewalks with heavy pedestrian

traffic. All the test locations are on the ground level. All testing were conducted without landscaping present in order to present a worst-case scenario.

5. PEDESTRIAN-LEVEL WIND RATINGS – LAWSON CRITERIA

CPP uses the widely-accepted pedestrian-level wind criteria developed by Lawson (1990). Lawson’s criteria are divided into separate categories of comfort and distress (safety). The comfort criteria allow planners to assess the usability, with respect to the wind environment, of different locations for various purposes, such as for long-duration activities (e.g., sitting at an outdoor café) or strolling on walkways. The distress (safety) criteria help to identify locations where wind speeds may be hazardous to pedestrians.

Comfort ratings are based on the larger of a mean wind speed (U_{Mean}) or a “gust-equivalent mean”* wind speed (U_{GEM}) that is exceeded 5% of the time—about eight hours per week on average. Distress (safety) ratings, used for safety assessment, are based on wind speeds that occur approximately twice per year or once per season.

The categories and criteria are defined as follows:

<i>U_{Mean} or U_{GEM} exceeded 5% of the time:</i>	
	<i>Comfort Ratings</i>
< 6 mph	Outdoor Dining – special rating based on CPP experience
< 9 mph	Sitting – generally for a long duration
9-13 mph	Standing – or sitting for a short time or exposure
13-18 mph	Casual Walking
18-22 mph	Business Walking – walking between locations, or for cycling
> 22 mph	Uncomfortable
<i>U_{Mean} or U_{GEM} exceeded more than 2 hours per year or 1 hour per season.</i>	
	<i>Distress Level</i>
< 34 mph	Does not exceed (passes) the criterion
≥ 34 mph	Poses a hazard to frail persons, small children and cyclists
≥ 45 mph	Could unbalance or topple able-bodied individuals

The perception of wind speeds within the *comfort* categories can vary by individual and by region, so opinions regarding the local wind environment should be considered when evaluating the Lawson ratings.

* The gust-equivalent mean is the peak gust wind speed divided by 1.85.

6. SUMMARY OF RESULTS

Most of the test locations around the project site in Configuration A, before the inclusion of the test building, received the comfort rating of pedestrian standing. Only two locations with the rating of pedestrian walking (locations 8 and 19) and several locations with the rating of pedestrian sitting (locations 4, 17, 21, 23, 28, 34 and 36) were observed. Hence, the overall wind environment near the project site was found to be suitable for the intended use as pedestrian sidewalks. None of the test locations failed in the distress criterion. These results are presented for annual conditions in Figure 3a.

The inclusion of the 250 Water Street building generally causes the wind speeds around the project site to increase (Figure 3b), as would be expected with any development on this site. However, comfort wind speeds remained within the ratings considered acceptable for public walkways and all locations still passed the distress criterion. Acceleration of southerly wind speeds around the development were the cause of wind speed increases but, as noted above, they were not significant enough to change acceptability for use as pedestrian sidewalks or streets.

A seasonal wind speed analysis was also conducted to allow comparison of the variation of wind comfort throughout the year. The results for these are shown in Figure 3c to Figure 3j. All the test locations were observed to be suitable for, at least, pedestrian walking on a seasonal basis, and there were no failures of the distress criterion.

A comparison of the distress rating wind speeds for annual conditions in both configurations is shown in Figure 4 for reference. This shows that none of the test locations approached failing the distress criterion in either configuration.

REFERENCES

- American Society of Civil Engineers (1999), Wind Tunnel Studies of Buildings and Structures (ASCE Manual of Practice Number 67).
- American Society of Civil Engineers (2012), Wind Tunnel Testing for Buildings and Other Structures (ASCE 49-12).
- American Society of Civil Engineers (2017), Minimum Design Loads for Buildings and Other Structures (ASCE 7-16).
- Lawson, T.V. (1990), "The Determination of the Wind Environment of a Building Complex before Construction," Department of Aerospace Engineering, University of Bristol, Report Number TVL 9025.

FIGURES

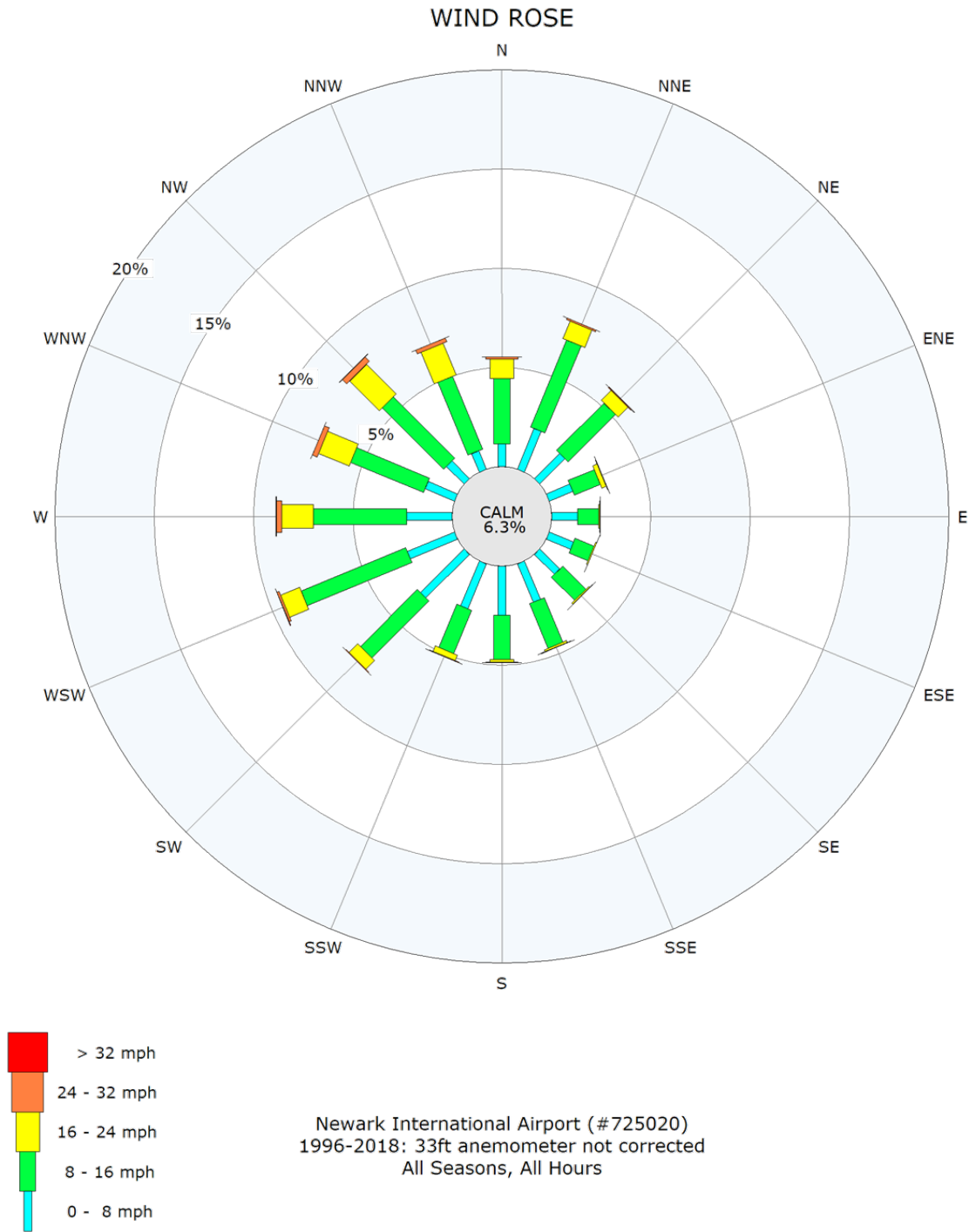


Figure 1: Probability of occurrence of wind speed by direction.

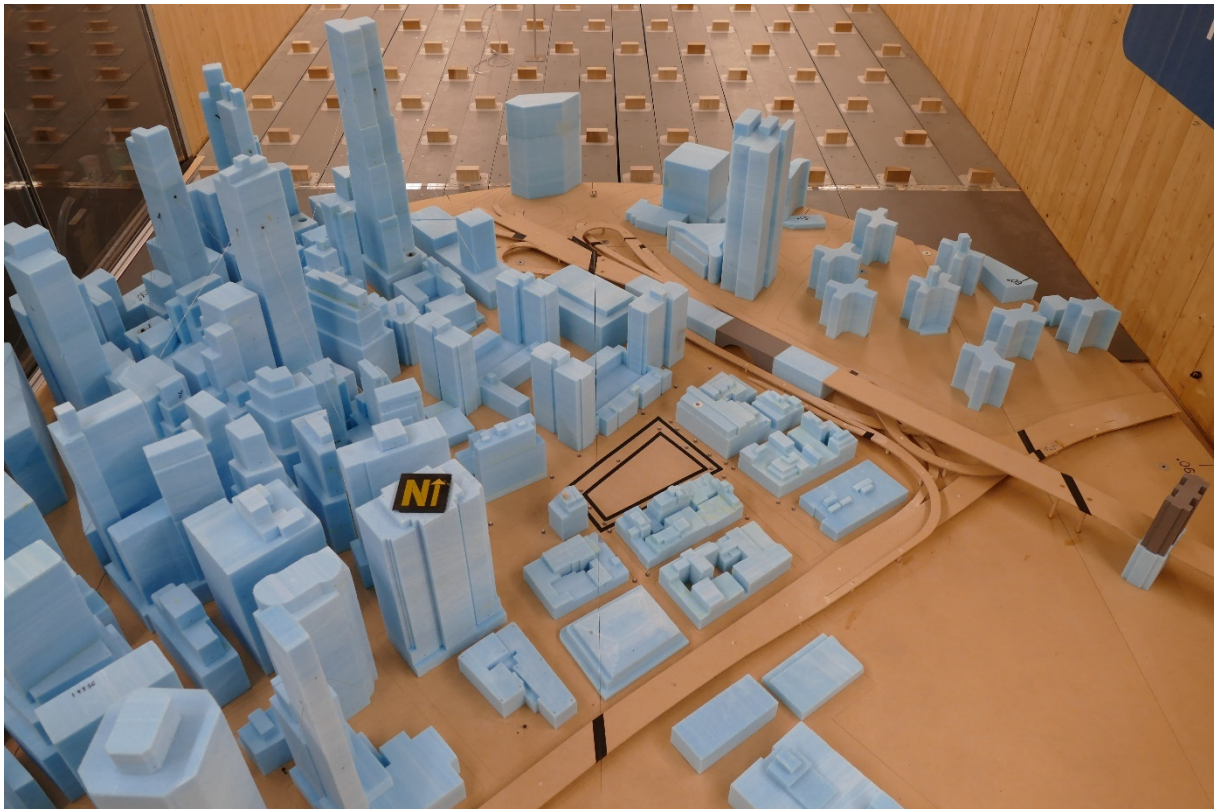


Figure 2a: Photographs of the completed model in the wind tunnel: Configuration A.

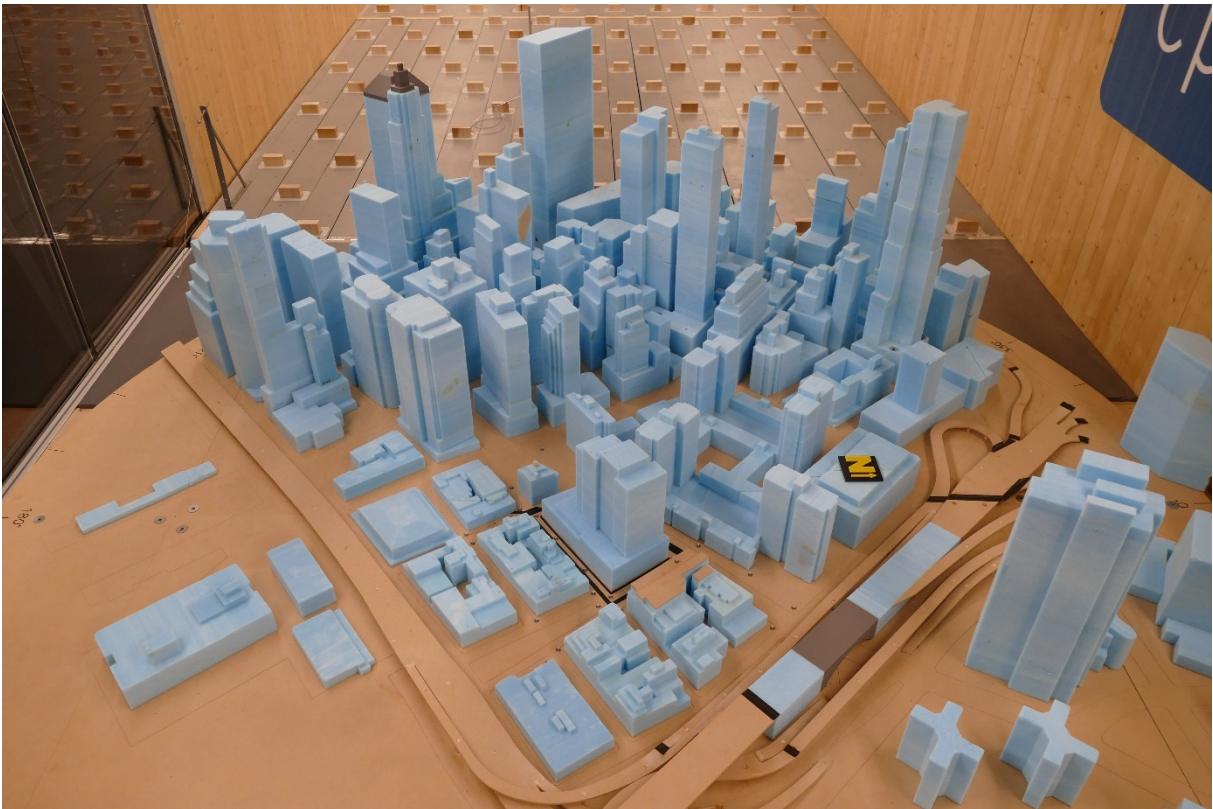
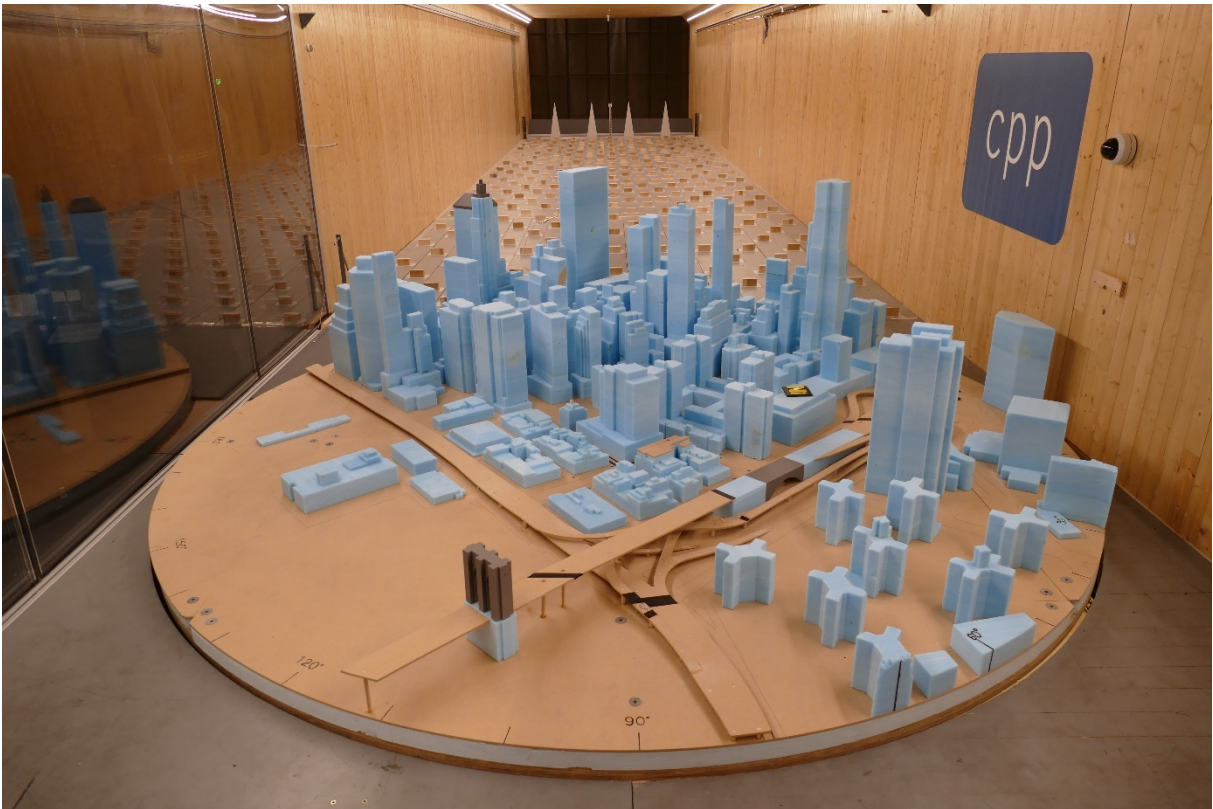


Figure 2b: Photographs of the completed model in the wind tunnel: Configuration.

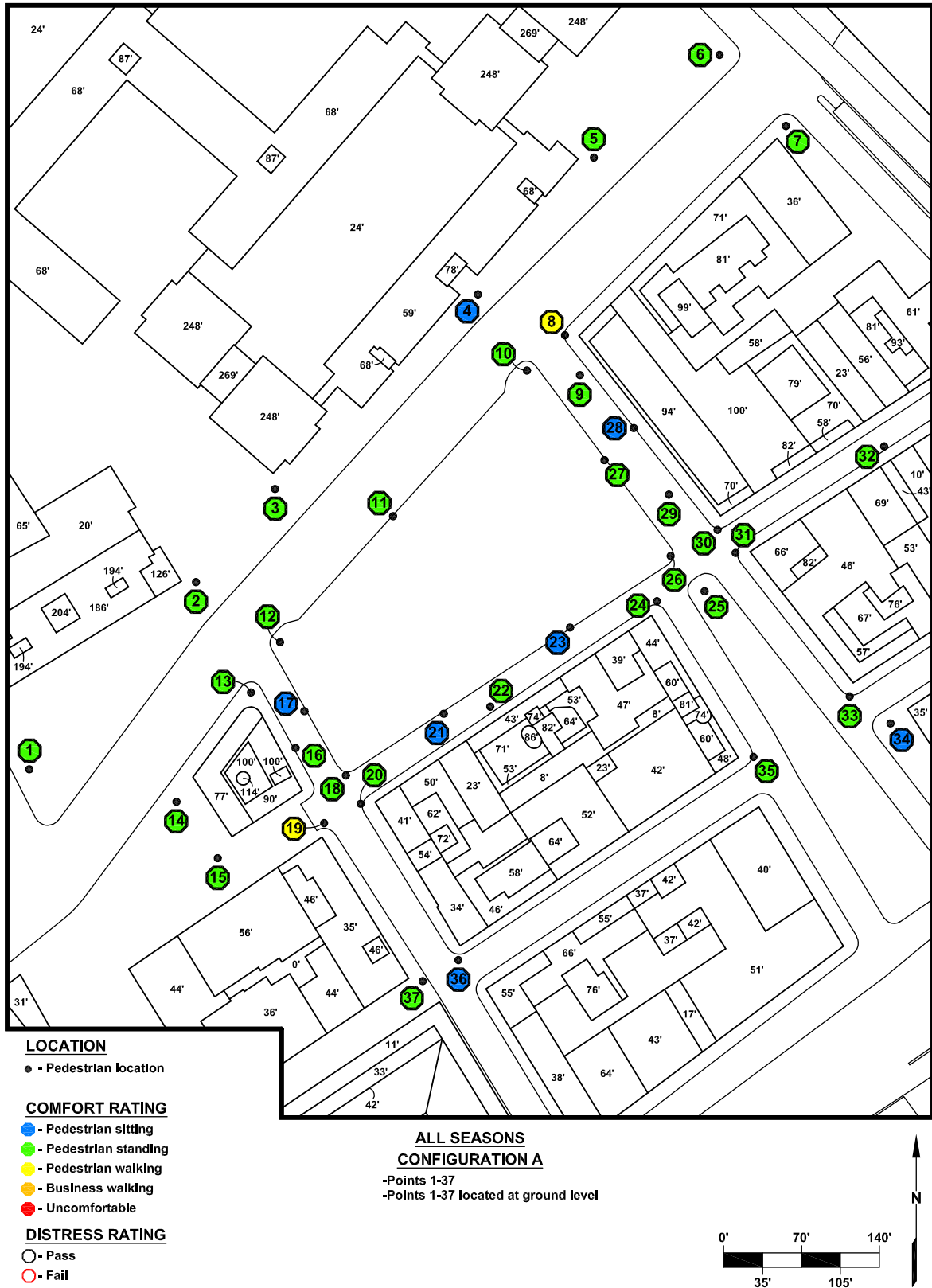


Figure 3a: Comfort and distress ratings for all seasons: Configuration A.

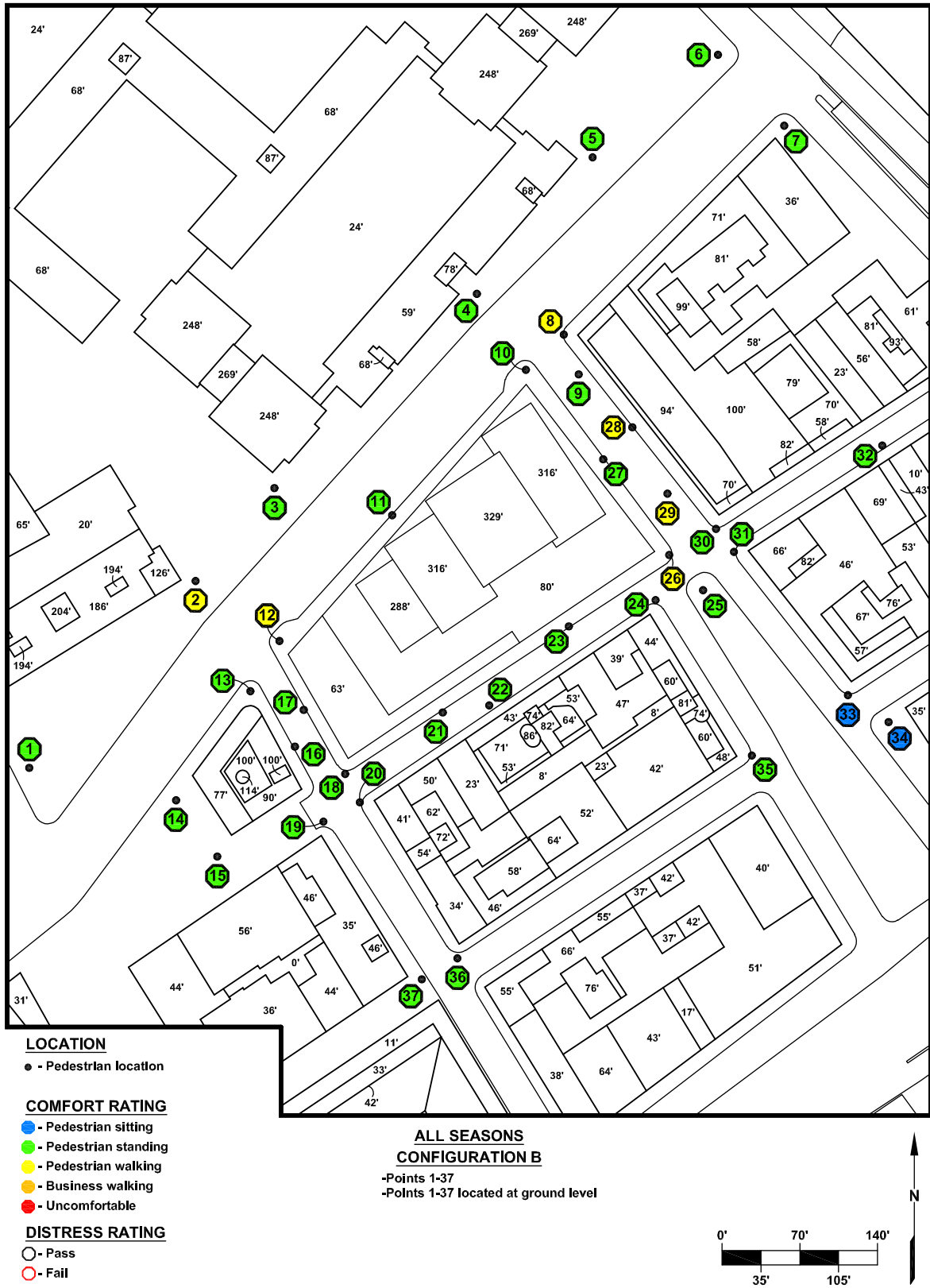


Figure 3b: Comfort and distress ratings for all seasons: Configuration B.

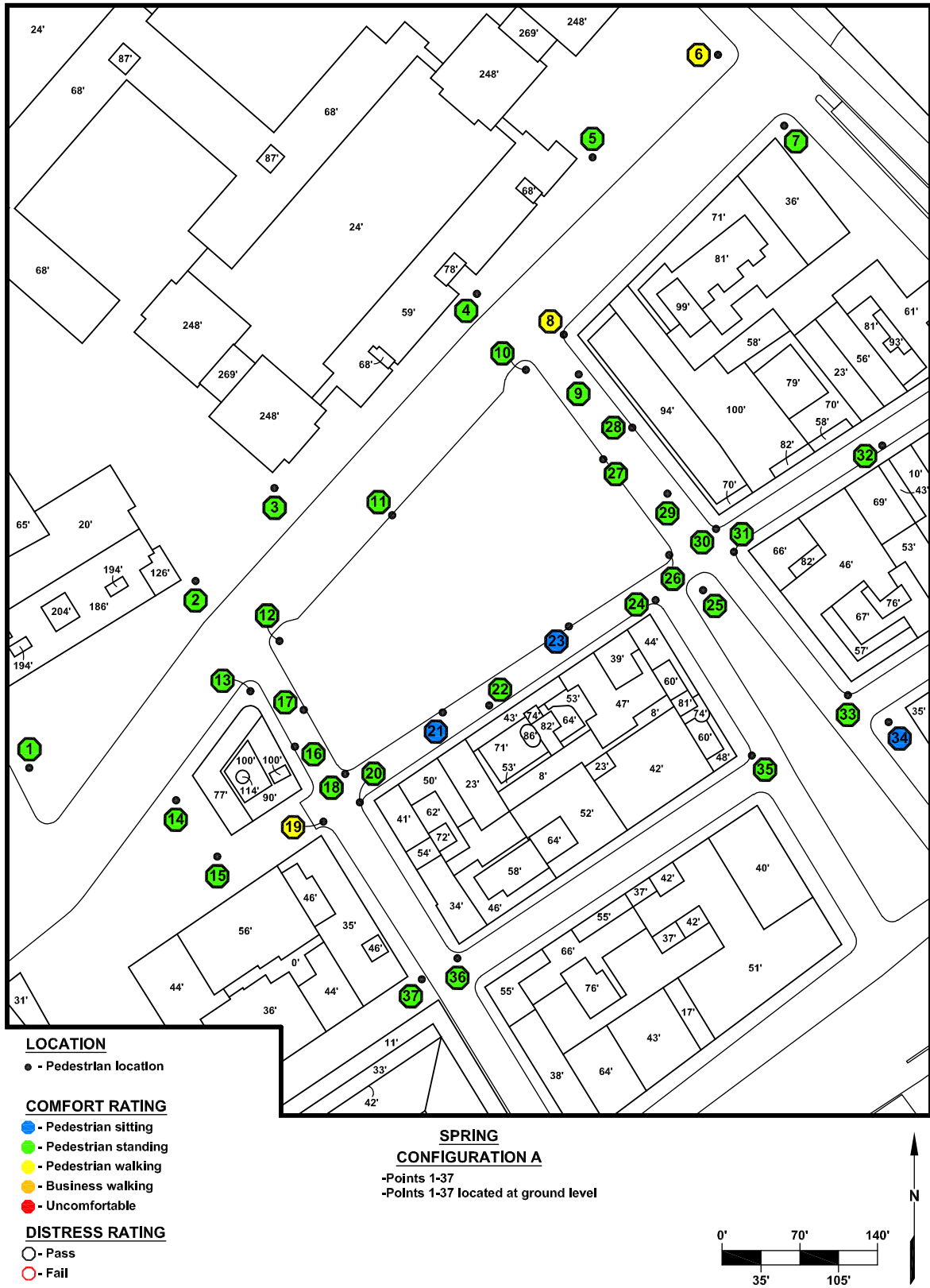


Figure 3c: Comfort and distress ratings for Spring: Configuration A.

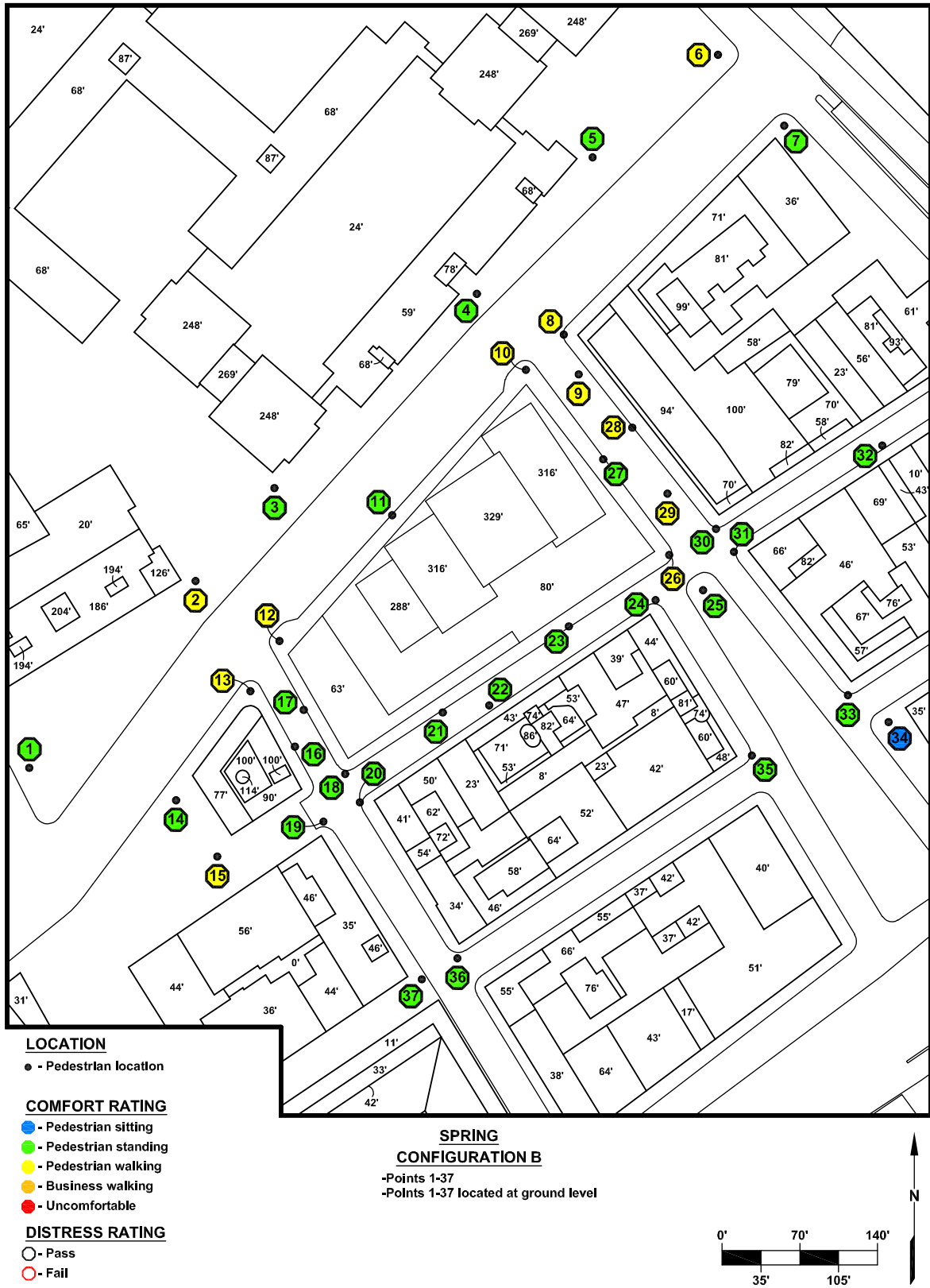


Figure 3d: Comfort and distress ratings for Spring: Configuration B.

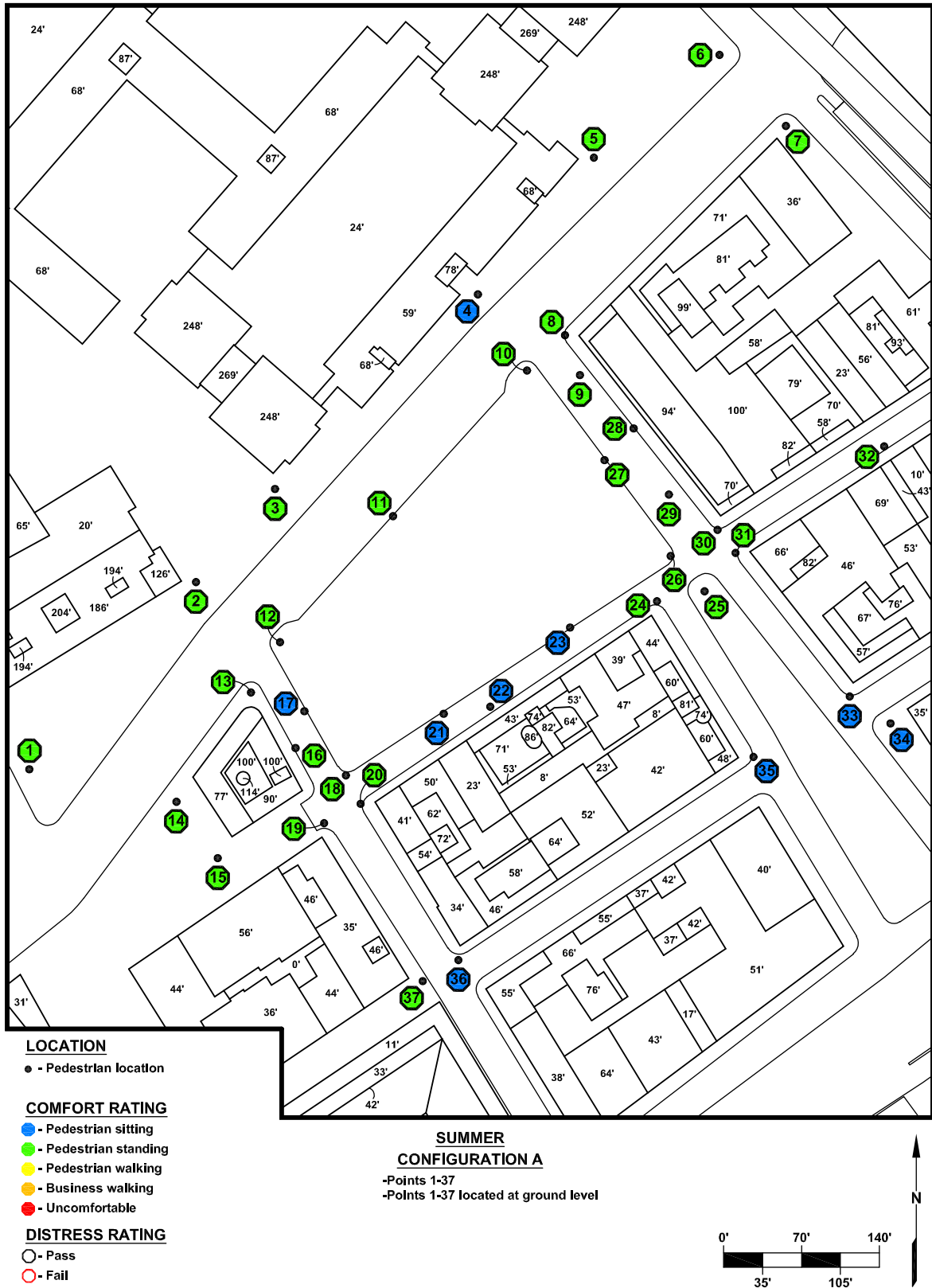


Figure 3e: Comfort and distress ratings for Summer: Configuration A.

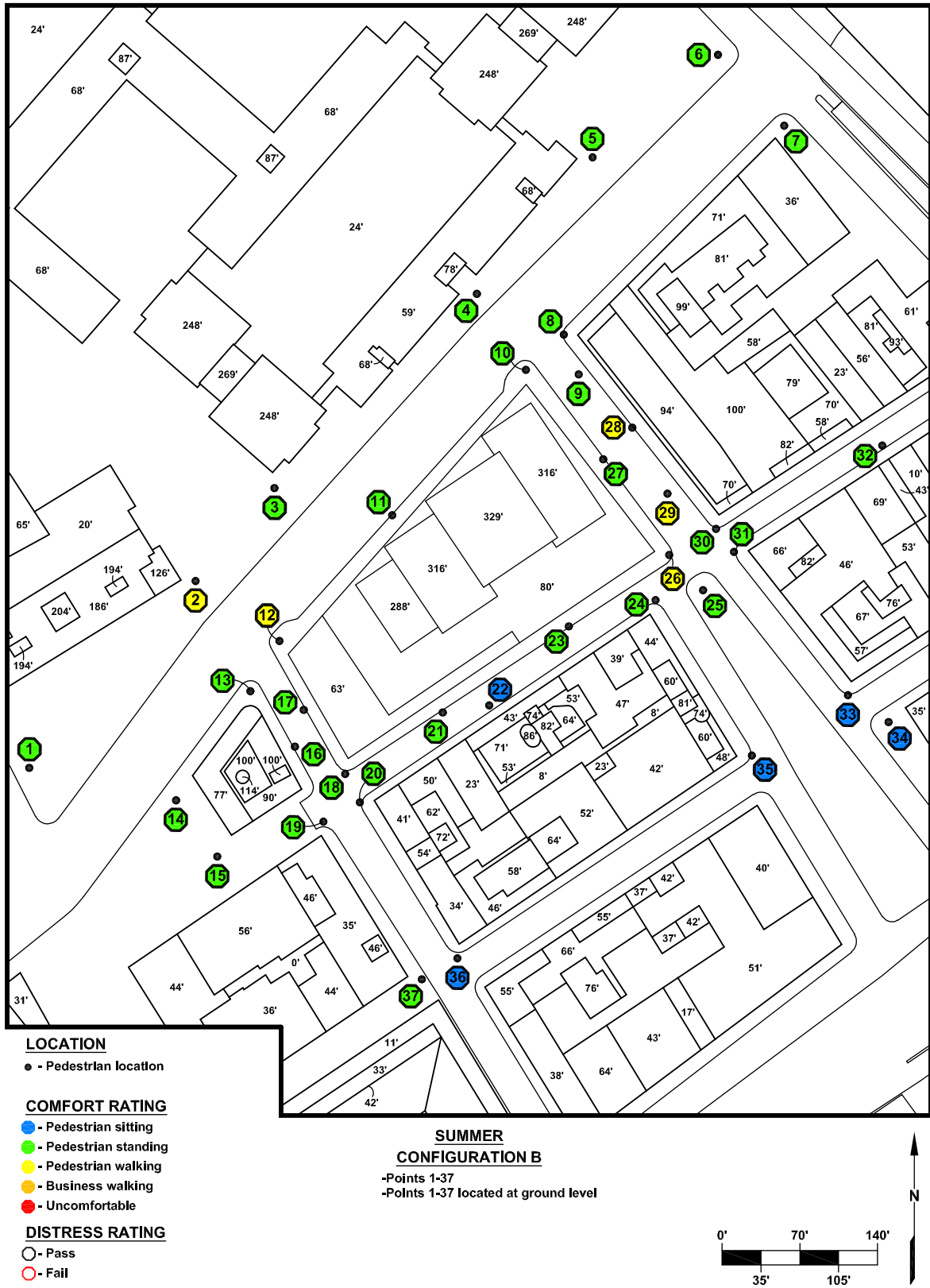


Figure 3f: Comfort and distress ratings for Summer: Configuration B.

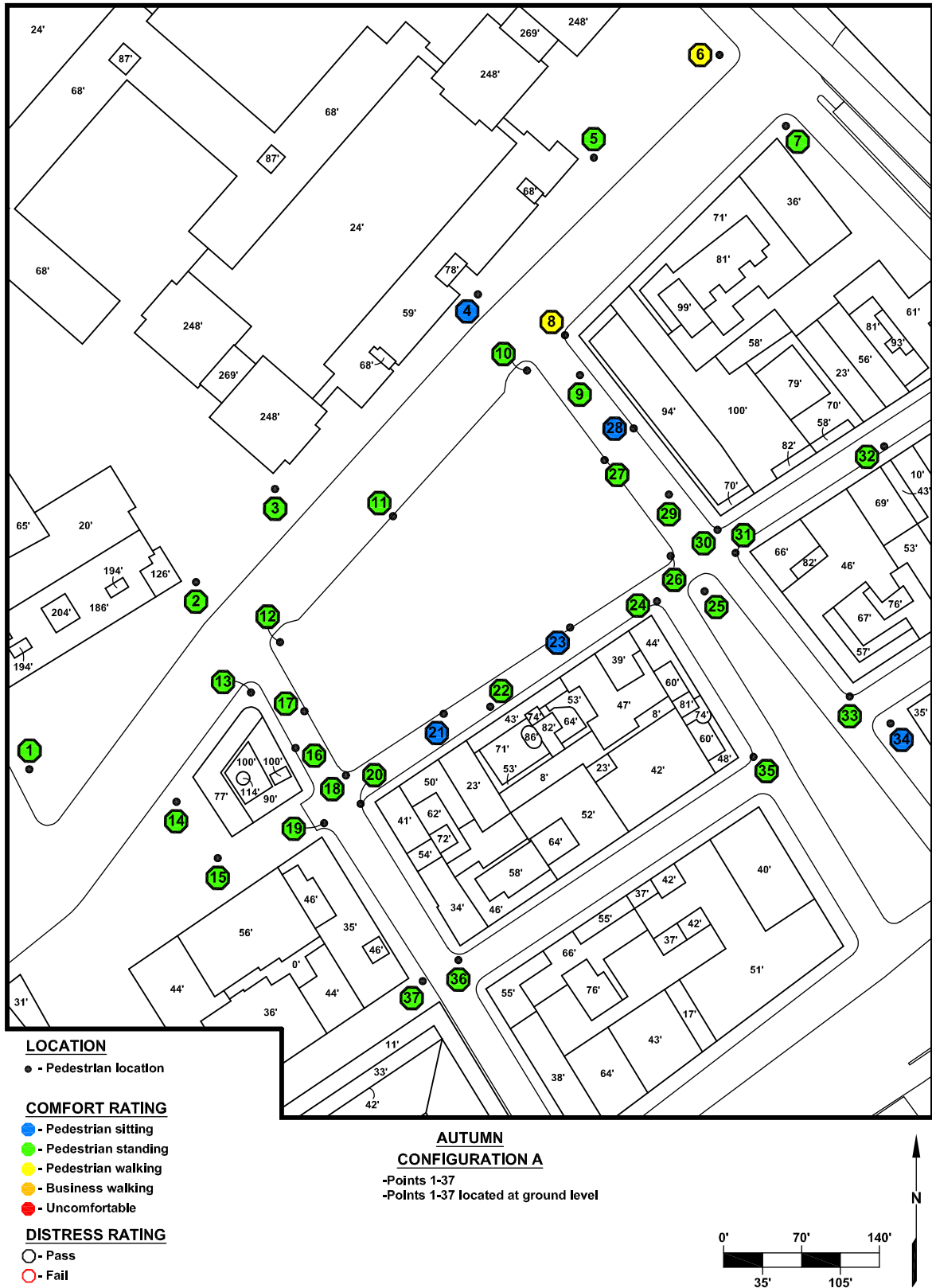


Figure 3g: Comfort and distress ratings for Autumn: Configuration A.

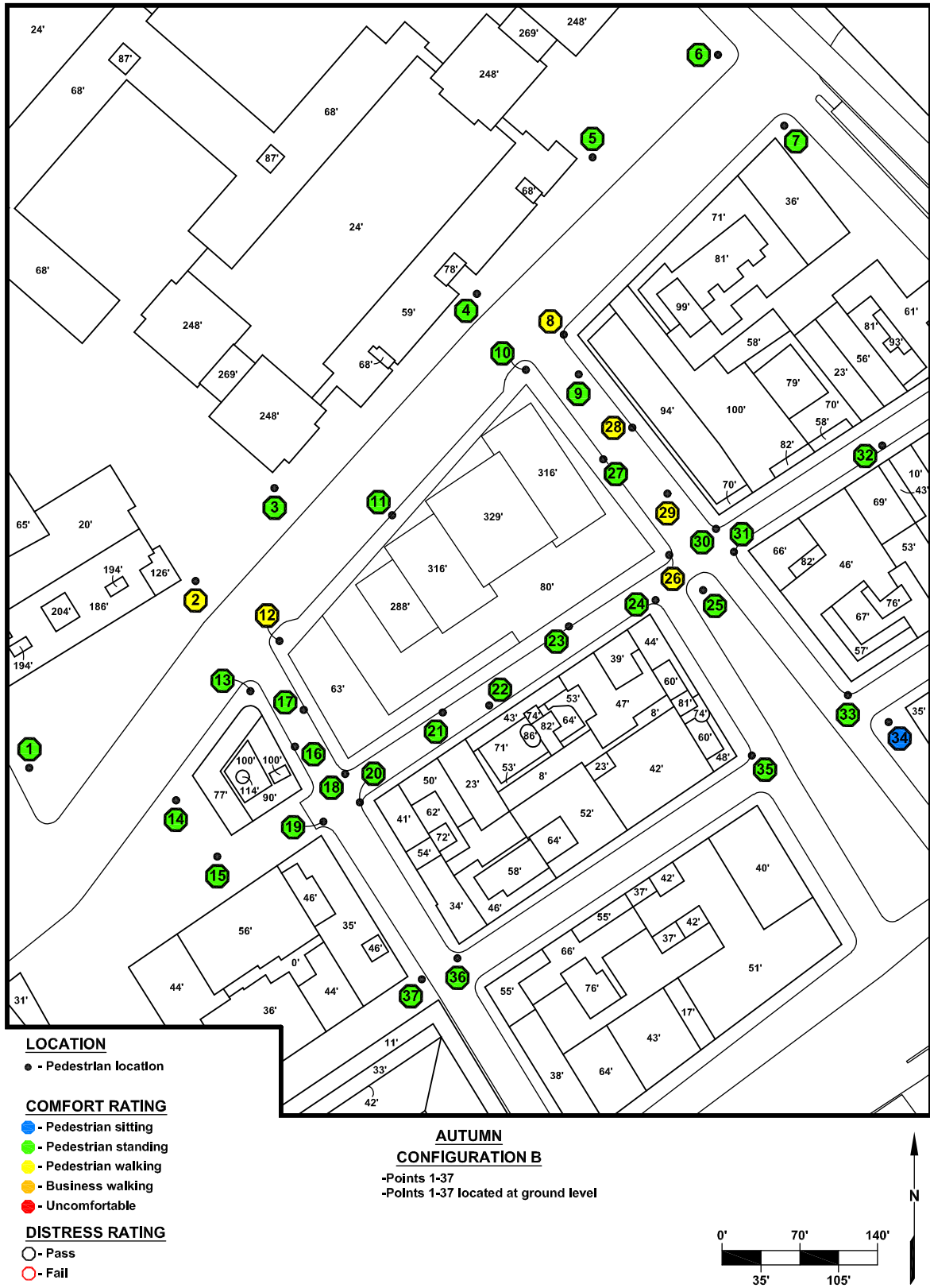


Figure 3h: Comfort and distress ratings for Autumn: Configuration B.

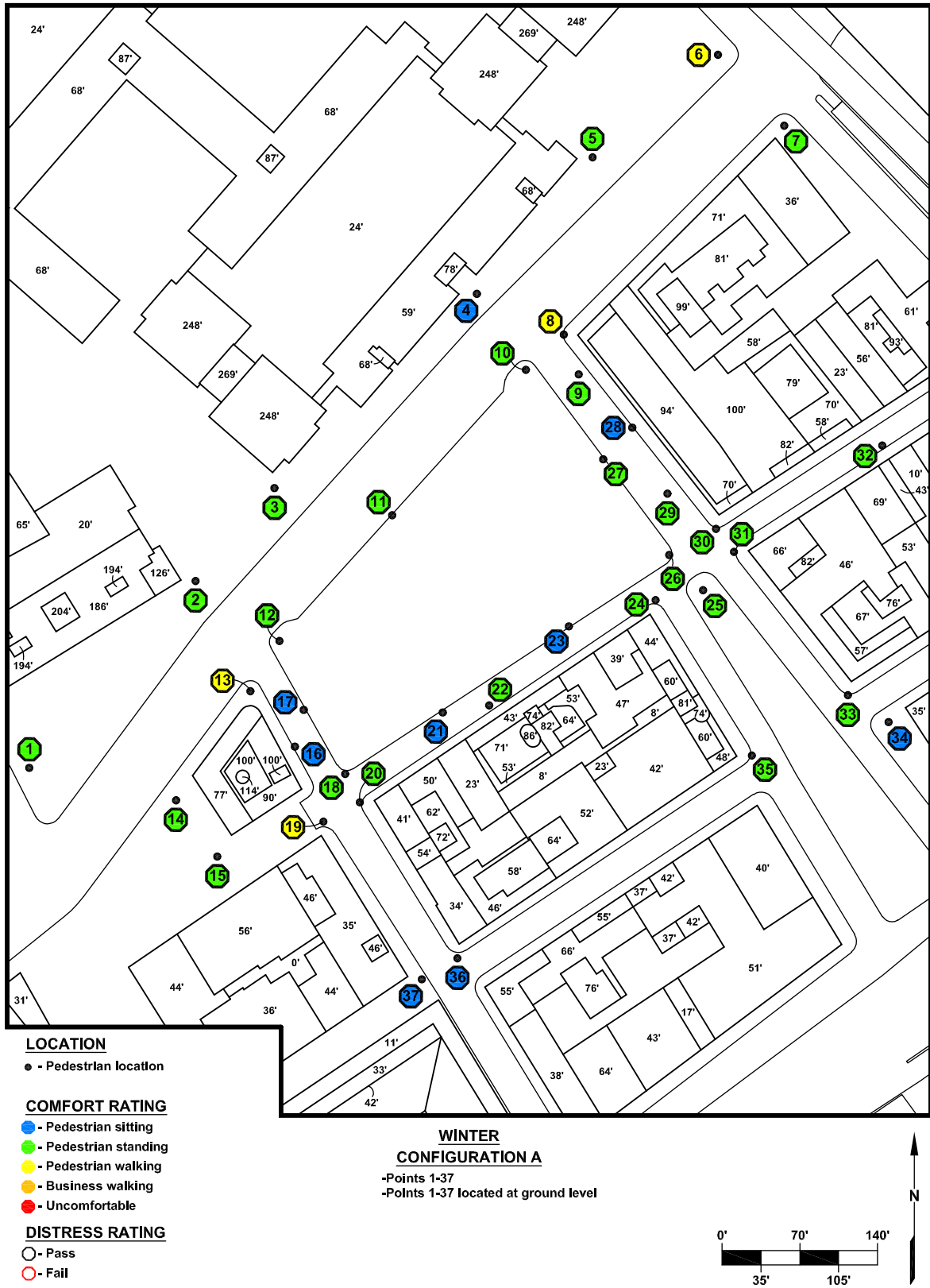


Figure 3i: Comfort and distress ratings for Winter: Configuration A.

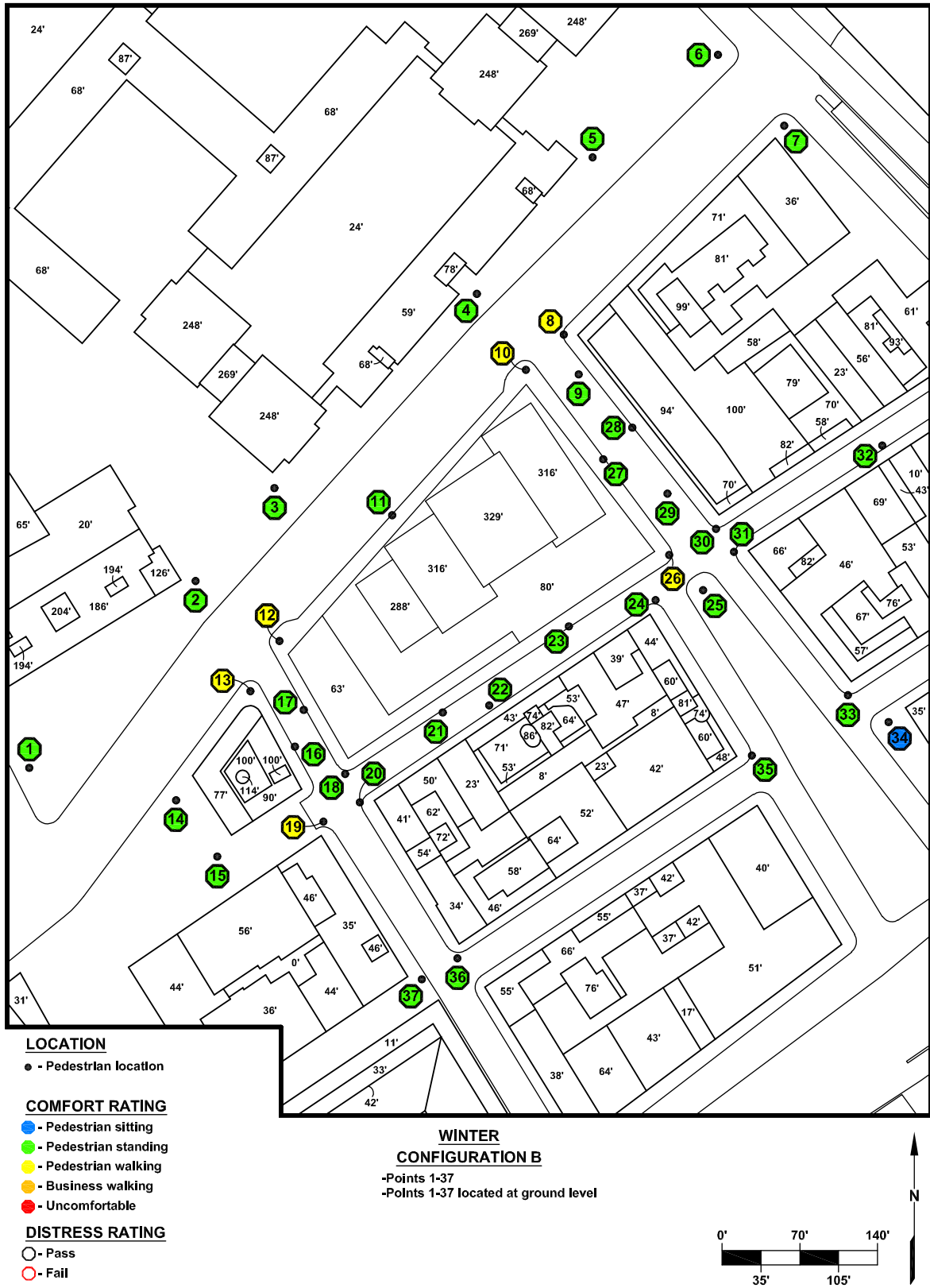


Figure 3j: Comfort and distress ratings for Winter: Configuration B.

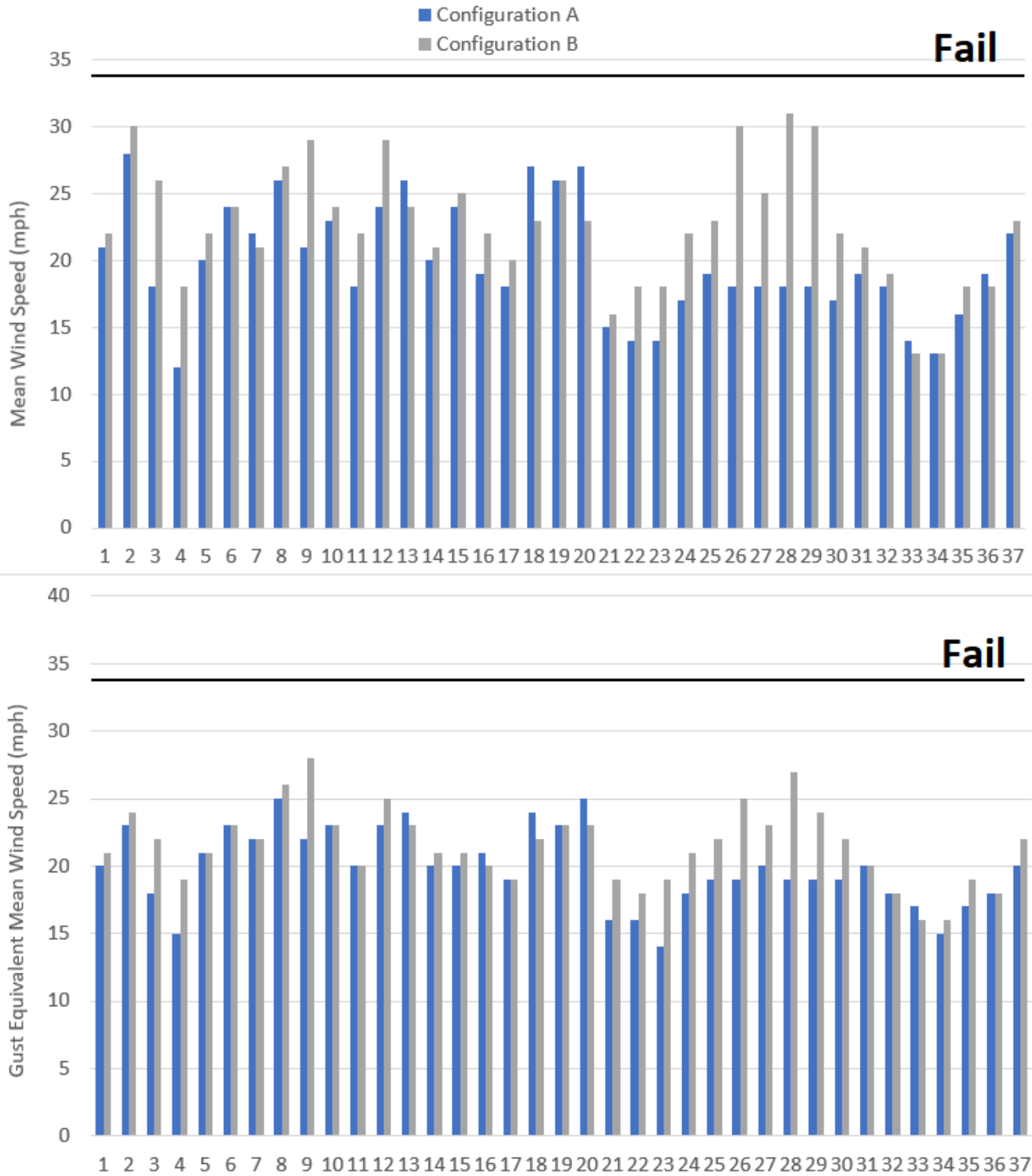


Figure 4: Mean (top) and Gust Equivalent Mean (bottom) wind speeds at the test locations: Configuration A vs Configuration B.