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The Proposed Shaft 33B to
City Tunnel No. 3, Stage 2 - Manhattan Leg
Draft EIS Public Comment Hearing
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1075 Second Avenue
New York, New York
December 5, 2005
7:13 p.m.

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MS. LICATA: If I could ask you to
please take your seat, we would like to
get started.
Let me begin by introducing myself;
my name is Angela Licata. I'm assistant
commissioner for New York City
Department of Environmental Protection
and we plan tonight to give you a brief
overview of the project that we're all
here to have a public hearing about.
And then we will move very quickly to
hearing your comments about this
project.
Once again we're here because we
have prepared an Environmental Impact
Statement; that is a Draft Environmental
Impact Statement, the purpose of which
is to disclose potential environmental
consequences of the DEP's proposed
action for siting Shaft 33B on City
Tunnel No. 3. We released the Draft
EIS, I believe that was November and we
have this EIS public hearing planned
tonight; but the important date that you

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see up on our screen is that on December

3 22nd we close the public comment period.
4 That is for those of you don't have an
5 opportunity to speak tonight or prefer
6 to send us your written comments, those
7 written comments are received by the
8 Department until December 22nd and they
9 are treated with equal weight to oral
10 testimony that we hear tonight.

11 The finding statement which is
12 anticipated to be released in late
13 January will contain the final decision
14 on the siting of Shaft 33B. We think
15 it's important to mention tonight that
16 we've had a series of public educational
17 forums on the project. We presented to
18 the Community Boards 6 and 8 to their
19 transportation and environmental
20 committees and we provided informational
21 forums on November 17th and 21st in
22 order to take comments from the public
23 and to exchange ideas and information
24 and to answer questions.

25 The Draft EIS is available on CD; if
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2 anybody would like a copy we have extras
3 here tonight. I don't know if they've
4 all gone by now, but if you leave us
5 your name we will provide you with a
6 copy of that document. And the DEIS is
7 available in its entirety on the
8 Department's web site which is noted
9 there (indicating).

10 I'm going to turn this over now to
11 Ken Moriarty, who is going to give you a
12 brief description of the project and of
13 its importance.

14 MR. MORIARTY: Thanks, Angela. Good
15 evening, ladies and gentleman. Ken
16 Moriarty, director of design, New York
17 City DEP.

18 Basically we analyzed four shaft
19 sites in the Draft Environmental Impact
20 Statement. We've identified the
21 preferred site as 59th and First and the
22 other three sites that we considered in
23 the Draft EIS were East 59th and Second,
24 East 54th and Second and East 61st
25 between First and Second. These four

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2 sites are not the only sites that we
3 considered. We had considered 19 sites
4 prior to that; they were prescreened.
5 If you read some of the documents, in
6 the Scope of Work we indicated that
7 sites were screened out basically based

8 on the fact that they might not have the
9 required minimum width, which is about
10 39 feet, to build a shaft; that it would
11 require condemnation of active private
12 property or that it would require the
13 closure, the complete closure of the
14 street. So we were left with these four
15 sites and these were the four sites that
16 we analyzed in the document, in the
17 Draft EIS.

18 Why are we building the shaft?
19 Well, we have an existing water tunnel,
20 City Tunnel No. 1. It's been in
21 continuous service since 1917. It
22 supplies water to almost all of
23 Manhattan. Without that tunnel we would
24 have serious difficulties. The tunnel
25 is not in imminent danger of collapse

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2 but it has been operating continuously
3 since 1917 without any kind of
4 maintenance; so we do need a redundant
5 water supply system for Manhattan.

6 We need to provide redundancy, we
7 need to be able to take down City Tunnel
8 No. 1. We also want to maintain
9 sufficient water pressure in what we
10 call the mid-intermediate pressure zone.
11 New York City supplies almost all of its
12 water by gravity; so we are fortunate in
13 that we don't have to pump water. We
14 are blessed with very good natural
15 geography and the city forefathers in
16 the 1840's and through the early 1900's
17 had foresight. They tapped into the
18 Catskill Mountains and we get our water
19 supply just by the difference in the
20 elevation between the Catskills, between
21 Hillview Reservoir in Yonkers and
22 between here. As a result of that,
23 there are different pressure zones in
24 the city that basically correspond to
25 elevations, that correspond to heights,

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2 and the pressure will be different at
3 different elevations.

4 This particular shaft is being
5 situated at the mid-intermediate
6 pressure zone. That pressure zone has
7 30 million gallons per day per square
8 mile; it consumes six times the amount
9 of water than the Bronx does on average,
10 so it's a pretty densely populated area
11 and we also want to provide a redundant
12 water supply source to the northern

13 intermediate pressure zone, which is
14 north of 59th.
15 Here's our water tunnel in yellow
16 (indicating). The water tunnel, the
17 green is already active; that's Stage 1
18 of City Tunnel No. 3 and is already
19 supplying water to northern Manhattan.
20 The 14B site is on York Avenue, so we
21 have done this in upper Manhattan on
22 York Avenue in the '70s. The yellow
23 portion is the portion of the tunnel
24 that we currently have under
25 construction. The blue portion is City

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2 Tunnel No. 1. That's the tunnel that
3 went in service in 1917. The green
4 portion up here is Stage 1 that was
5 activated in 1998.
6 So what do we have? We have an
7 eight-and-a-half mile long tunnel that's
8 divided into three parts: There's a
9 northern part, a southern loop and a
10 crosstown loop. The tunnel is deep
11 underground, it's about 400 to 500 feet
12 underground, it's 10 feet in diameter.
13 So it's a pressure tunnel that's
14 excavated deep in bedrock.

15 We have a machine, a tunnel boring
16 machine that excavates the rock and
17 takes everything out, almost everything
18 out, through our main construction shaft
19 which is 26B. We have a rail system
20 down in the tunnel, and this work on the
21 northern part of the tunnel and on the
22 southern part of the tunnel has already
23 been done. The tunnel itself,
24 underground, is already built.

25 In order to bring water up to the

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2 surface we have these dots that are
3 labeled with B; those are basically
4 shafts. Those shafts are how we get the
5 water from the tunnel, 400-500 feet
6 underground to the surface. All of
7 these shafts, with the exception of the
8 proposed Shaft 33B, are in some stage of
9 construction at the present time.

10 What is a shaft? Basically, a shaft
11 -- the tunnel is here, it's ten feet in
12 diameter; a shaft is basically a
13 vertical, cylindrical tube with a
14 tapered diameter that may start at 29-35
15 feet and the diameter will gradually
16 decrease as you go along. It's
17 basically encased in concrete; it's a

18 cylindrical hole in the ground encased
19 in concrete. Inside that hole there are
20 stainless steel pipes; the stainless
21 steel pipes bring the water from the
22 tunnel into a distribution chamber.

23 The distribution chamber is located
24 just below the surface of the earth,
25 three or four feet below the earth.

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2 Inside this distribution chamber there
3 is a series of valves; those valves are
4 used to control and direct the flow of
5 water. That's basically what a shaft
6 is. You notice we say we want two
7 risers for redundancy. This is a
8 terminal shaft. 33B and 31 B are
9 terminal shafts. All the shafts have
10 two risers. The reason that we want two
11 risers is that if for some reason we
12 have to do maintenance on some portion
13 of the system, we don't want a stagnant
14 plug, say between 32B, 33B or between
15 30B and 31B.

16 The construction overview:
17 Construction at the shaft site itself
18 will take approximately 52 months in two
19 shifts 7 a.m. to 11 p.m. It doesn't mean
20 it's going to be continuous work over 52
21 months. The first 27 months, the shaft;
22 the next eight months is a period where
23 we contract to order equipment for
24 installation into the shaft. So overall
25 it should take the 27 months, the 8

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2 months and then the 17 months to install
3 the equipment; you get 52 months.

4 Our aim is to minimize impact to the
5 greatest extent on the community. I
6 told of you most of the muck was taken
7 out of 26B, most of the rock was taken
8 out of 26B; so we have a process which
9 we call raise boring. It's basically
10 drilling the shaft from the bottom up so
11 most of the rock falls into the tunnel
12 itself and can conveyed out of the west
13 side. For a three-month period we will
14 be working pretty much around the clock
15 raise boring, but that's a relatively
16 quiet operation. We do have to blast.
17 The blast is called flashing; we do it
18 with a water-soluble gel. Again, this
19 is Shaft 33B; we've done 33 shafts like
20 this since the early 1970s, we did
21 shafts up in the Delaware, we did shafts
22 up in the Catskills; it's very carefully

23 controlled.
24 You can expect a maximum of three to
25 five trucks in any hour. Concrete

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2 trucks will operate in a noise
3 enclosure. We're going to do everything
4 we can, within reason, to mitigate
5 noise, to mitigate any concerns that you
6 might have. We're not going to allow
7 queuing of the trucks on the site.
8 Basically after the two shifts, what
9 will be done at night is just some
10 cleanup activities. The site will be
11 enclosed inside a concrete barrier.
12 You'll see that at any of the other
13 sites we have, we have concrete fences
14 around the site to keep it secure, and
15 there will be about 10 to 15 workers on
16 the site every day.

17 The shaft itself, once we're there,
18 we have these shafts already in service
19 for Stage 1; we go away; they're
20 operated unmanned; you don't even know
21 that they're there. You probably walk
22 past a lot of them in the City. All you
23 see is an air vent and some hatch doors
24 that are flush with the street, and two
25 standard fire hydrants. That's to just

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2 blow off some water and some air the we
3 might have to do periodically.
4 The site may be visited a few times
5 a week by DEP maintenance staff just to
6 take records, basically to record flow.
7 We will not store any chemicals on the
8 site; we don't chlorinate or anything
9 like that from these sites.

10 Water main connections to the shaft:
11 Once we get the water up to the
12 distribution chamber we have to
13 distribute it, so we need two water
14 mains to connect the shaft to the trunk
15 main. The truck main runs down Third
16 Avenue, that's where we need to connect
17 to. As we said we want to provide
18 service to the mid-intermediate
19 pressures zone and the northern pressure
20 zone.

21 The actual route of the water mains
22 is not determined by New York City DEP.
23 It's determined by DDC, New York City
24 Department of Design and Construction.
25 It's done by DDC in consultation with

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2 DOT and it depends on the time period
3 that they're at as to the specific route
4 that they'll select.

5 We analyzed three potential routes
6 in the Draft EIS. One of those routes
7 we considered reasonable worst-case, but
8 basically when it comes down to do the
9 water mains, there's a DDC community
10 outreach liaison that your Community
11 Board representatives and you folks can
12 contact. This is one potential water
13 main route; this doesn't mean this is
14 the route. This is what we considered
15 the reasonable worst-case scenario, the
16 shaft being at 59th and First, running
17 the water mains down and crossing 55th
18 and 56th to the existing boundary valve
19 that separates the mid-intermediate
20 pressure zone from the north pressure
21 zone.

22 There's another route called the
23 Sutton Place route. We were asked to
24 look at this route by the New York City
25 Department of Transportation. This

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1 route would go down Sutton; it's
2 obviously a longer route, and it would
3 connect to the same area. The third
4 route that we're considering is going
5 from the 59th -- is just basically the
6 shortest route. So we just looked at
7 three different routes that possibly
8 could be used for water main
9 connections. And with that I'll turn it
10 back to Angela.

11 MS. LICATA: We're going to go
12 through the presentation and then hear
13 your public comments. We're not going
14 to accept questions at this time.

15 The EIS first and foremost focused
16 on the preferred site, including the
17 conceptual water mains routes. The
18 primary environmental issues that were
19 germane to this analysis included those
20 issues related to the construction
21 activities. As Ken mentioned, once the
22 shaft is constructed, there are no
23 environmental consequences. And the
24 alternatives were assessed at a level of
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1 detail allowing for a fair comparison
2 with the preferred site, so that that
3 information would advise us in our
4 decision making for where to place the
5 shaft.
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7 The potentially significant and
8 temporary adverse impacts have been
9 disclosed for all of the sites and
10 potential mitigation and attenuation
11 measures have been explored and
12 committed to, to the maximum extent
13 possible.

14 And I think that's a really
15 important point, to emphasize that the
16 Department doesn't necessarily wait for
17 an analysis to advise of potential
18 significant impacts. We plan these
19 projects, going forward, to minimize the
20 effects on the community. We use all of
21 the technology that's available to us to
22 minimize noise levels; we look at
23 equipment and we specify to the
24 contractor equipment which would
25 minimize and have the least amount of

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1 emissions associated with it. So we
2 were very proactive in the sense that we
3 minimized environmental consequences
4 wherever possible.

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6 Meanwhile the analysis will declare
7 significant adverse noise impacts at all
8 of the sites. Potential significant
9 open space impacts were concluded for
10 the Connaught Tower Plaza; that's
11 essentially as a result of the
12 diminished quality of that open space as
13 it relates to the anticipated noise
14 levels during construction.

15 Potential adverse significant land
16 use impacts were disclosed, predicted to
17 occur at East 61st Street where an early
18 education facility adjacent to the site
19 would represent a significant land use
20 conflict with the proposed construction
21 activity.

22 Each route will experience temporary
23 adverse construction impacts associated
24 with traffic, noise and urban design,
25 and this is specifically related to the

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2 water main construction.

3 I think it's important to recognize
4 that many of you have taken the time to
5 come here tonight. There are many, many
6 people. I like to see the spirit of New
7 York City is always true to form. And,
8 again, I want to emphasize that the
9 purpose of our meeting tonight is to
10 hear your comments, so I want to get to
11 that with no further ado. I want to

12 mention that it's going to be important
13 for us to limit your speaking time to
14 two minutes. We have over 60 people who
15 have signed up and at the two minutes
16 apiece that will be quite a lengthy
17 public hearing for all of us. We do not
18 want to inhibit anybody who came out
19 here tonight for being at the end of the
20 line and not having full opportunity to
21 present their point of view.

22 As I mentioned earlier, we are and
23 will consider with equal weight all
24 written comments received and there will
25 be a dedicated section to our final

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2 Environmental Impact Statement where we
3 will provide you with written responses
4 to all of your written and oral
5 testimony.

6 This public hearing is required by
7 the City Environmental Quality Review
8 Process as set forth in Executive Order
9 91 and its amendments. It is also a
10 requirement of the State Environmental
11 Quality Review Act, that's part 617 as
12 established by Article 8 of the
13 Environmental Conservation Law. And the
14 project may in fact anticipate funding
15 through the State Environmental Review
16 Process which also requires a public
17 hearing. So it's important that I
18 represent that to you tonight.

19 So we would like now to begin the
20 formal process. We have a stenographer
21 here to record your comments and we
22 would like to begin with our elected
23 officials. I believe that Jane Swanson
24 is here on behalf of Gifford Miller.

25 MS. SWANSON: My name is

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2 Jane Swanson, I'll be reading a statement
3 prepared by City Council Speaker Gifford
4 Miller who could not be here tonight.

5 I'm pleased to have the opportunity
6 to comment on the Draft Environmental
7 Impact Statement for Shaft 33B.

8 We know that Water Tunnel No. 1,
9 activated in 1917, is in dire need of
10 inspection and repair and that Tunnel
11 No. 3 must be completed before the work
12 can begin. Shaft 33B will connect
13 Tunnel No. 3 to the water distribution
14 that serves our neighborhood, East
15 Midtown and the Upper East Side. If we
16 want water we need the shaft.

17 The community's concerns should not
18 indicate opposition to the construction
19 of the shaft, but focus on the noise,
20 traffic, pollution, open space and other
21 quality of life issues associated with
22 the construction of the shaft. The
23 Sutton Area Community, the East Sixties
24 Neighborhood Association and the East
25 Fifties Neighborhood Coalition as well

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2 as Community Boards 6 and 8 are to be
3 commended for devoting time and hard
4 work to this process.

5 SAC rightly points out that "the
6 ultimate selection must be based upon
7 the least inconvenience to the least
8 number of residents in our
9 neighborhood." Of the four sites
10 considered by the DEP three are
11 off-street locations. At East 54th
12 Street and Second Avenue construction
13 would take place both on heavily
14 trafficked Second Avenue as well as East
15 54th Street. Siting the shaft in the
16 street and directly in front of
17 residential buildings would create
18 noise, traffic and safety problems for a
19 greater number of people than would an
20 off site location. In response to a
21 request by Community Board 6 for an
22 inspection, the fire department found
23 insufficient room on the street to fight
24 fires that might occur in buildings on
25 East 54th Street, for example.

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2 I would also like to commend
3 relatively new group to this issue, the
4 East Fifties Neighborhood Coalition.
5 This dedicated group of volunteers
6 represents residents and businesses that
7 would be most affected by the shaft.

8 Since the speaker is asking for an
9 extension of the comment period for
10 them, I'm going to abbreviate this since
11 I only have 30 seconds left. Also the
12 East Sixties Neighborhood Association
13 recommends and the Speaker supports
14 total funding and rehabilitation of the
15 14 Honey Locus Park and its extension in
16 the Triangle, and also work with the MTA
17 on bus rapid transit.

18 Two more things: Once a site is
19 selected a task force should be
20 established. I think all the elected
21 officials are asking for that tonight.

22 In addition the Speaker asks that the
23 agencies also set up a web site and that
24 each agency dedicate a staff member to
25 monitor, respond to and communicate with

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the community and the task force via the
web site.

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There are differing opinions in our
community regarding the water main
connection routes. The Speaker

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recommends that we treat the water main
issue similar to the EIS. The EIS has
allowed us to raise a number of issues

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about the shaft. Let's give the water
main issue similar treatment: Study the
noise, traffic and safety issues with
each alternative and begin to outreach
to the utilities.

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We understand that by the time the
water main is in construction other
utilities may be in the street and there
should be coordination and we cannot
come up with a way to figure out the
water main route today. But we should
start to establish a task force if we
need to do that process as well and not
rush to make that decision. Thank you.

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MS. LICATA: Thank you very much. I
would like to call Jessica Lappin,

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please.

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MS. HENDRICKS: My name is Julie
Hendricks; I am here to read a prepared
statement for the City Councilmember
elect Jessica Lappin who is out of the
country at this time.

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I would like to thank the Department
of Environmental Protection for holding
this public hearing tonight and for
giving the community another opportunity
to comment on the Agency's plans for
proposed Shaft 33B. As we've seen in
the past three years it is crucial for
the community to have a voice, to ask
questions and to provide the DEP with
input on a public works project of this
scope and magnitude. I also want to
recognize the community groups who have
contributed to the public dialogue on
this issue: Community Boards 6 and 8,
the Sutton Area Community group, the
East Fifties Neighborhood Coalition and
the East Sixties Neighborhood
Association. These groups have done a

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great deal of work to raise public awareness about this project and I would like to commend them for this service the community.

The construction of Shaft 33B and adjoining main water route will impact the community for years to come. The selection of the shaft site and water main route must be done carefully with a thorough review of potential adverse impact, mitigation factors and alternative proposals with input from the community every step of the way. I'm encouraged by the willingness of DEP to conduct a full Environmental Impact Statement on Shaft 33B and hope that the dialogue initiated by this process continues throughout the duration of this project.

The Draft Environmental Impact Statement from the DEP examines four potential water shaft sites in the East Fifties neighborhood. I agree with the Sutton Area Community group that "the

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ultimate selection must be based upon the least inconvenience to the least number of residents in our neighborhood." The construction of the water main should be held to the same standard and the impact to the surrounding community of each potential route should be measured and weighed against the alternative proposals.

The DEIS indicates that the Department of Design and Construction will be the lead agency for the selection and construction of the water main that will connect the shaft to the water tunnel on Third Avenue. The three potential water main routes examined in the DEIS would all have extensive impacts on our community. I strongly urge the DDC to work actively with the community as the agency selects and constructs a path for the water mains. DDC must thoroughly analyze impacts of traffic, noise and level of safety for each potential path and work with the

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communities to select a route that will cause the least inconvenience to the least number of residents in our neighborhood. In the written testimony

6 that I will submit and make copies
7 available to the public, the statement
8 goes on to address the specific impacts,
9 such as traffic, noise, pollution and
10 open space. Thank you for the
11 opportunity to testify.

12 MS. LICATA: Thank you very much.
13 I've like to move on to Barry Klein for
14 Assembly member Bing.

15 MR. KLEIN: Thank you very much.
16 Good evening, my name is Barry Klein and
17 I'll be submitting this testimony for
18 the Assembly member Jonathan Bing.

19 Good evening. My name is Jonathan
20 Bing and I am the Assembly Member for
21 the 73rd Assembly District on the East
22 Side of Manhattan. I'm testifying today
23 because I represent the proposed area
24 from which the location for Shaft 33B of
25 the Third Water Tunnel will be chosen.

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2 As the Assembly Member I've been
3 actively involved in the site selection
4 process for the water shaft for almost
5 two years. I'd like to reiterate my
6 longstanding concerns and objections to
7 siting the shaft on 54th Street and
8 Second Avenue, which is still on the
9 list of "feasible locations" and make
10 clear some of my concerns for the
11 preferred site of 59th Street and First
12 Avenue and possible source of
13 mitigation.

14 If East 54th Street were chosen as
15 the location for Shaft 33B, the
16 construction site would be an oddly
17 configured, non-contiguous L-shaped
18 8,500 square feet enclosed by an 8-10
19 foot high concrete wall. Only one
20 traffic lane would remain open on 54th
21 Street, and one parking and one traffic
22 lane would have to be closed on Second
23 Avenue. Pedestrian conditions on the
24 northern side of 54th Street would be
25 dangerous as only a narrow 7-foot alley

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2 would exist between the building and
3 construction walls. In addition, the
4 construction would materially hinder
5 emergency services to residences and
6 businesses on the block.

7 Constructing the shaft at the East
8 54th Street location would cause a great
9 disruption to the neighborhood's quality
10 of life, impact public safety and snarl

11 traffic in the surrounding area for
12 years. The construction would take
13 place very low close to a large
14 residential building, school and
15 recreation center. Further, there is
16 significant automobile traffic
17 congestion in the area, since East 54th
18 Street is a bypass to the FDR and is
19 designated as a Thru Street by the
20 Department of Transportation.

21 The significance the issues with the
22 "preferred site" of 59th Street and
23 First Avenue include stoppage of bridge
24 traffic during blasting and the
25 construction of the water mains that

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2 would connect the shaft to the regulator
3 at Third Avenue. As my District Office
4 is located in this area at 57th Street
5 and First Avenue, I know that both of
6 these traffic concerns are quite serious
7 as they will no doubt have a major
8 negative impact on the community. The
9 stoppage of traffic twice a day over an
10 eight-month period of time because of
11 blasting should not be taken lightly.
12 In addition, though I recognize that
13 this is but one of many factors and will
14 ultimately be decided by the NYCDDC, the
15 water main route is of extreme
16 importance to those of us in the
17 neighborhood. The water main
18 construction has the potential to tie
19 traffic on much of the East Side for
20 about four years. While I can
21 appreciate information that the DEP has
22 included in the DEIS regarding the water
23 mains, it is unfortunate that the
24 community has been repeatedly rebuffed
25 in their efforts to get a final answer

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2 on the route that the water mains would
3 take if the preferred site is chosen.
4 The DEP has done a good job of
5 reaching out to the community and
6 working to make sure that all the
7 information is available on the project.
8 Unfortunately the issue that has become
9 the most contentious, the water main
10 route, is the one that the agency has
11 not done enough to address. The DEP
12 should have worked with DDC to make sure
13 that someone from that agency was
14 available to discuss the potential water
15 routes and what the realistic options

16 for the route are. It is unfair to the
17 community for the DEP to release just
18 enough information to cause serious
19 concern and then fail in its
20 responsibility to answer the very
21 legitimate and important questions of
22 the community.

23 At this juncture it is imperative
24 that the DEP and DDC work together with
25 the community during this construction

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2 project. A Community Advisory Council
3 should be formulated so that the
4 agencies can provide information on an
5 ongoing basis and benefit from the input
6 of people who have lived in this
7 neighborhood for years. In addition, I
8 support the resolution by Community
9 Board 8 requesting that the DEP provide
10 funding for their 197-A plan at 14 Honey
11 Locusts Park. Finally, I would like to
12 reiterate my call for the DEP to extend
13 the comment period in order to allow the
14 community the necessary amount of time
15 to consider the DEIS and make valuable
16 comments and suggestions.

17 In conclusion, we must ensure that
18 the DEP adequately responds to questions
19 and concerns raised by the community
20 where the shaft is eventually located.
21 I hope and expect that the DEP will take
22 my concerns and those of the community
23 into account as this process goes
24 forward. Thank you for your
25 consideration.

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2 MS. LICATA: Pat McCandless. This
3 is the representative for Senator Liz
4 Krueger.

5 MR. McCANDLESS: My name is Pat
6 McCandless; I'm on behalf of Senator Liz
7 Krueger. I will not get through my
8 testimony in two minutes, so I urge
9 everyone to look at our testimony on Liz
10 Krueger.com and it will be posted by
11 tomorrow.

12 My name is State Senator Liz Krueger
13 and I represent the 26th Senate District
14 covering the East Side of Manhattan and
15 parts of Midtown. Thank you for the
16 opportunity to testify regarding the
17 Department of Environmental Protection's
18 plans to construct Shaft No. 33B for
19 Water Tunnel No. 3 at 59th Street and
20 First Avenue.

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It is clear that DEP's preferred site for Shaft No. 33B will result in several temporary adverse impacts for the East Midtown Community. While I continue to oppose siting the shaft at

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East 54th Street, I urge the DEP to fairly consider all possible sites for shaft construction as you continue the environmental review process.

The community surrounding the proposed water shaft has requested that the comment period for the Draft Environmental Impact Statement be extended so they can fully review the dense document. I've supported their request in written correspondence to DEP and again ask that your agency extend the comment period to accommodate the community's request.

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Since DEP has designated the site at 59th Street and First Avenue as the preferred site, my comments will focus largely on that site.

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In the DEIS, the DEP states it will need to blast at 59th Street and First Avenue for a period of eight months. During four of these months DEP will blast close enough to the surface that it will need to stop traffic between on

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and five minutes. Stopping traffic for this time will likely create significant temporary traffic impacts and I support DEP's plans to dispatch Traffic Enforcement Agents to mitigate these effects. Blasting and drilling will also create significant temporary adverse noise impacts and DEP must employ modern blasting techniques and construct the 20-foot wall described in the DEIS.

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In the description of the Draft Scope of Work, DEP states that "The New York City Department of Design and Construction would construct the water mains according to a plan provided by NYCDEP." DEP goes on to say, "The exact timing, route and methods of this construction are not typically defined by NYCDEP, but by NYCDDC, which is the agency that implements the design and construction of water mains in New York City." These sentences seem mutually exclusive and have caused a great deal of confusion within the community and a

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sense that DEP was not forthright in the early stages of the environmental review process.

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Construction of the water mains down at First Avenue will create significant impacts and DEP must ensure that DDC adequately mitigates these impacts. The construction period will last approximately 41 months and DEP estimates that the neighborhood will experience 100 weeks of severe temporary adverse impacts, causing traffic to queue between 3 and 5 blocks further south than under normal circumstances. DEP and DDC must ensure that DOT temporary closes parking on the west side of First Avenue and works with the police to aggressively enforce these parking restrictions. DEP must also ensure that additional Traffic Enforcement Agents will be dispatched during this time and notify motorists to upcoming delays several blocks before queuing begins.

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Because construction of Shaft No. 33B will result in several temporary impacts to the community, we call on DEP to convene a working group. The people involved in the working group should include -- for any site that's selected eventually -- should include representatives from Community Boards 6 and 8, the MTA, the NYPD, FDNY, Con Ed, and New York City Department of Environmental Protection, Transportation and Design and Construction. We also support CB 8's resolution calling on DEP to mitigate the effects of temporary loss of park space and trees along First Avenue in renovating the park. Thank you for the opportunity to testify.

MS. LICATA: And I'd like to call Judy Schneider, followed by Barry Schneider, followed by Steve Kass; who will be followed by Chris Fazio and David Becker.

MS. SCHNEIDER: Good evening. My name is Judy Schneider and I'm the Vice

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President of the East Sixties Neighborhood Association. There are five items of major concern, I'll try to

5 speed up.
6 The first one that concerns me is
7 the comment period. It should not be
8 extended past December 22nd, so the
9 project will commence in March, '06 as
10 scheduled. If the comment period is
11 extended it will mean that there will be
12 additional truck traffic to remove
13 debris and the project will be extended
14 14 months. Truck traffic is already our
15 biggest problem; therefore, the
16 community that will be affected the most
17 strongly urges you to keep this project
18 on schedule.

19 Secondly, the siting of the project.
20 We believe the preferred side of 59th
21 and First Avenue or the 14 Honey Locust
22 Extension, as we like to call it, should
23 be the site of choice so that it will
24 allow you to put in two construction
25 risers. If you're going to disturb us

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2 for this long period of time, you should
3 do the project properly and pick a site
4 that allows two risers and not one. In
5 using that site, we want to say that we
6 strongly urge you to work with DOT to
7 make sure that all the pieces are
8 located within the 14 Honey Locust
9 Extension and that there is nothing on
10 the sidewalk. We do believe that
11 mitigation is necessary for you being
12 there for such a long period of time,
13 and we hope that you will restore 14
14 Honey Locust Park and environs: The
15 Triangle, the ramp and the extension.

16 Parking was discussed last time; it
17 wasn't mentioned in the EIS. People who
18 are connected with this project,
19 consultants, workers, should not be
20 parking in the area. They should be
21 using public parking facilities.

22 And as far as the preferred water
23 mains siting, we believe that the First
24 Avenue, going across 55th and 56th --

25 MS. LICATA: Judy, please, you'll

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2 have to wrap up. We have so many
3 speakers.

4 MS. SCHNEIDER: I would like to
5 reiterate, as our elected officials
6 said, that we need additional traffic
7 control agents programmed into the final
8 contract who are "properly trained."

9 MS. LICATA: Barry Schneider.

10 MR. SCHNEIDER: Good evening, my
11 name is Barry Schneider. I'm the
12 President of the East Sixties
13 Neighborhood Association, a 15-year-old,
14 56-block community improvement
15 enterprise.

16 Having been present at the creation
17 of the current discussion for the siting
18 of the proposed shaft and having studied
19 much of the material contained in the
20 DEIS, I feel well qualified to lend my
21 voice in support of the preferred
22 location of the northwest corner of East
23 59th Street and First Avenue.

24 Of the four proposed sites, this is
25 the only one that truly works for the

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2 community and the project itself. The
3 space is adequate for the construction
4 of two risers and for the staging of
5 equipment and material. The trucks
6 delivering cement and other materials
7 will actually be able to access the site
8 with minimum impact on existing traffic
9 patterns. The site will allow the use
10 of the raise bore machine. The site
11 will have noise impact on the fewest
12 residents. All the evidence presented
13 in the DEIS clearly establishes the
14 northwest corner of East 59th Street and
15 First Avenue as the preferred site.

16 Three further points: I strongly
17 urge the Department not to extend the
18 comment period beyond the date now set
19 at December 22nd. Nothing will be
20 gained by pushing the deadline into next
21 year and much may be lost. If this
22 project is delayed beyond the point when
23 the raise bore machine can be used, the
24 spoils from the shaft will have to be
25 removed from the site by over-the-road

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2 trucks; some 7 a day for 14 months. And
3 that would be criminal.

4 Although not part of the DEIS, the
5 placing of the water mains is integral
6 to the project. After examining Sutton
7 Place and East 59th Street, East 61st
8 Street as an alternative, I cannot but
9 conclude that the original alignment
10 along 55th and 56th Streets is the only
11 reasonable solution. I urge the
12 Department of Design and Construction to
13 adopt the Department of Environmental
14 Protections's preferred route when it

15 considers its options.
16 And lastly, as an advocate for
17 community empowerment, I would be remiss
18 if I did not chide those among us who
19 have engaged in reckless disinformation,
20 disseminating false, misleading and
21 alarmist materials without regard to the
22 truth or accuracy of their claims. The
23 siting of Shaft 33B is serious business.
24 To engage in demagoguery deflects from a
25 serious consideration of the issues. I

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2 hope we've heard the end of it.

3 MS. LICATA: Steve Kass, again
4 followed by Chris Fazio, David Becker
5 and then at Linda Saputelli.

6 MR. KASS: Good evening. My name is
7 Stephen Kass, I'm a member of the firm
8 Carter, Ledyard & Milburn; I'm counsel
9 for the East Fifties Neighborhood
10 Coalition, a small number of whose
11 10,000 members are here this evening.

12 Let me say, before I begin, if I
13 may, that two minutes, with all respect,
14 an inadequate opportunity for people to
15 comment at a public hearing. It should
16 be at least three to five minutes, and
17 we particularly should not have an
18 arbitrary 10 p.m. deadline, especially
19 when the proceedings didn't get to
20 public comments until 7:30.

21 My colleague Chris Fazio will
22 discuss the failure of the EIS to deal
23 properly with construction impacts,
24 characterize them and to assess them on
25 a cumulative basis. I would like to

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2 address three other subjects:

3 First the complete failure to
4 identify a reasonable range of routes
5 for the water mains themselves. It's
6 curious that all the routes here go
7 either south or north or east, when they
8 should be going west from the outset;
9 and it makes absolutely no sense to
10 spend the extra money, to incur the
11 additional time, the many additional
12 weeks and many think it's months of
13 additional time. We ought to be
14 looking, and the EIS should have
15 examined a water main route that
16 proceeded west from the preferred site
17 directly across 59th Street and possibly
18 then going south on the west side of
19 Second Avenue and proceeding one block

20 south and then proceed west along 58th
21 Street. There's no reason why, if you
22 have to split the water mains, that they
23 can't go on 59th and 58th Streets
24 proceeding west from the preferred site.
25 Indeed, as a matter of fact, it's not

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2 clear to me why you could not put them
3 both directly on 59th Street. I know
4 you don't want to close the street,
5 putting both of them in; but with all
6 respect, you could do them sequentially;
7 do one, close it, and then do the other.
8 No examination has been made of existing
9 utilities in this EIS, with one
10 exception I'll get to, and that should
11 not be asserted as a reason not to
12 pursue either 58th and 59th or just 59th
13 Street routes for the water mains.

14 With respect to the shaft sites
15 themselves, you have indicated that the
16 59th and Second alternative at the
17 northeast corner of 59th Street is
18 viable, but you would only have room for
19 one riser because of the constricted
20 nature and narrow nature of the chamber
21 that would be directly beneath the
22 street. Interestingly enough, that
23 chamber as described in the DEIS, is
24 exactly the same size as the chamber on
25 61st Street, 30 by 45, which is said to

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2 be adequate for two risers. The shaft
3 itself is said to be 25 feet in all
4 locations. There is nothing in this EIS
5 that demonstrates why you could not have
6 the redundancy you seek at that
7 alternative site. It may be tricky, but
8 it could be done.

9 MS. LICATA: Steve, I'm going to
10 have to ask you to wrap up, unless
11 somebody wants to cede their minutes to
12 you.

13 (Whereupon, several speakers cede
14 their minutes to Mr. Kass.)

15 MR. KASS: Thank you very much.

16 Next, there is another, more
17 important thing, though. Quite apart
18 from the failure to analyze that site
19 and concede its viability, is that you
20 have prescreened out, before you get to
21 the EIS, I guess it's 15 of the 19 sites
22 you had; and that makes no sense. Some
23 of them, fair enough should be screened
24 out; but some of them are perfectly

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viable and should have been analyzed.

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They have some impacts, but those impacts have to be balanced against the impacts on alternative sites.

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In particular, site No. 11, which is on the northwest corner of 59th Street and Second Avenue, what I would refer to as the Tramway Plaza site: Owned by the City, adequate, you yourselves say, for the entire double riser shaft, is said not to be viable, was not considered at all because of its proximity allegedly to an existing subway tunnel and the fact that it might be adversely affected by the construction or operation of the new Second Avenue subway. That's all that is said.

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That does not strike me or strike us or our consultants as credible. After all this discussion about the delicacy of blasting and how you could do it so nicely, and as you remember last week at the information session, when it was explained by one of your own engineers that you're blasting in the Holland

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Tunnel and that all the other shafts are being done with the utmost blasting care, it's not clear to me why you could not do this one without adversely affecting the existing subway tunnel or why you could not expect MTA and the Transit Authority to do the same when they build their Second Avenue subway. The possibility of vibrations from a passing subway affecting something of this structural integrity strikes me as obscene and ridiculous. Many of us stand quite close to subways and we feel the vibrations and the subway platforms survive well.

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So that's an important site, and the reason it's an important site that should not be dismissed is that it's west of Second Avenue and you would be just one block from Third Avenue, on 59th Street and if necessary one block north of 58th Street if you had to split the water mains from there. It's a preferable site and should have been

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included in the EIS. An even better site is not included, and that's what

4 you call Site 8, which was screened out.
5 That's at the southwest corner of 56th
6 Street and Third Avenue. Third Avenue is
7 exactly where you have your distribution
8 water main. That's where you want to
9 get. It would permit you, if that site
10 were viable, to essentially eliminate
11 all these mains, to save -- and I do not
12 exaggerate -- hundreds of thousands of
13 cumulative hours of driver and passenger
14 delay as a result of a water mains at
15 any of the three sites and three routes
16 that you've talked about.

17 56th Street and Third Avenue is
18 rejected in your screening because you
19 say you're lacking three feet to keep
20 one lane of that street open during
21 construction. But those three feet can
22 easily be found in the planters that are
23 there. Yes, it would require a
24 temporary easement or possibly a slight
25 acquisition of private property on the

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1 north edge of 919 Third Avenue. Some of
2 my friends work in that building, but
3 they don't spend a lot of time in the
4 planters. I do not believe they have
5 any structural role whatsoever.

6 The ten feet -- and if you were to
7 use the planters you would have more
8 than enough room to keep that lane of
9 traffic moving on 56th Street, you could
10 avoid probably tens of millions of
11 dollars by your own estimate in water
12 main cost. I think that's low. You
13 could avoid tens of millions of dollars
14 of impact to the community and the local
15 businesses, and you could stop your
16 tunnel quite a bit sooner; and I'm sure
17 that would save a great deal of money as
18 well.

19 Let me say, incidentally, that we
20 should reject it right now. We should
21 not go on further with this business
22 about the delay in moving, for example
23 at 59th and Second, in moving the Con Ed
24 line, which might take 10 to 12 months

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1 and thus make it impossible to use the
2 tunnel to remove spoils from the
3 construction of the shaft itself. That
4 is certainly not the public's doing.
5 You had years to come up with this
6 proposal; you had a couple of false
7 starts in starting it. The tunnel
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9 itself has been underway for decades;
10 all the other shafts are underway.
11 There was no reason why you could not
12 have done this in a timely fashion, and
13 there still is no reason why it would
14 not be feasible to ask that contractor
15 to delay his exit from the tunnel itself
16 and removal of the rail facilities.
17 That would be well worth it if you could
18 save more money -- (clapping)

19 Incidentally, I cannot resist the
20 suspicion that one of the reasons you
21 don't and you so quickly rejected any
22 acquisition of private property, is that
23 that could involve a ULURP proceeding.
24 Horrors! Horrors! That would mean
25 there would be public hearings; that

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2 would mean another six months. You went
3 through ULURP once at an earlier stage.
4 That's not a proper reason for rejecting
5 a site, even if it were necessary, and
6 I'm not sure it is.

7 Finally and most importantly, let me
8 talk about the fundamental real problem
9 that DEP, DDC and the City have here,
10 which is that you have improperly
11 segmented the procedure. Now I'm sure
12 you've sought counsel on this issue and
13 I see that you've made an effort in the
14 DEIS to put forward some analysis --
15 though preliminary, I have to say -- of
16 impacts from the various water main
17 routes. But the key thing, the most
18 important thing, is that DDC is not
19 here. They are not identified as an
20 involved agency, as they certainly are,
21 in the EIS. I hope they are; if they're
22 not, it's just improper segmentation
23 completely and to suggest, as Speaker
24 Miller did, that you can solve that by
25 having another EIS for that is a perfect

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2 example of segmentation.
3 Suppose you were planning a bridge
4 from say Long Island to Westchester;
5 call it Oyster Bay -- (laughter) -- was
6 proposed some years ago, but decided you
7 were not going to analyze how you were
8 going to get to the two ends of the
9 bridge. That's what we have here,
10 that's really what we have. You can't
11 go through this analysis properly
12 without taking into account all feasible
13 sites; and I suggested to you two other

14 ones that you didn't even analyze, both
15 of which would have significantly fewer
16 adverse impacts than what we have before
17 us. So it's not enough for DEP to think
18 it's informed in some superficial way
19 about what the impacts will be, and then
20 to say that DDC is going to make a
21 decision outside of the CEQR process.
22 Even if it made it within the CEQR
23 process, your choice of sites would
24 constrain its options; so that you have
25 the most fundamental form of improper

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and unlawful segmentation here.

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With all respect, Commissioner, I really think you've got to go back, redo this EIS, do it in a way that looks at proper alternatives. It will cost a few months, and it will require you to extend the tunnel boring machine contractor, which I think you may have to do anyway. But you've got eight months where you're ordering equipment where nothing seems to be happening; you have a lot of time that's gone by. It will take a few months, but you will do it right, you will do it lawfully and you will come up with a permanent solution that is not only wiser than what you have, but is lawful.

Thank you very much.

MS. FAZIO: My name is Christine Fazio, I'm an attorney also with Carter, Ledyard & Milburn and I'm also speaking on behalf of the East Fifties Neighborhood Coalition.

First and foremost, the Coalition

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adamantly opposes 59th and First Avenue as the preferred shaft site. And the Coalition finds it illogical that DEP would actually consider going east and south on First Avenue just to go west with the water main construction.

Mr. Kass just spoke about DEP's failure to consider reasonable alternative shaft sites and how DEP is illegally segmenting review of the shaft location and water main routes. In the interest of time within my two minutes, I will speak on just two of the serious flaws of this DEIS.

First, the DEIS is incomplete and wholly inadequate because it does not examine the cumulative construction

19 impacts of Shaft 33B and connecting
20 water mains with other public and
21 private developments in the project
22 area. The five- to seven-year
23 construction process for the shaft site
24 and connecting water mains will result
25 in significant traffic impacts to the

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2 entire East Side, as well as significant
3 noise and air quality impacts to
4 residents and workers in the area.

5 The severity of these impacts,
6 however, is not fully disclosed in the
7 DEIS because it fails to examine the
8 combined impacts of this project with
9 other projects in the area, particularly
10 the Second Avenue subway, reconstruction
11 of the FDR Drive, rehabilitation of the
12 Queensboro Bridge and other private
13 developments in the area.

14 Without a cumulative impact analysis
15 or at least consideration of these other
16 projects' impacts in the (inaudible)
17 scenario, the public cannot be aware of
18 the actual impacts that will result from
19 this project. Indeed, DEP itself cannot
20 logically choose a particular shaft site
21 and connecting water main route without
22 knowing what the combined impacts would
23 be with other development projects in
24 the area.

25 Second, and probably what is most

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2 shocking to this audience and to the
3 public, is that the DEIS addresses a
4 multitude of very severe impacts on
5 traffic, noise and air quality during
6 water main construction, but then
7 describes these extremely severe impacts
8 as temporary and thus not significant.
9 However, these impacts occur anywhere
10 over a period of five to seven years.
11 Stating several years of water main
12 construction impact that will cause
13 nightmare traffic conditions along the
14 East Side and changes of noise decibels
15 of 15 decibels or greater as
16 insignificant, makes a mockery of the
17 entire environmental review process.

18 For instance, proposed First Avenue
19 water main route would pass a multitude
20 of schools and community facilities.
21 Changes in noise decibels of 15 decibels
22 or greater, when the significance
23 threshold is 3 decibels, is certainly a

24 significant impact to those sensitive
25 receptors, especially since most of the

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2 construction is anticipated during the
3 day, when children are in school.
4 Likewise, DEIS shows that
5 construction of the water mains down
6 First Avenue would result in an increase
7 of PM 2.5 fine particulates, the most
8 harmful particulates on our public
9 health on a 24-hour basis of 16
10 micrograms per cubic meter, when your
11 own policies define significance as 5
12 micrograms per cubic meter on a 24-hour
13 basis. That is 300 times what is
14 considered significant by your own
15 agency. This DEIS plays word games with
16 the public. It does not inform this
17 community of the true impacts to the
18 public health and the environment. A
19 few months may be temporary; five years
20 is not temporary. By not disclosing the
21 true nature of the impacts the DEP and
22 all other involved agencies are not only
23 misinforming the public, but are
24 attempting to avoid committing to proper
25 mitigation. DEP cannot make appropriate

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2 CEQR findings without adequately
3 balancing the true nature of the very
4 significant and long-term impacts caused
5 by water main construction along with
6 the shaft construction.
7 This DEIS must be reissued or
8 supplemented with a proper analysis of
9 alternative sites, alternative water
10 main routes, with a cumulative impact
11 assessment and disclosure of the true
12 nature of impacts to the community. And
13 I also wish to reiterate that the
14 Coalition has asked for an extension of
15 the public comment period, and it's just
16 not acceptable to deny such to such a
17 large group of residences and businesses
18 in the area. Thank you very much.

19 MS. LICATA: Thank you very much.

20 MR. BECKER: My name is David
21 Becker. I live at 333 East 57th Street
22 and I represent the East Fifties
23 Neighborhood Coalition; that is the
24 10,000 members of this Coalition and we
25 are determined to make sure that this

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2 process is rational, fair and legal.

3 We're going to leave legal for the
4 attorneys. I want to read something
5 into the record.

6 This is an e-mail from a John
7 Joseph Curly who works for Verizon.
8 "David, as we discussed, Empire City
9 Subway Verizon -- Empire City Subway
10 manages the conduits for Verizon and is
11 a wholly owned subsidiary of Verizon --
12 does not generally get involved with
13 water main installations until the New
14 York City Department of Design and
15 Construction works up a preliminary plan
16 for each specific job. At that point we
17 attend an alignment meeting at NYCDDC
18 with the other utility companies, Con
19 Ed, Time Warner, Keyspan, etc. to
20 address all of our issues and concerns.
21 Verizon would have a major impact --
22 that is experience a major impact -- if
23 the DDC were to decide to place water
24 mains on 55th and 56th Streets to
25 connect a water shaft to its Third

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1 Avenue trunk main. Verizon has a
2 central office between Second and Third
3 Avenues which provides telephone service
4 to the surrounding area. There are over
5 hundred ducts going east-west on both
6 55th and 56th streets along with
7 numerous manholes.

8 It would not be feasible to put any
9 new water mains on those blocks due to
10 the current congestion under the street.
11 If Verizon were to be forced to relocate
12 our facilities by the City of New York
13 we would be looking at an expense of
14 over \$10 million and a time frame of a
15 few years to complete the required
16 telephone work."

17 It is one thing for the Schneiders
18 to get up here and say they want water
19 mains running across 55th and 56th
20 Street. They lived in Community Board 8
21 and wouldn't be affected by that. In
22 fact they'd be positively affected by
23 that. It's another thing for DEP to
24 make that recommendation without having

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1 done its homework. You folks should be
2 embarrassed.

3 I would also like to read for those
4 who love -- is my time up?

5 (Whereupon a few more people cede
6 their time to Mr. Becker.)
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8 Within the DEIS there 191 instances
9 where the words "Honey Locust" or "Honey
10 Locusts" appear.

11 For the arborologists among us,
12 congratulations; you've had a major
13 effect on the DEIS. I'm a physician; I
14 would much rather see the word
15 "ambulance" appear, and as far as I can
16 tell it does not appear once. The words
17 "emergency vehicle" or "emergency
18 vehicles" appear 19 times, four of which
19 are in the Final Scope of Work included
20 as an appendix. In almost all other
21 cases, perhaps 14 of the remaining 15,
22 the discussion of emergency vehicles
23 focuses on how blasting should proceed
24 should an emergency vehicle be near the
25 blast site. As far as I can find in the

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2 DEIS, there's no discussion how water
3 main construction will affect emergency
4 vehicles. Instead we get this -- this
5 is quoting from the DEIS: "Existing
6 congestion in the area around the
7 Queensboro Bridge could be worsened
8 while construction of the water mains is
9 underway, resulting in longer queues in
10 the affected streets. It is anticipated
11 that emergency vehicles could maneuver
12 around congested areas -- just as they
13 do today -- therefore no potential
14 significant adverse impact on the
15 provision of emergency services is
16 anticipated."

17 I'm glad you're so comfortable. You
18 have an obligation to the people in this
19 community and I believe that the people
20 in this community -- if you were living
21 on 54th Street in the Connaught and you
22 experienced chest pain and this shaft
23 was on 59th and First and you have three
24 lanes of First Avenue carved up to put
25 in 48-inch water mains, and the

0064

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2 ambulance pulls up in front of the
3 Connaught but can't make a left turn on
4 first Avenue in order to take you up to
5 New York Hospital, you might be
6 regretting the placement of that shaft.

7 You have an obligation to this
8 community. In the Draft Environmental
9 Impact Statement I would like to see the
10 following: What in 2004 were the
11 average response times in this
12 neighborhood to segment one and two to

13 three incidents. If you don't know what
14 those are, look them up. What would be
15 the effects on response times, ambulance
16 response times of the different
17 scenarios for water main construction.
18 After first response, how long does it
19 take an ambulance responding to a
20 segment one to three emergency to get to
21 the hospital; which hospitals. What
22 would be the effects on response to the
23 emergency department times of the
24 different scenarios. If response times
25 and response to emergency department

0065

1
2 times can be expected to increase, what
3 effects would the different scenarios
4 have on the number of deaths per hundred
5 thousand population.

6 It is fine to be concerned about
7 honey locusts. I think it is more
8 appropriate to be concerned about the
9 health and well-being of the people in
10 this neighborhood.

11 MS. LICATA: Linda will be followed
12 by Jim Davis, Peter McHugh, Ronald
13 Trost.

14 MS. SAPUTELLI: Hi, I'm Linda
15 Saputelli. I'm the chair of the East
16 Fifties Neighborhood Coalition, a
17 grassroots organization that was formed
18 in May, when we first got wind of this
19 project, and has grown from a few people
20 to almost 10,000 today. I'll be very
21 brief.

22 I would just like to say that we
23 feel, that everyone in the Coalition
24 feels that this has been a flawed
25 process from the very beginning. We

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2 were given now first a Scope of Work and
3 then a DEIS which identifies a shaft
4 site; and we then learn that DDC, the
5 Department of Design and Construction
6 has not been involved. We have no idea
7 where the water mains are going. It is
8 unfair of you to ask the public to sign
9 off on a shaft site when we have
10 absolutely no idea where the water mains
11 are going, and I would like to know if
12 there is anybody from DDC in this
13 audience tonight. Is there? Is anybody
14 listening to this? When the DEIS came
15 out, that's when we learned for the
16 first time that there was a possible
17 alternative to the water main connection

18 to the trunk that you had first cited in
19 the Scope of Work, the connection point
20 which was at Third Avenue between 55th
21 and 56th and which you've just heard
22 from Dr. Becker is probably a complete
23 non-starter. So why would you start to
24 build a shaft, which is what I
25 understand that you want to do, without

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having a clue of where these water mains
are going to go? You might be looking
at a completely different part of the
neighborhood for the shaft if you knew
this in advance. We strongly object to
the process.

MR. DAVIS: Good evening. My name
is Jim Davis, I'm vice-chairman of the
East Fifties Neighborhood Coalition. I
live at 30 Sutton Place and have lived
on Sutton Place for the last 11 years.
I want to make the following few points.

Number one: Over the last six
months we have gone from just a few
people to the present membership where
we represent 4,256 individual residences
and townhouses, which together have
approximately 10,000 inhabitants. We
have in the last five months raised
hundreds of thousands of dollars to
analyze the flawed work that you all
have produced and shared with us to
date. I'm going to make two promises to
you, and I'm not someone that ever

reneges on a promise. I am retired, and
the reason I'm retired is because I'm
very good at decision making; I'm very
good at keeping my eye on the ball and I
like to win. My promises are as
follows: I am going to continue in my
role on a full-time basis, as I have
since June first, raising money for this
Coalition, for the East Fifties
Neighborhood Coalition, promise number
one. So the hundreds of thousands of
dollars that we've raised to date is
going to be a drop in the bucket.

Promise number two of two promises,
and listen very carefully: If you all
think that we're going to swallow on
this kind of a flawed decision making
and analytical process, you're wrong.
If litigation is what the DEP wants,
litigation is what it's going to get.
Because my wife and I are staying here

23 for the rest of our existence, and if
24 that's how long it takes, then that's
25 what we're going to do. Litigation is

0069

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2 what we will do if you all are not
3 responsive. Look at this audience.
4 There is standing room only in this
5 room. Don't you think that suggests you
6 should sit down and work with the
7 community rather than railroading as
8 you're doing and requiring written
9 comments by December 22nd in the middle
10 of Christmas; isn't that really stupid?
11 If you don't think so, watch me, I am
12 going to raise millions of dollars to
13 litigate. Thank you.

14 MR. McHUGH: My name is Peter
15 McHugh. I'm a member of the East
16 Fifties Neighborhood Coalition, I live
17 on 57th Street. A lot of the ground has
18 been covered. I'm just interested
19 though that this project has been
20 underway since 1970 and it's due to end
21 in 2012. Could you add a few days to
22 our time to respond, just a few days? As
23 I say, a lot of the ground has been
24 covered. I do want to address however
25 one more substantive area.

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2 One real problem with the report
3 and with all reports like yours is a
4 defect in the use of some of its
5 measures: noise, pollution, traffic,
6 which -- let's call them stressors. In
7 research you separate them as to type,
8 like noise and so on; and then they are
9 addressed again in terms of the degree
10 of their severity. But this method is
11 not analogous to what actually happens
12 in communities to people, for two
13 reasons. One, actual people are
14 subjected to all stressors
15 simultaneously, with the result that the
16 quality of their experience is not
17 adequately reproduced by single measures
18 manipulated singly. The joint effect of
19 separate factors is missing, as so many
20 things are in this document.

21 Two, the method does not include the
22 duration or cumulative effect of these
23 exposures over time. So DEP data is
24 there, but we don't know really how it
25 affects us and we don't know how

0071

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2 permanent these supposed temporary
3 inconveniences could be on the health
4 and welfare of our population. Plus
5 other more vulnerable citizens, children
6 and the elderly would have just that
7 much greater risk as result of seven
8 years or however many of these kinds of
9 exposures that have not even been
10 measured, that have not even been
11 measured accurately and adequately to
12 make the implications clear.

13 These are really very serious, very
14 serious, very serious limitations which
15 cast doubt on the safety of the project.
16 There is an even heavier burden here
17 because it is planned for a residential
18 area, where most inhabitants spent the
19 greater part of their daily life;
20 whereas if you put this shaft in an
21 office area, which I think you were
22 afraid to do and that's why you put it
23 in a residential area, thinking we
24 couldn't organize ourselves -- if you
25 put it in an office area, where people

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2 are there only part of the time and
3 there are smaller residences, smaller
4 numbers of people in residence, this
5 problem wouldn't exist. So I don't
6 think you really have our best interests
7 of heart.

8 MR. TROST: My name is Ronald Trost.
9 I'm a vice-chairman of the East Fifties
10 Neighborhood Coalition, I live at 30
11 Sutton Place. On six days' notice I
12 appeared before you, I think it was May
13 ninth. I represented 42 families in our
14 building and 80 people. We stand here
15 today in this room full of people; most
16 of them are part of the 10,000 people
17 represented by a group which we put
18 together and why is it that we were able
19 to stimulate such interest in the
20 public? It doesn't happen every day.
21 And what I said to myself when we
22 appeared to on May ninth, I thought the
23 shaft was the issue; it was a very bad
24 location. But I don't know anything
25 about how you build infrastructure in

0073

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2 New York City and I know your problems.
3 And as I analyzed and thought about it
4 and talked with Linda, who became very
5 active with me, I said to myself, it's
6 the water mains, stupid. It's the water

7 mains.
8 So what happened here? And this is
9 not personal. People get emotional, but
10 this is not personal. Both of you and
11 the entire staff are doing what you
12 think is best. But what happened here
13 was, a site was selected at the vortex
14 of traffic coming off the FDR, across
15 the Queensboro Bridge from Queens,
16 massive congestion all the time, so you
17 picked the site there without taking
18 into consideration how you were going to
19 get the water over to Third Avenue
20 between 55th and 56th.

21 That is the problem. Steve, we've
22 got fine counsel; they will take care of
23 this in the legal way. But that's -- we
24 have a community problem. You put the
25 shaft in a very bad place to start with,

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2 and if you move it one block west -- and
3 now you tell us the pressure point
4 connections can be moved from 55th,
5 maybe to 58th, 59th, 60th, etc. -- you
6 might have four months of construction
7 of water mains instead of 41 months. If
8 you lived in the neighborhood you would
9 understand why the neighborhood is
10 exercised when you won't think about
11 that possibility. I'm not going to
12 repeat what everybody else said, so
13 thanks for the time.

14 MS. LICATA: Guy Smiley. Guy Smiley
15 is followed by Pat McHugh, who is
16 followed by Jeannette Paladino.

17 MS. PALADINO: I ceded my time.

18 MS. LICATA: Thanks, Jeannette. And
19 then Arthur Nislick.

20 MR. SMILEY: Madam Commissioner,
21 fellow interested citizens, my name is
22 Guy Smiley and I'm president of the
23 Sovereign Apartments. We're located at
24 425 East 58th Street, between First
25 Avenue and Sutton Place, and I speak for

0075

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2 the 360 units of our coop. Let me go on
3 the record in case there is any doubt:
4 We vigorously oppose the location of
5 59th and First. You've heard the
6 expression of putting the cart before
7 the horse; you folks are putting the
8 shaft before the mains. And that's the
9 problem here.

10 Even assuming that you can build the
11 shaft with little obstruction, which I

12 find to be flying in the face of
13 reality, because if you've ever been to
14 a construction site, traffic is a mess
15 around that site. You've got heavy
16 trucks, heavy machinery coming in, and
17 to say to us that the traffic impact is
18 minimal is either a boldfaced lie or
19 you're just out of touch with reality.

20 I would like to know first of all
21 why 54th and Second which was the
22 "preferred site" for such a long period,
23 suddenly became in disfavor and 59th and
24 First was selected. And we all know the
25 answer: The people who live around 54th

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2 and Second put up one hell of a fight.
3 The fact that 54th and Second put up
4 a fight does not mean that 59th and
5 First is correct. In fact I couldn't
6 think of a worse place on the Upper East
7 Side to pick as a location. Number one,
8 you have a confluence of traffic
9 entering the FDR drive, you have the
10 traffic coming onto and off the
11 Queensboro Bridge. And as if that alone
12 were not enough, if you'd ever lived in
13 this area, Madam Commissioner, you would
14 know that when Con Edison is fixing a
15 pothole on First Avenue, traffic is
16 backed up to the UN.

17 And we're talking about five years,
18 that's a minimum of five years of mains
19 going down First Avenue; it's going to
20 be a nightmare. I would adopt Steve
21 Kass' position that this is a flawed
22 study, that it should be sent back for
23 restudy, that the traffic impact, the
24 environmental impact should be taken
25 into account, and the fact you are not

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2 being realistic when you talk about
3 minimum disruption.

4 If, God forbid, we have to evacuate
5 the East Side of Manhattan, how are we
6 going to get to the FDR Drive, how are
7 we going to get to the Queensboro Bridge
8 in a nightmare of gridlock? How are we
9 going to do that? We're not. I
10 respectfully submit that what you need
11 to do is meet with DDC -- I can't
12 understand how you could separate the
13 two. It's like Steve said: You build a
14 bridge out in the middle of Long Island
15 Sound and later on decide where you're
16 going to connect it. In essence you're

17 putting the shaft down the roadway and
18 then some other committee is going to
19 make another study to determine how to
20 connect it. It makes no sense.
21 I beg of you on behalf of the
22 citizens of the Upper East Side to go
23 back to the drawing board and reconsider
24 your options. Thank you.

25 MS. McHUGH: My name is Pat McHugh,
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2 I've been at 435 East 57th for 15 years
3 and I represents EFNC, which is
4 dedicated to ensuring that the siting of
5 Shaft 33B and its attendant water mains
6 is fair, rational and legal. I would
7 like to flesh out what the Department of
8 Environmental Protection's proposal
9 means for public transit and the
10 pedestrian mobility.

11 I think it's interesting that when
12 DEP writes about what it calls
13 neighborhood character it describes
14 building, cars, traffic, but not the
15 human beings who live there. So I
16 turned to the latest census data. There
17 are 16,047 of us living here. Our
18 median age is 48 and we're all
19 pedestrians, except maybe the under
20 fives, and we all depend on public
21 transit to get around: On the M15, M31
22 and M57 buses because subways are not
23 nearby.

24 A reading of the Draft Environmental
25 Impact Statement leads to the conclusion
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2 that of the four described shaft sites
3 and three water main routes, building
4 the shaft at 59th and First and
5 constructing the mains down First Avenue
6 and the across 56th and of 55th Streets
7 to Third Avenue is the worst possible
8 scenario for bus drivers and
9 pedestrians.

10 Let me describe the particulars of
11 that scenario. Number one: In
12 constructing the shaft at 59th and First
13 DEP proposes to use part or all of the
14 sidewalk surrounding the site. If all
15 the sidewalk is used, a temporary one
16 will be built in the street, and a
17 traffic enforcement agent provided,
18 presumably to protect us from being hit
19 by a truck. Blasting to excavate the
20 shaft at 59th and First will require
21 clearing of vehicle and pedestrian

22 movement within 150 feet of the site.
23 Imagine finding yourself in the middle
24 of the 59th Street block between First
25 and Second when the warning whistle is

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2 sounded and you have only minutes to
3 scurry out of the danger zone. I think
4 you should know that under one proposal
5 sidewalks along First Avenue for the
6 water mains would be narrowed, and trees
7 and street furniture such as fire
8 hydrants and mailboxes and street lights
9 would have to be moved.

10 Another point is DEP admits water
11 mains installation will severely impact
12 traffic flow of the 40,000 vehicles that
13 daily travel on First Avenue in the area
14 of the Queensboro Bridge, with queues
15 possibly backing up as far south as the
16 Thirties. M15 bus services of sorts
17 would be maintained, but obviously,
18 given the predicted traffic queues, it
19 will be slow and way behind schedule.
20 Such traffic congestion will be a
21 nightmare too for pedestrians, wherever
22 they walk, as well as the M57 and M31
23 buses trying to navigate 57th Street.
24 And how many taxis do you think will be
25 cruising in the neighborhood? In short

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2 we'll all have a hell of a time getting
3 in and out of our own neighborhood.

4 MS. LICATA: Arthur Nislick followed
5 by Rebecca Griffith and Michael
6 Horowitz.

7 MR. NISLICK: My name is Arthur
8 Nislick, I've lived in this neighborhood
9 for the last two years at 433 East 56th
10 Street. I'm an engineer, I've been
11 involved in construction projects in the
12 City of New York. We built the \$300
13 million engineering power plant in the
14 middle of Kennedy Airport, far more
15 complicated than what you're talking
16 about, but nevertheless we coordinated
17 our project with all the various
18 entities that had been input into that
19 project. I read that material here and
20 I'm appalled at the fact that there was
21 very little coordination between DEP and
22 the Department of Construction of the
23 City of New York, both New York City
24 agencies. As lead agency in this
25 environmental impact study, I think

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2 you've failed miserably in recognizing
3 that the significant impact of a project
4 like this isn't just a the vertical
5 tunnel or the shaft, but it is the
6 connection to the water mains. And to
7 have ignored that, to me as an engineer
8 and as a logical human being makes no
9 sense at all, and I would hope that you
10 would reconsider this. In my view the
11 shortest route, the shortest
12 construction period would yield the best
13 result, and you don't have that.

14 MS. GRIFFITH: Hi. My name is
15 Rebecca Griffith and I speak for the
16 owners of the group of 14 private
17 townhouses known as Sutton Square,
18 located along the east side of Sutton
19 Place between 57th and 58th Street and
20 east of 58th Street to the river.

21 Each of the 14 owners of these
22 townhouses is a member of the East
23 Fifties Neighborhood Coalition. Sutton
24 Square is opposed to the siting of Shaft
25 33B at 59th Street and First Avenue and

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2 we are opposed to the construction of
3 water mains along First Avenue or Sutton
4 Place. Siting Shaft 33B at 59th and
5 First and constructing the water mains
6 along First or Sutton Place will have a
7 debilitating effect on a neighborhood
8 already overburdened by the
9 unsatisfactory travel patterns resulting
10 from the 59th Street Bridge. The seven
11 plus years of construction will
12 seriously harm the unique character of
13 our neighborhood.

14 Even if the decision is made to
15 construct the water mains down First
16 Avenue instead of Sutton Place, Sutton
17 Place will be adversely impacted because
18 heavy lines of traffic will undoubtedly
19 be redirected to Sutton Place. For
20 example, section 4.9 of the Draft EIS
21 notes that during blasting, "if
22 motorists traveling northbound on First
23 Avenue for destinations above 59th
24 Street observe that traffic is halted
25 for more than a couple of single cycles,

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2 they may divert to Sutton Place." In its
3 analysis to determine whether 59th and
4 First is a feasible site, the DEP should
5 take into consideration that blasting

6 isn't the only activity that would cause
7 traffic to be halted for more than a
8 couple of single cycles. Any slowdown
9 in traffic along first Avenue will
10 inevitably divert traffic to Sutton
11 Place. Slowdowns in traffic will be
12 caused by construction of Shaft 33B and
13 water main construction along First
14 Avenue.

15 Right now Sutton Place is mostly
16 residential, with commercial activity
17 limited to smaller retail stores along
18 First Avenue that support the
19 neighborhood. There is no question that
20 any routing of traffic to Sutton Place
21 will adversely affect the quality of
22 life and devastate an area which its
23 residents have selected as their home
24 precisely because of its tranquility and
25 residential character.

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2 Even the DEP recognizes the
3 residential nature of Sutton Place. In
4 section 5.7 which address the route for
5 the water mains by stating that the
6 Sutton Place route is entirely
7 residential and that the side streets
8 between Sutton Street and First Avenue
9 are lined with mid and high-rise
10 apartment buildings with very limited
11 commercial uses. However the DEP didn't
12 go far enough in its analysis of the
13 residential nature of Sutton Place.
14 Section 4.7 of the Draft EIS describes
15 the study done on neighborhood character
16 for the preferred site of the shaft.
17 This is a flawed analysis in that the
18 study area does not include Sutton
19 Place. In fact, the study area going
20 east stops midway between First and
21 Sutton Place or York Avenue. How can
22 the study have such a limited scope when
23 the impact of the construction will
24 extend so much further?

25 We believe that the site that makes

0086

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2 the most sense is the one that disrupts
3 the lives of the fewest number of people
4 for the least amount of time. 59th
5 Street and First Avenue is clearly not
6 that site.

7 MS. LICATA: Michael Horowitz, who
8 is followed by Jackie Ludorf. Robert
9 Barbanell. Michael Horowitz is passing.
10 Jackie Ludorf, followed by Robert

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Barbanell.
MR. BARBANELL: I've ceded my minutes.
MS. LICATA: Okay, Linda Salas and Eileen Bizar.
MS. LUDORF: I am Jackie Ludorf, chair of the Environment and Sanitation Committee for Community Board 8. In November, 2005 at a full board meeting of Community Board 8 the following resolution was adopted by a vote of 28 in favor, zero opposed and zero abstentions: Whereas the preferred site for the shaft identified in the DEIS is the northwest corner of East 59th Street

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and First Avenue and the preferred water mains route by NYCDEP is First Avenue, 59th to 55th Street, be it resolved that Community Board 8 supports the siting of Shaft 33B of the Third Water Tunnel at the northwest corner of First Avenue and East 59th Street. Be it further resolved that Community Board 8 requests that after completion of the project NYCDEP keep all remaining permanent equipment, such as the two hatchways, 10-foot high by 14-inch diameter air vent and the two standard hydrants within the 14 Honey Locust Park Extension site and off the sidewalk. Be it further resolved that Community Board 8 supports the siting of the water mains on First Avenue and 59th to 55th, 56th Street, which is a reasonable worst case scenario. We oppose the 59th, 61st Street water main route because the DEIS states it has unmitigated traffic impact on commercial, cultural and educational institutions: Mount Vernon Hotel Museum

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and Garden and Day & Meyer, Murray & Young; and unmitigated noise impact in the Manhattan Center for Early Learning and Early Intervention.
And be it further resolved that Community Board 8 requests that NYCDEP and NYCDDC consider the following issues: Since the construction of the shaft at this site will delay the planting and reconstruction of 14 Honey Locusts Park and the surrounding area for six years, Community Board 8 requests that NYCDEP totally fund the rehabilitation of 14 Honey Locust Park,

16 the Extension and the Triangle, an
17 integral part of the 197-A plan, after
18 the shaft and water mains are installed.
19 The DEIS acknowledged the Community
20 Board's 197-A plan which has been
21 submitted to the New York City
22 Department of City Planning and has met
23 the threshold review standard of the
24 City Planning Commission. The plan
25 calls for the beautification, greening

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and development of public open space
along East 59th Street from First to
Second Avenue.

The 59th, 61st Street water main
route, which was not in the initial or
final Scoping document, would severely
impact the entrances and exits to the
59th Street Bridge and the FDR Drive
exits. No traffic study was completed
on Second Avenue other than the
intersection of 59th and 61st Street.
Failure to examine conditions north of
the intersection ignores the very real
condition of traffic backing up into the
Seventies. When traffic lanes are
removed (inaudible) below the 59th
Street Bridge, i.e. 55th, 56th, would
dramatically lessen the severe backup of
bridge-bound traffic.

We urge the NYCDEP, NYCDDC to seek
an alternative solution to the current
plan which calls for demolition of the
Triangle where three very large and very
old Honey Locust trees, an area integral

to Community Board 8's 197-A plan --

(Whereupon the loud protests of the
audience make it impossible to hear the
speaker's testimony.)

The MTA is considering a proposal
for a bus rapid transit plan that would
include the bus lanes on First and
Second Avenue in the pilot program.
Community Board 8 would --

(Whereupon the protests of the
audience make it impossible to hear the
end of the speaker's testimony.)

MS. LICATA: If anyone has written
comments that they'd like to leave with
the stenographer, she would appreciate
it, to make sure she has every word
recorded.

Linda Salas, Eileen, Irving, Martin
Wexler.

21 MS. SALAS: I don't know about
22 trees, but I'm interested in people.
23 The area proposed as was mentioned by
24 the attorneys and the people on the
25 Coalition is really one of the worst

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1 sites from everything that they
2 mentioned, but there's also something
3 else. If you ever went up 55th or 56th
4 the area is made with a lot of retirees
5 and young children and they absolutely
6 would not be able to go out. A lot of
7 them are invalids and they actually come
8 out in that area just to walk because
9 they're really not able to go very far.
10 And the level of pollution would be so
11 toxic from lead in the air and the
12 monoxide that you're going to have a lot
13 of deaths, you're going to have a lot of
14 people getting sick; and we implore you
15 to listen and think about the other
16 sites, because it's going to be
17 horrendous for the people.

18
19 I was in the 9/11 area and it was
20 horrible in terms of the environment, as
21 well of course what happened which was
22 horrendous; but you're going to create a
23 9/11 environmental catastrophe in the
24 air in terms of the noise and the
25 pollution from all the trucks that are

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1 going to be spewing out black smoke from
2 the lead and the monoxide of the cars
3 that really, that don't have proper
4 things to prevent the monoxide from
5 coming out. We implore you, please go
6 back to the drawing board because a lot
7 of lives are at stake and you would have
8 people getting very sick. There are a
9 lot of people in their 60's, '70's, 80's
10 and 90's in that area, and for them to
11 try to get out of their homes to walk is
12 going to be impossible. And there are
13 also young children whose immune system
14 is going to be at risk. So please,
15 please, think of the people and some of
16 the other sites see very plausible that
17 weren't even thought of; so please take
18 it very seriously. We're dealing with
19 human lives. 9/11 was enough in terms of
20 sickness and death; we don't need more
21 unnecessarily. Thank you.

22
23 MS. LICATA: David Berg followed by
24 Michael Gregori, Patricia McHugh, whom
25 we've already heard from. You ceded

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your time. And so did Linda, so we have to be a little honest here. Robert Lanzilotta.

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MR. GREGORI: I'm Michael Gregori, I live at 400 East 56 Street and I'd like to say that you all presented your case in a very strong way and you got creamed today. You just got creamed.

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These people here, including myself and my fellow neighbors, will not let this project happen. It's just a no go, that's all I can say. Everything's been addressed that we had to address, from the ambulances the doctor mentioned, the lack of an ambulance being able to come and there'll be tremendous road rage, there is enough already. But you ain't seen nothing yet, if that happens. You'll have to get the Mod Squad to do that. No one mentioned the merchants, really. A lot of them I spoke. They couldn't come today because they're still at work, closing up the shops and everything; but I went into the local

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merchants on First Avenue and I said what do you want me to say to these people here.

Well, they'll be out of business, period. Are you going to give them tax breaks? What are you going to do for the merchants that are going to go out of business with this thing, if it goes through. But it's not going to go through anyway, so I guess that's a moot point. I went to the firehouse and I asked some of the guys in the firehouse and I said, what's going happen if there's a fire. And one of the guys on the engine truck said, well, already the hose guy on the back -- they've eliminated one man in all the fire houses that doles out the hose. Probably no one's aware of that, but the fellow that stands on the back bumper has been eliminated in all of New York on the engine truck, and that guy is very essential because he --

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please wrap up your time?

MR. GREGORI: Okay. I asked him about what happens if there is a fire.

5 He said, well, you're just going to have
6 to burn down the building, because
7 there's no way we could get into this
8 area. So just my closing comment is
9 that it's nice meeting all of you and I
10 don't think we'll see you again. Happy
11 Chanukkah, Happy Christmas, Happy
12 Kwanzaa.

13 MS. LICATA: Robert Lanzilotta
14 followed by Rita Greenstein, followed by
15 Sarah Gallaghen.

16 MR. LANZILOTTA: My name is Robert
17 Lanzilotta from the Manhattan Center for
18 Early Learning on 61st Street. On
19 November 21st I attended the second
20 NYCDEP information session at which
21 numerous disadvantages pertaining to the
22 61st site were discussed. Among them
23 was the inherent difficulty that would
24 undoubtedly arise when attempting to
25 obtain permission from the archdiocese

0096

1 to use the proposed are, which would
2 jeopardize the project start date, and
3 consequently jeopardize the use of the
4 raise bore method, and also the
5 disruption of the program of the
6 Manhattan Center for Early Learning
7 which is adjacent to the proposed 61st
8 Street construction site.
9 The Manhattan Center for Early Learning
10 works with young children (inaudible)
11 who are special needs children between
12 the ages of three and five years old.
13 They are provided speech, occupational
14 and physical therapy at our preschool in
15 an attempt to treat these disabilities
16 and it is critical that this be done at
17 an early stage of their development.
18 Any disruptions (inaudible) could have
19 long lasting negative effects on their
20 developmental progress.

21 For anyone familiar with speech in
22 particular it should be immediately
23 obvious that therapy needs to be
24 conducted in near perfect silence in
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0097

1 order for it to be effective. Most of
2 the children have difficulties with
3 sensory integration, so a particular
4 sound, (inaudible) a particular color
5 can set off tangents will completely
6 disrupt their ability to focus. We take
7 great pains to soundproof our classrooms
8 and therapy (inaudible) uses sound
9

10 absorbing materials and any way possible
11 to try to create an environment for
12 learning that is acceptable by all
13 children.

14 The noise resulting from the blast
15 and construction machinery, whistles
16 that (inaudible) in our own backyard
17 would be extremely detrimental towards
18 this end. In addition to the noise
19 pollution I believe the traffic
20 generated by this project will wreak
21 havoc with our bus schedule which is
22 already tenuous under normal conditions.
23 We cannot run an effective program if
24 our children cannot get here on time nor
25 will it be feasible for parents whose

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1 children are not picked up on time due
2 to the same traffic delays.

3 I am also concerned with the air
4 quality, as many of our children suffer
5 from severe asthma, not to mention the
6 rest of our children, who will be
7 subject to whatever dust or allergens
8 are thrust in the air as a result of
9 construction. The combination of noise,
10 traffic delays and air quality concerns
11 could be devastating for a program,
12 which creates a twofold problem: One is
13 how we can be expected to deal with a
14 loss of business; the second and more
15 important issue is how will we be able
16 to maintain the same level of care for
17 our children despite the disruptions
18 created by construction.

19 From a business point of view, we
20 cannot (inaudible) program for these
21 children knowing the poor conditions
22 they'll face. We also cannot expect our
23 staff to do the impossible. Making a
24 difference in these children's lives is

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1 extremely hard work and we owe it to
2 them to give them all the tools they
3 need in order to make it happen.

4 MS. GREENSTEIN: Good evening, my
5 name is Rita Greenstein, I'm pretty new
6 to the neighborhood; I moved in last
7 January. I picked the area because it
8 was friendly, it was clean, it was warm,
9 it was delightful. Since January I have
10 heard the trucks from Con Edison day and
11 night and it's really unbearable. Do
12 you see what I'm wearing? Do you know
13 what this is? That's a safety button,
14

15 and if I have an attack of any sort once
16 this tunnel is started, how is that
17 ambulance going to get to me? There is
18 no way, and I'm just going to die. So
19 please, reconsider what you're doing.

20 MS. LICATA: Sarah Gallaghen, Jane
21 Kalmus, Phia Billman.

22 MS. KALMUS: Good evening, my name
23 is Jane Kalmus and I have lived at 410
24 East 57th Street for the past 56 years.
25 I am a 27-year member of the Sutton Area

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2 Community which is opposed to this
3 entire procedure. I do not have a
4 statement, I have two questions.

5 Madam Commissioner, how are you
6 going to report back to this community
7 on the impact of what you have heard
8 tonight, and when can we expect a
9 message from your agency?

10 Do you have an answer to my
11 question?

12 MS. LICATA: We do; we plan on
13 having a formal section of our final
14 Environmental Impact Statement which
15 will include all of our response to all
16 of your comments.

17 MS. KALMUS: When will that be?

18 MS. LICATA: That will be in about a
19 month's time. We need to take your
20 comments for the record. We don't need
21 to exchange information at this time.
22 We presented that information here
23 tonight so we appreciate hearing all of
24 your comments.

25 MS. KALMUS: The second question is,

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2 Mr. Jim Davis, where can we make a
3 contribution to your association? I
4 cede the rest of my time to Mr. Davis.
5 Give us the information, please, the
6 microphone is yours.

7 MS. LICATA: There's only ten
8 seconds on the clock.

9 MS. SALAS(?): You can contact EFNC:
10 efn coalition@aol.com, that's the best
11 way to contact us.

12 MS. LICATA: Lois Wagner.

13 MS. WAGNER: I ceded my time.

14 MS. LICATA: Rita Friedman, Martin
15 Bring.

16 MR. BRING: Good evening. My name
17 is Martin Bring and I'm here tonight as
18 resident of 300 East 54th Street, as a
19 vice president of the Connaught Towers

20 Corporation and as representative of the
21 East 54th Street Neighborhood
22 Association.

23 I am here to comment on the Draft
24 EIS for Shaft 33B of Water Tunnel No. 3.
25 First, I want to state that the

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2 residents of East 54th Street are
3 pleased that the New York City
4 Department of Environmental Protection
5 recognizes that an Environmental Impact
6 Statement is the appropriate mechanism
7 to disclose to the public the
8 potentially significant adverse
9 environmental impacts resulting from the
10 siting and construction of Shaft 33B.
11 DEP's Draft EIS analyzes the potential
12 for significant impacts that may be
13 created by two possible site layouts at
14 the preferred location at 59th Street
15 and First Avenue, and it analyzed three
16 feasible alternative sites.

17 I wanted to reiterate the position
18 of the hundreds of families that live on
19 54th Street, Community Board 6 and our
20 local elected officials that, due to the
21 dangerous and unmitigatable conditions
22 that the distribution shaft construction
23 would create at the site at East 54th
24 Street and Second Avenue, this location
25 should not even be considered a feasible

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2 alternative. The site configuration for
3 the proposed East 54th Street location
4 would be an L-shaped area that lies
5 entirely in the street and sidewalk of
6 East 54th Street and Second Avenue.
7 Construction would require closure of
8 two traffic lanes on Second Avenue and
9 two or three lanes on East 54th Street
10 for the duration of construction. The
11 site would be divided into four
12 segments: Two fire lanes, a pedestrian
13 lane and a garage entrance.

14 The Draft EIS concludes that
15 concludes that a distribution shaft at
16 this site would have the following
17 problems: It would be insufficient in
18 area to accommodate two risers which is
19 considered a critical DEP goal for Shaft
20 33B; it would be non-contiguous due to
21 the need to maintain emergency access
22 points for use of the FDNY. These
23 access areas would require constant
24 monitoring during construction. It

25 would adversely impact local businesses;

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it would require proximity to residential buildings, use of alternate excavation techniques other than blasting, thus resulting in construction delays of between 9 and 19 months, increasing construction to almost six years.

In conclusion, the proposed location on 54th Street and Second Avenue does not simply raise questions of inconvenience and traffic; it would create a dangerous long-term condition for the thousands of residents and businesses, educational and recreational streets on East 54th Street, seriously impede traffic flow on (inaudible) thus creating the greatest negative impacts on the neighborhood. It would be the most difficult construction site in which DEP's construction can operate; therefore we reiterate for the record that it is our position, supported by the findings within the Draft EIS that the East 54th Street should not even be

included in DEP's environmental analysis of the feasible alternatives. Thank you.

MS. LICATA: B. Shefsky followed by Mort Hock, Patricia Slimen and Bernard Cooper, Richard Kennedy, Betty Ann Grund.

MS. GRUND: I ceded my time.

MS. LICATA: Eunice Forman and Harold Abrams.

MR. KENNEDY: Madam Chairwoman, my name is Richard Kennedy. I am a director at 16 Sutton Place, which is a member of the East Fifties Neighborhood Coalition.

Most of what I've heard tonight is common sense, as opposed to the Environmental Impact Statement. The highest court of our state has said that a government agency must use common sense in evaluating conflicting interests in a community. And what is proposed here has defied common sense as has been stated here before. You

proposed a site at First Avenue and 59th Street without even knowing how it's

4 going to connect, without even having
5 the authority to determine how it's
6 going to connect to 55th Street and
7 Third Avenue. One has to wonder why
8 would you locate this site at 59th and
9 First when the place you have to connect
10 to is so far away, between 56th and 55th
11 and Third Avenue. Secondly, with
12 respect to the water main routes, on
13 First Avenue which you'd prefer to go
14 down from 59th Street you would have to
15 go four blocks south and two blocks
16 west. I saw Community Board 8's support
17 of that proposal, going down Third
18 Avenue. I wondered how any rational
19 person could propose that. And then I
20 saw that the jurisdiction of Community
21 Board 8 extends from 59th Street north.
22 So naturally they would prefer to go
23 below 59th Street down First Avenue.
24 With respect to the alternative, Sutton
25 Place, running the water main that way,

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2 you would have to go one block east from
3 the shaft, four blocks south and then
4 back three blocks west.

5 That just makes no sense and I'm
6 happy to hear you say tonight that that
7 was not the proposal of the DEP. That
8 was the proposal given to you by the
9 Department of Transportation of the
10 City. And when I hear that, I begin to
11 understand why our transportation system
12 in New York is so fouled up. Common
13 sense, which the Court of Appeals of the
14 State has said you must use, requires
15 that you locate the shaft closer to
16 where it has to be connected to Third
17 Avenue and 55th Street. That will avoid
18 unnecessary and extended construction
19 costs, it will save the taxpayers
20 millions of dollars, and it will avoid
21 the noise, traffic, disruption and
22 pollution to so many City residents and
23 businesses. Thank you.

24 MR. ABRAMS: Harold Abrams, 400 East
25 59th Street. I'm a Board member, I'm

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2 also an engineer and involved in real
3 estate.

4 If you're going to connect to the
5 Third Avenue water mains, build the
6 shaft on Third Avenue. I walked up and
7 down Third Avenue; there's a site at
8 56th Street and Third Avenue, the

9 northeast corner, that looks like
10 there's plenty of room to put the
11 necessary equipment to build it.
12 There's also demolition of the building
13 on Third Avenue on the east side between
14 64th Street and 65th Street, they're
15 demolishing a building. Why not take
16 that area before they start building to
17 put the shaft there. That's a block or
18 two blocks north of one subway line; the
19 talk of putting it underneath the tram
20 site (?) to me makes some sense, but
21 then you'd have to build between 59th
22 Street and that would be a mess. But
23 there are enough sites up and down Third
24 Avenue, and from what I gather you can
25 go from somewhere in the upper Sixties

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2 to 53rd Street to hook into that main,
3 and that's where the shaft should be.
4 The main problem, from what I gather
5 without looking at the assessment, is the
6 water mains that you're going to put
7 through all the streets, that's a much
8 bigger mess than the actual shaft. So
9 as I said you're putting the shaft
10 before the mains.

11 MS. LICATA: Sally Pope Davis,
12 Catherine Kennedy, Mary Claire Bergen,
13 Irma Fiedler.

14 MS. POPE DAVIS: Good evening. My
15 name is Sally Pope Davis and I'm a
16 resident of 30 Sutton Place. I'm a
17 member of EFNC and would like to echo
18 our 10,000 members and would also like
19 to thank so many people for coming out
20 tonight and standing here and being
21 supportive of this. This is just a
22 great turnout in the middle of holiday
23 season.

24 I just want to make a couple of
25 comments. One is I attended the DEP

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2 hearing last summer, which I believe was
3 co-sponsored by Community Board 6 and I
4 actually started to worry about the
5 candor with which DEP was dealing with
6 us, when one of the gentlemen got up and
7 started talking about the 12 lanes of
8 traffic on First Avenue, which I'm still
9 looking for. I can only count 6 and one
10 of them is a bus lane. I think it might
11 have been one of the people from White
12 Plains that people were talking about.
13 And the other thing I've noticed is that

14 every time we talk about this project,
15 we talk about its description in times
16 of months as opposed to years: 52
17 months and not four and a half years; 27
18 months and not two and a quarter years,
19 as if maybe if we say it in months and
20 not years we won't notice that this is a
21 seven-year project and that's if it runs
22 on time. And then even tonight, when
23 we're talking about the various sort of
24 things you're going to try to do to
25 comfort the community, for example

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2 promising not to queue trucks -- I don't
3 know how you promise not to queue
4 trucks. I mean, we can't even control the
5 traffic in this area, so I just wanted
6 to say, it just sort of makes me worry
7 about the candor with which this process
8 is conducted in speaking to the
9 community, but I really just wanted to
10 get up and underscore what really is the
11 tremendous fragility of the traffic
12 ecosystem in this area. The 59th Street
13 Bridge is a major commuting artery for
14 very hard-working New Yorkers who have to
15 come into Manhattan, be it the taxi
16 drivers, the police officers, the
17 teachers, the people from the other
18 boroughs. It's a very important exit
19 and entrance and this is at the very
20 heart of it. First Avenue and Sutton
21 Place is a thoroughfare to some of the
22 City's most important emergency care
23 hospitals, including the cardiac care
24 and burn centers and New York
25 Presbyterian (inaudible) as described by

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2 Dr. Becker. And then we talked about
3 the Con Ed truck. Even without the Con
4 Ed on a bad day, on a Friday the traffic
5 on First Avenue of its own accord goes
6 way past the U.N.
7 It impacts the neighborhood. It
8 also impacts more than us; it impacts
9 all that New Yorkers who come through
10 this area, people going to the hospital
11 or the trucks. And I didn't even
12 mention the FDR which has its own
13 construction project undergoing. I
14 don't know the extent that this project
15 has been coordinated with what's going
16 on in the FDR, and by the way that's
17 already backing up First Avenue, because
18 people get backed up on the FDR and

19 coming up First Avenue from 42nd Street
20 now. So everybody's made some terrific
21 comments; I'm supportive of them. I
22 also wanted to give particular thanks to
23 Mr. Kass and Ms. Fazio, they've done a
24 tremendous job so far. Thank you.

25 MS. LICATA: Catherine Kennedy.

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2 MS. KENNEDY: I ceded my time to the
3 lawyer.

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MS. LICATA: Mary Clare Bergen.

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6 MS. BERGEN: Good evening, I'm Mary
7 Clare Bergen. I'm president of the
8 Sutton Area Community I would like to
9 say there were some very good points
10 tonight. It was a very good meeting and
11 I thought Steve Kass was terrific. But
12 there's still more work to be done. As
13 you know this shaft is going to be in
14 our neighborhood, one place or another,
15 we have to accept that. And in the
16 Sutton Area Community we've had one
17 thought from day one and that is we will
18 support whatever happens so long as it
19 affects the least amount of people in
20 our neighborhood, and that's all it is;
21 but it's the least amount. We don't
22 have a favorite one place or another, it
23 has to do with the number of people that
24 are impacted, and the least amount is
25 what we will support. Thank you.

MS. LICATA: Irma Fiedler, Lois

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2 Pierce, Fred Spicht, Robert Glickman,
3 Lou Sepersky.

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5 MR. SEPERSKY: Madam Commissioner,
6 my name is Lou Sepersky and I'm the
7 chair of the Transportation Committee of
8 Manhattan Community Board 6. Our Board
9 has not yet taken a position on the
10 Draft Environmental Impact Statement.
11 The views of the Board will be presented
12 by resolution and voted on at a full
13 Board meeting in mid December and
14 forwarded to the Department at that
15 time. But a number of issues have
16 arisen from the DEIS and there are
17 questions, while they're not positions
18 of the Board, that I believe are matters
19 which should be addressed.

20 Segregating the location the 33B
21 valving chamber from the planning for
22 the water mains goes a considerable
23 distance towards forcing the water main
route selection. I don't believe that

24 that's appropriate, and in fact the
25 Department of Design and Construction

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2 should be intimately involved in this
3 process, because the site selection and
4 the mains are linked, they are one
5 project artificially bifurcated at this
6 time.
7 To fully measure the impact of the
8 project, the valving chamber and its
9 distribution mains should be considered
10 jointly. Given the practical effect,
11 why are they being presented separately?
12 Given the current preferred location it
13 appears to me the longest physical and
14 longest length of water main
15 construction, what are the additional
16 costs of this location as measured
17 against each of the other three
18 previously mentioned sites of the total
19 project? We have no basis of comparison
20 for the total cost of one site against
21 the other. In the DEIS there was a
22 reference to a northward project,
23 northward construction on First Avenue.
24 Would the mains at 59th and First move
25 northward on the west side of First

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2 Avenue to, say, East 61st Street, and
3 then westward to a connection point or
4 points under Third Avenue between 60th
5 and, say, 62nd Streets? This would seem
6 to be shorter in terms of time and
7 distance and perhaps in terms of cost.

8 Rather than a pair of 48-inch water
9 mains, a single 60-inch main could be
10 used in this iteration, avoiding
11 westbound construction on 59th Street
12 and has this alternative been examined
13 at length and a comparison drawn in
14 terms of the cost or the impacts that
15 we've asked about?

16 As I said, the Board's expresses
17 these questions that need to be
18 addressed; the Board's position will be
19 adopted by resolution and forwarded to
20 the Department. Thank you for your
21 attention.

22 MS. LICATA: I'm just going to read
23 those names one more time: Irma
24 Fiedler, Lois Pierce, Robert Glickman,
25 Malcolm Gross, Judy Knop, Richard

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2 Shuldiner.

3 MR. SHULDINER: I ceded my time to
4 Mr. Kass.
5 MS. LICATA: Herndon Werth, Suse
6 Taylor; I'm just going to ask you to
7 queue up a little bit, if possible.
8 MS. KNOP: Hi. My name is Judy Knop
9 and I'm here on behalf of the Food
10 Emporium. Our store located at 59th and
11 First is our flagship store and one that
12 everyone in the company is very proud
13 of. Our biggest concern with this
14 project is the impact of traffic during
15 construction of the shaft and associated
16 water mains. The Draft EIS indicates
17 that many of the intersections in this
18 already crowded area will operate at
19 level of service F during this five- to
20 seven-year period. Not only do we
21 receive deliveries of products four to
22 five days a week, we also have a
23 significant on-line ordering and
24 delivery service. Our business relies
25 upon the ability to receive and deliver
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2 product in a timely manner and this
3 project will severely limit that ability
4 and adversely affect our capacity to
5 serve the residents of the neighborhood.

6 We have invested a great deal of
7 time and money in this store and look
8 forward to operating successfully here
9 for years to come, but cannot afford
10 a substantial decrease in business for
11 the five or so years that construction
12 would endure. This project will
13 adversely affect all business in this
14 area and we would ask you reevaluate the
15 location of the shaft and associated
16 water mains. Thank you.

17 MR. WERTH: My name is Herndon Werth
18 and I want to focus on the element of
19 people, and that is the access by the
20 general public to at-grade, open space
21 public parks. Between Third Avenue and
22 the East River and 59th Street down
23 (inaudible) the River, there are six
24 parks: Three on the river, they're sort
25 of what you would call small parks.

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2 They're closed off for many years
3 because of the reconstruction of the
4 FDR, which involves (inaudible) of these
5 parks. We've got Greenacre Park, which
6 is (inaudible). We've got this large
7 park back on (inaudible) Plaza, but the

8 59th Street park is used by people and
9 not just the people -- I've worked on
10 this thing since 1978 -- not just people
11 that live in those walkup,
12 nineteenth-century buildings across the
13 site all the way up to Second Avenue--
14 the high-rise landmark. It's called 14
15 Honey Locusts; there are only 9 Honey
16 Locusts left. Three to five of those
17 were chopped down. There is a small
18 seedling of some other type of tree
19 there. And the reason why they were
20 chopped down and the park benches were
21 removed was because Command Bus Lines,
22 which is Brooklyn based, has a layover,
23 and they are parked on the left side,
24 right next to the site underneath the
25 Queensboro Bridge, and because of that

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2 bridge work they've turned the park into
3 a parking lot. And it's only used now,
4 because the park benches were removed,
5 from walkers trying to walk dogs from
6 the Humane Society up the street. And
7 the little garden, which is a 28- by
8 100-foot plot that we work on, Mary
9 McDoyle (sp?) of the 59th Street Block
10 Association and I have worked on
11 extensively. And the bridge engineer
12 redid the configuration, rebuilt the
13 walls around, as you see them from the
14 ramp, and he also repaired some of those
15 park benches and he also helped us
16 remove a chain link fence. It's used by
17 elderly people, people with baby
18 carriages and things.

19 So my focus is, we've delayed this
20 plan 197-B even more than it's already
21 been delayed. Community Board 8, which
22 has been referred to, will include that.

23 MS. LICATA: Patricia Trabalsi,
24 Michael Kelly, Beatrice M. Dis.

25 MR. KELLY: Good evening, my name

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2 is Michael Kelly and I live in the
3 Brevard on East 54th. I just wanted to
4 comment a little more on the issue
5 raised by Steve Kass about segmentation,
6 if it helps the rest of you who are
7 still here to sleep a little better at
8 night, and to not see neighbor pitting
9 against neighbor. It's a very important
10 issue and what I'd like use if you
11 recall the graphic that was up earlier
12 about the water supply system. There's

13 a tunnel 400 feet underground, there's a
14 shaft and there's the distribution
15 chambers. The image in your head is
16 that there are three component parts.
17 Not. Think of it this way: The water
18 tunnel 400 feet underground is point A;
19 how it gets from there to the end which
20 is all of us is point B. How you get
21 from point A to point B is the issue at
22 hand. The shaft and the distribution
23 mains are interrelated elements of the
24 system; they cannot be viewed in
25 isolation from one another. You

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2 wouldn't do one without the other and
3 what you decide with one element has
4 direct bearing influence on the other.
5 That is what segmentation is all about.
6 So the word "reasonable determination,"
7 which is what this type of document is
8 supposed to arrive at, it is not that it
9 should be predicated on attempting to
10 reconcile these two interrelated
11 elements together at the same time and
12 not in separate corners from one
13 another; it's the only way you can do
14 it. No emotion, just logic.
15 Segmentation. Good evening and thank
16 you.

17 MS. LICATA: Jose Carrascal, E.
18 Carrascal, Susan Lek, to be followed by
19 C. Robertson, Yris Solomon, Jessica
20 Osborn, Robert Granovsky.

21 MS. LEK: Good evening, my name is
22 Susan Lek and I'm speaking on behalf of
23 the East Sixties Property Owners
24 Association, which represents residents
25 living on 62nd and 61st Streets between

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2 Second and Third Avenue. Our
3 association was established in 1920 to
4 enforce the original covenant to protect
5 the neighborhood from commercial
6 encroachment and promote the community
7 welfare of all its members.

8 In 1967 our neighborhood was
9 designated one of the first historic
10 districts in Manhattan by the Landmarks
11 Preservation Commission. This
12 designation was given because of the
13 special ambiance of this residential
14 side street lodged between two busy
15 avenues. ESPOA does not support the
16 DEP's alternate proposal to build the
17 shaft at 61st Street between First and

18 Second Avenues, and in addition objects
19 to it being considered an alternate site for
20 the proposed water main connection on
21 61st Street and 59th Street.

22 We oppose the alternate 59th, 61st
23 Street plan because, one, it fails to
24 provide adequate traffic relief causing
25 clogged routes to the bridge and FDR by

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2 impeding bridge traffic, which in turn
3 causes congestion on nearby streets,
4 which leads to additional air pollution
5 within the community. 61st Street
6 between Second and Third Avenue is an
7 historic district consisting of
8 residential brownstones and other
9 historic structures built in the late
10 1800's and early 1900's. Our ultimate
11 target community is expected to absorb
12 two other major construction projects:
13 The Second Avenue subway and the East
14 Side Access Project that runs
15 underground at a diagonal from East 63rd
16 Street to 59th Street.

17 The DEP must develop an
18 environmentally sound repair and
19 construction system that not cause havoc
20 in the 59th Street traffic corridor, and
21 more importantly the Queensboro Bridge
22 exit/entrance ramps. Currently, 61st
23 Street is an exit off the bridge and the
24 FDR Drive. Any temporary lane closing
25 will force traffic onto Second Avenue,

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2 which is almost at gridlock capacity
3 above 59th Street most mornings and at
4 evening rush-hour. We urge the DEP and
5 the New York City Department of Design
6 and Construction to remove the East
7 Sixties Community from its alternate
8 route status today and in the future.
9 Thank you.

10 MR. GRANOVSKY: My name is Robert
11 Granovsky and I'm one of the 10,000 of
12 the East Fifties Coalition. I've
13 attended a lot of the meetings over the
14 last few months and I could not figure
15 out why people would build something in
16 an indirect way instead of a direct way
17 or do something that would take five to
18 seven years instead of one to two years.
19 And without getting too political it
20 sort of reminded me of our current
21 difficulty of getting out of Iraq,
22 because ma'am, you don't have an exit

23 strategy from this water shaft to get
24 down to 53rd Street either.
25 The second thing is, a little test

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2 taste was run a month ago, probably an
3 accident. On the 59th Street Bridge
4 site, the 59th Street Bridge itself you
5 see tarps as you drive by, and there was
6 a little fire there and some smoke, and
7 the 59th Street Bridge site stopped and
8 it stopped for hours. And there was no
9 First Avenue because it ended, and the
10 fire engines and the police cars and
11 whichever cars chose to race because
12 they were late, went up Sutton Place and
13 the other streets; it happened. They
14 ran a test taste for you.

15 The other thing is, I feel
16 personally insulted and maybe some of
17 the rest of the people here do, that we
18 all spent tonight and many other nights
19 coming out, and the politicians who have
20 the responsibility, Jessica Lappin, who
21 said she spent two years working on this
22 to find a good answer, and Gifford
23 Miller and Liz Krueger and Jonathan Bing
24 did not have the courtesy to come out
25 and look us in the eye. If you want to

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2 do something for your constituents stand
3 up and say you're doing it to their
4 face. But hopefully you'll come to a
5 better conclusion.

6 MS. OSBORN: My name is Jessica
7 Osborn. I am on the board of directors
8 of 425 East 58th Street, which is a
9 member of the East Fifties Neighborhood
10 Coalition. I would like to speak about
11 traffic.

12 I know that you have done studies
13 and probably will be doing more studies
14 to analyze what the traffic effects will
15 be of constructing the shaft and
16 constructing the water mains in the
17 various hypothetical case places for the
18 water mains. You have to know I'm sure
19 that the study of traffic is a very
20 imperfect science, and even though you
21 have predicted very potentially bad
22 results of what we'll have to
23 experience, it may in fact be much, much
24 worse than what you're predicting and
25 even by your own very low standards

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2 might actually be unacceptable. Once you
3 start this process, no matter how awful
4 the traffic becomes, you're pretty much
5 compelled to keep going with that for
6 years.

7 I don't know if you remember, but
8 about ten years ago the New York City
9 Department of Transportation decided to
10 -- based on their traffic studies, they
11 decided that they would do something
12 which was going to improve traffic:
13 They reversed the ingress and egress on
14 and off the 59th Street Bridge. The
15 result was that we all lived in gridlock
16 hell for two weeks until they undid
17 their reversal.

18 If you happen to be as wrong as they
19 were on the traffic studies, you will
20 not be able to stop your process after
21 two weeks. We'll be stuck with it for
22 years. I would suggest that before you
23 go forward with any actual construction,
24 that you do a simulation of the traffic
25 patterns that will emerge. I would

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1 suggest that you close, as an
2 experiment, whatever lanes, First
3 Avenue, Sutton Place, 59th Street, 56th
4 Street, would have to be closed in order
5 to do your construction, and let us all
6 see what happens, so that if the effects
7 really are utterly unacceptable,
8 gridlock for blocks around, we will know
9 in advance and you'll be able to do
10 something else and save us five or seven
11 years of gridlock hell.

12 MS. LICATA: Frani Stone.

13 MS. STONE: I ceded my time.

14 MS. LICATA: Leah Breier. James
15 Leniston. He'll be followed by Penelope
16 Josephides, Arthur Olick and Nathan
17 Blau.

18 MR. LENISTON: My understanding was
19 -- well, I looked at your web site; I
20 think you've got 19 sites for this
21 project and two of the sites you picked
22 were 53rd Street on the southeast
23 corner. There is a major construction
24 of a building there now; you picked the
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1 southeast corner of 54th Street, they're
2 building there now. And 55th and Second
3 Avenue. These are all on the southeast
4 corners particularly.

5 Someone has been harvesting
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7 buildings on the 53rd Street side on the
8 southwest corner. They extend from 53rd
9 Street towards 52nd on Second Avenue,
10 closer to Third Avenue and west on 53rd
11 Street. I'm just asking if that's a
12 possibility, if that's another site
13 you've thought about. But actually
14 that's only second best. The best site
15 I've heard was 56th Street and Third
16 Avenue, it seemed much less disruptive
17 for everybody. Thank you.

18 MS. JOSEPHIDES: Hi, I'm Penelope
19 Josephides and I graduated from this
20 high school in 19-- something. I feel
21 very honored to speak here. I just
22 consider myself a good citizen. I was
23 an independent producer for Manhattan
24 Neighborhood Network and what I find
25 very pertinent here is that there is

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2 really no appeasement, no accountability
3 for decisions. I was taking notes and I
4 think that it really is the smell of
5 mendacity. If anybody's ever seen Cat
6 on a Hot Tin Roof, it stinks. It's
7 already in some stage of construction,
8 so it's almost like we'll have a little
9 public meeting and let you have your
10 silent scream and we'll do what the heck
11 we want, and I think it's appalling.

12 I went to other public hearings for
13 other things that people said they
14 didn't want, the 91st Street Marine
15 transfer, and it already was planned.
16 So you know what all of this is. You
17 may try to make fools of us, but this is
18 obvious, it's obvious, it is wrong.
19 What you're doing here is a destruction
20 of our beautiful city. This is a
21 beautiful area. I remember coming here
22 for the time I was here in high school.
23 I also have paintings in a small gallery
24 right across from Bed, Bath & Beyond.
25 It affects this area. We are not going

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2 to be able to have any kind of decent
3 life with the five -- and the figures
4 have changed -- 540 foot shaft. You're
5 shafting us, and you should be ashamed
6 of yourselves. And it's not going to
7 happen because we still live in a
8 democracy and we still have a voice.

9 Whenever you're planning, it's not a
10 done deal.

11 MS. LICATA: Stephen Protass,

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Carolyn Protass.
MS. PROTASS: I ceded my time.
MS. LICATA: Jonathan Rothenberg,
Bernie Siegel, Mark Siegel followed by
Thomas Wong, Sol Rudin.
MR. SIEGEL: My name is Bernie
Siegel. My wife and I live at 400 East
59th, looking at the bridge. Our living
room faces the bridge.
First question, there's been no
maintenance on the water tunnel since
1917. Why the hell not? What is that?
Can we trust you now?
Next question: Has anyone

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investigated what blasting and digging
will do to the structural integrity of
the 59th Street Bridge? I haven't heard
that. And even more important: Four
years ago my wife and I spent one of the
worst days of our lives sitting on our
couch looking at the bridge, watching
tens and tens and tens of thousands
leaving the City when the Twin Towers
were hit, people walking over the
bridge. That's an evacuation route. Is
that part of this impact? I haven't
heard that either. I'd appreciate
answers to those questions. Thank you.
MR. WONG: My name is Thomas Wong.
I lived at 33 Sutton Place, and as a
father trying to raise a young family in
this neighborhood I'm completely opposed
to your choice of this preferred site.
I've lived in New York for 17 years and
in the six years that I've lived in this
neighborhood I've seen this neighborhood
completely transformed by the emergence
of young families. We may not have the

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time to organize, but I assure you that
if you and other government agencies
continue to ignore the needs of young
families, we will organize in the same
way that eventually my wife and I found
a babysitter. Three quick points:
First of all, it seems completely
illogical that you would separate the
study of the shaft from the study of the
water mains. That point's been made
over and over and over again, but it
defies logic that you could choose a
site for one thing and not figure out
where it's going to go.
The second thing that seems to be

17 common sense to me is that you do want
18 to separate the basic infrastructure in
19 our lives. That is you want to keep the
20 bridge, the electricity and the water
21 separate. So I don't know why you want
22 to bunch it all in one place.

23 The last point is, I urge you to
24 study the impact of this decision, the
25 impact that this decision will have on

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2 the children that live and use this
3 community. And I urge you to do this
4 because I believe that their needs are
5 completely unrepresented within the
6 political process. We are in -- there's
7 a school down the street, the Catholic
8 school; there is a preschool, the Garden
9 School at 59th Street; there is another
10 preschool, the Montessori school at 55th
11 Street, but there are no children here
12 and there are no parents, and you
13 haven't heard from them. So I urge you
14 to study the needs of young families and
15 of children and to consider that in your
16 decision making process. Thank you.

17 MS. LICATA: Marc Siegel, Mort Hock,
18 Patricia, Bernard Cooper, Betty Ann
19 Grund, Eunice Forman, Irene Halliger,
20 Steve Springer, Sivan Frank, Jennifer
21 Benichou, Dorothy Ornitz, Clare, no last
22 name given?

23 MS. FORMAN: I am Eunice Forman, I
24 live at 425 East 58th Street and I'm
25 part of the East Fifties Neighborhood

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2 Coalition. Actually this kind of goes
3 along with the last speaker. I want to
4 speak about the young people and the
5 children in this community.

6 There are several schools; there is
7 the Cathedral High School and I would
8 like to ask, did you get the letter from
9 Sister Elizabeth that was forwarded your
10 office?

11 MS. LICATA: Yes.

12 MS. FORMAN: Good. Sister Elizabeth
13 was very vocal in her feelings about --
14 Sister Elizabeth is the principal of the
15 Cathedral High School and is very
16 concerned about the fact that the water
17 mains possibly could be running right in
18 front of the high school. Obviously
19 this will make a big difference in the
20 life of these students, both when
21 they're trying to learn, the noise that

22 will be going on, and in their safety in
23 walking in the streets. In addition
24 there is a Montessori school on 55th
25 Street; there is a preschool on 59th

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Street and all of these children have to be taken to school. Not the Cathedral High School, but the Montessori and the preschool.

This morning I was standing on the corner of 57th and First handing out leaflets encouraging all of you to come to the meeting tonight, for which I thank you very much, and I couldn't help but notice that there were many, many children in strollers being taken to school. And I said to one mother, you know if this project goes through you're going to have a really hard time getting across First Avenue, because you're going to lose three lanes of traffic here. You're going to have to traverse that. She was not very happy about that and I was very pleased to see her here earlier this evening.

So this school in itself, the High School of Art and Design is going to be undergoing a tremendous renovation and building project. P.S. 59, which is

next door, is going to be building a school at 56th Street. This construction of water mains going down the street at the same time as trying to build a school is going to make learning a very, very difficult process in this school where we are standing and sitting right now. Thank you.

MS. LICATA: Dorothy Ornitz, Gabrielle Moraudiere.

MS. MORAUDIÈRE: I'm Gabby Moraudiere and I live at 300 East 54th Street and I just want all of you Sutton people to count the number of people on our block, who if they take the sidewalks and the street and divide into quarters at leave one quarter for people to drive and walk, that's what would happen if it were on 54th and Second. And do you know that your ambulances, your police and your fire engines used to come right by our building to go Sutton Place, and I saw them practicing to see if they could make it when they

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2 close the street up, and you know what,
3 the poor trucks had to back up, try
4 again and try again and try again. We
5 have schools, we have a community house
6 for people young and old, we have a lot
7 on our street too; but I brought
8 pictures of a fire just a couple of
9 weeks ago and I'd like to submit this
10 for you all to consider. Thank you.

11 MS. FRANK: Hi, everyone. My name
12 is Sivan Frank and I live at 345 East
13 56th Street. I'm a new resident. My
14 husband and I just moved in at the
15 beginning of May, and truthfully we did
16 not anticipate this. I don't know how
17 we missed this. I just feel that there
18 really hasn't been a lot of dispersement
19 of information until the past few
20 months, and all of sudden it's the
21 holidays, everyone is being bombarded
22 with information that really is
23 malformation; different numbers,
24 different figures, different agencies
25 telling us differently things. And most

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2 people in this community aren't even
3 here to voice their opinion; they're in
4 Florida where I used to live, with the
5 warm weather and they're not even here
6 to give a voice. And here it is ten
7 o'clock; a lot of people that wanted to
8 speak aren't even here to talk because
9 it's late, and I just am surprised that
10 the Department of Environmental
11 Protection really isn't trying to
12 protect our environment.

13 It seems like they're trying to
14 protect -- I don't know if it's retail
15 or big business -- because the more you
16 come East, the more you're affecting
17 people and residents and community. And
18 it doesn't make any sense to me why you
19 would pursue coming more and more East
20 where there's more and more foot traffic
21 and people rely more on buses, than
22 keeping it closer to midtown where
23 there's a subway and people are usually
24 working they're not living there. I
25 just think that decisions are being made

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2 quickly, rashly and I think there needs
3 to be more time for input from people
4 that can digest the information. I
5 really just wanted to come up here as a

6 young person that's new to the community
7 and express how shocked I am with New
8 York City's dispersement of such varying
9 facts. And I haven't seen anything like
10 this before, where people really are
11 being educated so quickly and the City's
12 rushing into a decision that really
13 should have been considered with more
14 time. That's all, thank you.

15 MS. LICATA: Nancy Sepe.

16 MS. SEPE: I ceded my time.

17 MS. LICATA: Fran Vazquez, Ms.
18 Holland, Nadine Rosenbaum, Suzy Jurst.

19 MS. JURST: Hello, my name is Suzy
20 Jurst and I represent my very small
21 family. I want to say here today that I
22 am adamantly opposed to the site on 59th
23 Street. I live with my two children on
24 59th Street between First and York. I
25 walk my dog on the block and I put my

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1 children on the bus every morning. And
2 every afternoon my children come home at
3 least a half hour late because of the
4 traffic in our area. The day of the
5 fire they came home two and a half hours
6 late because it was impossible to get
7 around our area.

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9 Most recently we moved my
10 mother-in-law, who is in a wheelchair,
11 into the area on 58th Street. None of
12 this matters though but to myself and to
13 my family. What should matter to
14 everybody else, is that the area right
15 on 59th and First, the northeast corner,
16 consistently has terrible traffic
17 accidents. People are in such a rush to
18 get onto the bridge that they are
19 constantly slamming into the wall, and I
20 am in fear of walking on that particular
21 corner with my children and my dog.

22 The entrance of the bridge is so
23 crowded every morning and every
24 afternoon that we need a traffic cop
25 there. The supermarket that we all go

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2 to on the corner of 59th and First
3 constantly has 15-wheelers that are
4 backing up and making deliveries and
5 making traffic even more difficult to
6 get onto the bridge. I cannot imagine
7 how unlivable my neighborhood would
8 become if this location was passed.

9 Now that I've sat here and heard all
10 of the problems about the quality of the

11 air, I implore you, I beg you for the
12 quality of my children's lives, to
13 reconsider. What I promise you is that
14 I pledge my services. I own a design
15 studio and I pledge my services free of
16 charge, anything I can do at all to
17 help, I am yours for free.

18 MS. LICATA: Emmanuel Plat, Juan
19 Reyes, Stephen Bassett. Okay, I think
20 you're on.

21 MS. NASSER: My name is Rebecca
22 Nasser and I live at 300 East 54th
23 Street. First of all, I would like to
24 thank the DEP for realizing that the
25 East 54th Street site was not a viable

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1 site. The second thing I would like to
2 talk about is the fact that many people
3 mentioned the idea of using a commercial
4 site, such as 56th and Third. The
5 reality is that people that come to work
6 every day get on the train, the bus,
7 their cars and they go home; they don't
8 live here. So I think the idea if it's
9 possible of using a site such as 56th
10 and Third makes a lot of sense.

11 The other thing I want to say is
12 that people talked before about fires,
13 and someone talked about the possibility
14 of a fire truck being able to get down
15 the street if their street was used.
16 Well, we had a fire at 300 East 54th
17 Street approximately one and a half
18 years ago on a high floor, and I will
19 tell you right now that I would not be
20 standing here and telling you this right
21 now, if that street had been the street
22 that was chosen because I would've been
23 dead. I would have been burned on a
24 high floor.

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1 MR. REYES: My name Juan Reyes, I'm a
2 resident of 300 East 59th Street. I
3 just want to voice my concern. I'm just
4 against the siting of this shaft on the
5 corner of 59 Street and First Avenue.
6 My wife and I live in the Landmark, we
7 have an eight-month-old child. When you
8 live in a neighborhood like we do, you
9 have the good and the bad. You have
10 Sutton Place which is a beautiful place,
11 but then you have the traffic from the
12 bridge. But it's just upsetting that
13 people in other areas of the
14 neighborhood feel that this should be a
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16 dumping ground and loading, loading,
17 loading all these different projects, to
18 the point where you're loading these
19 dangerous conditions -- you have the Con
20 Ed electrostatic lines, you have the
21 bridge and now you want to site this
22 tunnel or shaft down into the tunnel --
23 and the problem is that you see a little
24 problem like the fire on the bridge and
25 nobody really wanted to talk about it

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2 too much, just before the election,
3 because you see what a major problem it
4 causes in the City when you lose a major
5 artery like the 59th Street Bridge, so
6 -- I just want to say that I'm adamantly
7 opposed to this project and I appreciate
8 Community Board 6 listening to the East
9 Fifties Neighborhood Coalition
10 commenting that there should be more
11 studies done into how much the water
12 mains are really going to affect the
13 neighborhood, and slow down traffic and
14 really upset the entire area.

15 If there was one problem, just the
16 site, that's an issue. But you're going
17 to upset block after block and business
18 after business and residence after
19 residence; that's a problem that has to
20 be reconsidered, the preferred site.

21 MR. ROBERTSON: I didn't hear my
22 name called. My name is Christian
23 Robertson, I'm on the board of 418 East
24 59th Street. I came here angry, as many
25 people did, and I've grown increasingly

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2 saddened by the fact that we're not
3 getting any answers to the questions
4 we've asked as to when we might get some
5 feedback. It sounds like the decision
6 has already been taken. I'm really
7 saddened by the fact that people in this
8 country don't seem to take their jobs
9 seriously anymore. No one has any
10 accountability; it's always somebody
11 else's fault. Oh, it's not the DEP's
12 fault; it's the other body. It's always
13 somebody else's fault. I'd like to say
14 see somebody stand up and take
15 accountability for what is clearly a
16 very poor decision. If you look at the
17 facts in the report it's plagued with
18 errors, and I would be embarrassed to
19 put my name to the report, quite
20 frankly. But I'm here to say, for the

21 record, that as you could see we are a
22 well educated, highly organized, pretty
23 affluent group of people, and if you
24 want a fight, by God, you're going to
25 get one.

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MS. LICATA: Nadine Rosenbaum,
Steven Bassett, Emmanuel Plat, Lucia
Pang.

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MS. PANG: Hi, I'm a concerned
citizen living at 345 East 56th Street.
Dear Commissioner, please include a study
of the existing building conditions in
your areas, such as taking pictures of
existing cracks that can be found in the
buildings near the proposed Shaft 33B
site. If not, if there will be any
cracks developed in our buildings or in
our building foundations due to
construction blasting at Shaft 33B, DEP and
City of New York Construction will be
facing many future complaints. Thank
you.

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MS. LICATA: Does anybody else wish
to speak? State your name for the
record, please, and spell it.

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MR. SAMUELS: My name is David
Samuels. I just have a few comments and
questions to ask.

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Everything seems to be qualitative

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and nothing is quantitative in terms of
decisions, and it seems to me that we've
reached a point in this particular issue
of where to site the shaft that we're
only talking about the surface problems,
and I just wondered, with all the
underground work that's taking place
there seems to be a myriad tunnels that
have been constructed to evacuate the
shafts that have been constructed, and I
wonder in fact why these tunnels can't
be used, if in fact they're routed in
the proper direction, to not go to the
surface to do east-west work, to run
some of these laterals -- for instance,
you had a graphic of the water tunnel
system. It's unclear to me whether
Tunnel No. 3 is east or west of Shaft
33B; is that possibly the answer? Is it
east or west of 33B?

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MS. LICATA: I would prefer that we
close up the formal comment period and
then we can work with you afterwards and
explain that. This is not the

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appropriate time for that.

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MR. SAMUELS: My comment to you is there seems to be no concern really about costs, and I think that we're impacting an area that is at its max capacity. I have a chance daily to look at traffic patterns coming east on 59th Street and 60th Street and it lasts until one or two in the morning, that traffic is backed up. You can see Second Avenue in the morning, at noon it's jammed; First Avenue is jammed. And the fact of the matter is that we have discussions about things that are really almost beyond our control and it just seems to me that the approach to solve this problem should be subsurface, and not surface. Thank you.

MS. STONE: My name is Fran Stone, Francia Stone. 300 East 59th Street. I have children also, for the parents that think that there are no other parents here.

September 6, 59th and Second, there

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was an accident right on the side of 59th Street between First and Second. September 7, a car went into a school bus at the corner of 59th and Second Avenue. September 8, 60th right off Second Avenue, a taxi on fire. There were several explosions, massive flames; the car was completely destroyed and I understand that another one was. I called the police twice in ten minutes because it did not come. September 15, accident at 60th and York. September 29, a man was hit, 59, at Lexington and Third. September the tramways were stuck for an hour-and-a-half, if anybody remembers that. Traffic was stopped, and every pedestrian on the block was looking up. October 15, the 59th Street Bridge was on fire. Another gentleman brought that up.

I went to the Police Department -- oh, Tuesday, October 18th --

I went to the Police Department today to get the accident reports at

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59th and First. Of course the Traffic Safety Department wasn't there today. Call tomorrow. So, isn't there a

5 Central Traffic Department. Call
6 tomorrow, later -- but I'm sure I could
7 get that information.

8 We must have accidents there almost
9 every day. My problem -- I know we need
10 water. We need water. But I have a
11 little one and I am not willing to give
12 up my child's life for the water. If I
13 had a son, I would not be willing to
14 give his life up in Iraq. I'm not
15 willing to give up my daughter's life
16 and my husband's life and my family's
17 life for this water.

18 Every day, every single day we have
19 problems at 59th and First. If you can
20 rectify that, if someone -- if you find
21 a way to rectify that, do it, but it has
22 to be resolved. It has to be resolved.
23 We don't have any lanes of 59th Street.
24 How come nobody understands this. I
25 know all of you on 54th Street you're so

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2 glad that it's not on 54th Street. I
3 lived in the Connaught. I've lived in
4 this neighborhood 25 years. I was one
5 of the first -- I was the first resident
6 in the Connaught.

7 If you take up -- you say you will
8 only have one lane. If we take up -- we
9 only have one lane on 59th Street, for
10 God's sake; we only have one lane.
11 Reduce that lane for trucks, we have no
12 lane. There is no way to go east on
13 that street. No way at all. Especially
14 at a quarter of eight in the morning.
15 There is no way. Show me how we can
16 have a lane -- we can't have a lane.
17 Does anybody else live on 59th Street?
18 We have one lane, and the police use it.
19 They're not supposed to, but they do.
20 They're not supposed to go west, but
21 they do. We can't get through. And if
22 there's a truck there, we can't get
23 through. There is not -- did you ever
24 go there? I asked you that last time.
25 I invited you to come with me there when

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2 I take my daughter to school. There is
3 one lane. That's it. Thank you very
4 much.

5 MS. LICATA: Anybody else wishing to
6 speak may come up.

7 MS. EL-YACHAR: My name is Viviane
8 El-Yachar. I live at 400 East 59th
9 Street and I work in real estate. I've

10 seen what this kind of project does to
11 the possibility of selling one's
12 property: It is a nightmare.
13 What are people supposed to do with
14 their lives? If a couple of years down
15 the road they want to sell their
16 property, they will not be able to.
17 This is an area with a lot of senior
18 citizens, people who are near
19 retirement. What are they supposed to
20 do? Their life savings is in their
21 property. They become prisoners. How
22 about people who have another child,
23 want to move on, need a larger
24 apartment; people who get married. This
25 is asking people to put not only their

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2 lives but their savings on hold for
3 years. It is unconscionable. You
4 cannot do that to a residential area.

5 MS. LICATA: Anybody else who wishes
6 to speak?

7 The meeting will be adjourned at
8 this point in time, and I know that one
9 or two of you have questions. I'm
10 available, step right down.

11 Thank you very much for your
12 attendance.

13 -o0o-

14 (Whereupon, the record was closed at
15 10:07 p.m.)
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