

APPENDIX H
Written Comments
on the Draft Scope of Work
and Transcript of Oral Testimony
from the Public Scoping Hearing

APPENDIX H.1
Written Comments
on the Draft Scope of Work



RICHARD N. GOTTFRIED
75TH ASSEMBLY DISTRICT

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COMMITTEE ON HEALTH

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RULES
HEALTH
HIGHER EDUCATION
MAJORITY STEERING

CHAIR
MANHATTAN DELEGATION

Hotel Pennsylvania, 15 Penn Plaza

Assembly Member Richard N. Gottfried

Testimony before New York City

Department of City Planning

Scoping Public Hearing

Spector Hall, 22 Reade Street

Tuesday, January 27, 2009

I am Assembly Member Richard N. Gottfried. I represent the 75th Assembly District in Manhattan, which includes Chelsea, Hell's Kitchen, Murray Hill, and parts of the Upper West Side and Midtown, including the area of the proposed project site. I regret that the legislative session in Albany prevents me from testifying in person.

A project that proposes to demolish the Hotel Pennsylvania violates New Yorker's appreciation for architecturally significant buildings. The Hotel Pennsylvania is a significant building, designed by the firm of McKim Mead & White as one of three landmark-worthy buildings, together with the old Pennsylvania Station and the Farley Post Office. It is also an element of a significant group of masonry buildings on Seventh Avenue – the Affinia Hotel, (built as the Hotel Governor Clinton) on 32nd Street, across from the Pennsylvania Hotel; Macy's; and the Nelson Tower on 34th Street.

The proposals to demolish the Hotel Pennsylvania and build a 62-story mixed-use building should not be approved at all, but certainly not without the most rigorous environmental impact review. It is also not clear that there is a sufficiently definite proposal to allow appropriate analysis and review.

It is wrong to tear down buildings just because they may be in the way of a development scheme, especially at a time when the City is becoming more "green." Preserving functioning buildings is one of the most important gestures we can make in this area.

Vornado executives in the past have discussed renovating the building and have told community members and officials that they have not made any final decisions to demolish it. Therefore, the environmental review should evaluate an additional build scenario, which is to keep the current façade of Hotel Pennsylvania, and develop a building within and possibly rising above the facade of the Hotel. There are striking examples of development projects that incorporate existing façades, including John Jay College on Tenth Avenue, the Villard House on Madison Avenue, and of course, the proposed redevelopment of the Farley Post Office. The study should address how New York City zoning would accommodate such an option and should provide a thorough analysis of the feasibility of this option including whether the Hotel's shell is structurally sound for this build option.

The environmental review should also include an analysis of the subway station and rail facility improvements, particularly in terms of disability accessibility of these improvements. I encourage a study of the feasibility of more ramps over stairs as part of the improvements. Incorporating ramps into the transit improvements will not only improve the quality of life for people with disabilities, but also make the transit system easier to navigate for people with strollers and wheeled luggage.

Because the Hotel Pennsylvania has 90,000 square feet of meeting and adjacent exhibit space, the environmental impact review should include an analysis of what the impact will be of losing this space.

I appreciate the opportunity to submit these comments and look forward to working with the City Planning Commission, Vornado Realty Trust, the MTA, and the community to improve the project.



**THE CITY OF NEW YORK
OFFICE OF THE PRESIDENT
BOROUGH OF MANHATTAN**

SCOTT STRINGER
BOROUGH PRESIDENT

**15 Penn Plaza
Testimony at Scoping Session for 15 Penn Plaza EIS
Before the City Planning Commission
January 27, 2009**

In recent years, the City and other public authorities have pursued several initiatives that would reinforce the 34th Street corridor's fundamental importance to the Midtown Manhattan Central Business District – from the Hudson Yards rezoning, to the creation of an additional New Jersey Transit tunnel, to the redevelopment of Penn Station to include the new Moynihan Station. We should embrace plans to further solidify Midtown's place as a global center for commerce, media, and other vital industries. A growing, thriving Midtown is good for the City and the region.

However, as the area around Penn Station continues to develop, and re-develop, with greater building densities and concentrations of use, the City should plan to manage this growth carefully. The proposed redevelopment of the site known as 15 Penn Plaza, currently occupied by the Hotel Pennsylvania, with a two million-sq. ft. commercial office tower will have unquestionable economic benefits. However, any adverse impacts caused by this project should be responsibly mitigated.

The Penn Station area is already overflowing with pedestrians spilling on to the streets. The Environmental Assessment Statement for 15 Penn Plaza shows that this project could exacerbate this situation. Additionally, open spaces in Midtown are at a premium. The proposed office tower, whether realized under the single- or multiple-tenant development scenario, would bring thousands more people to the area than the Hotel Pennsylvania does, increasing the demand for open space and the strain on already crowded sidewalks. The Hotel Pennsylvania has approximately 450 employees and 1,700 rooms, whereas the office tower could include close to 10,000 employees, far exceeding the 500-person threshold that would trigger a detailed open space analysis. The proposed tower would not provide any publicly accessible open space, and perhaps in light of its proposed use it should not. The City should consider, however, the long-term open space impacts of permitting such great building density in Midtown and explore innovative ways to improve and expand open space in the area.

The proposal to open the Gimbels Passage beneath West 33rd Street, as proposed, is a necessary first step toward reducing pedestrian flows in the Penn Station area. However, the City should consider other measures to make the Penn Station area safer for pedestrians. In December 2007, during the Moynihan Station Environmental Impact Statement scoping session, I proposed the transformation of West 33rd Street, from Broadway to the Hudson River, into a great pedestrian

way. It would involve reclaiming two curbside lanes to allow widened sidewalks, new bike lanes, and public open space, as well as exploring areas and times of day in which vehicular access could be restricted. I remain committed to finding a way to study this proposal, and I am pleased to see that the City Department of Transportation (DOT) has recently proposed a similar plan for West 34th Street. The DOT's "Broadway Boulevard" plan and the redesign of the traffic pattern to the west of Madison Square Park created much-needed passive recreation and pedestrian space. The City should look at using these as models for similar spaces, where appropriate, in the Penn Station area. West 33rd Street could be that space, and the EIS should study the concept as a detailed alternative that could help mitigate environmental impacts of the proposal.

While not a designated City landmark, the Hotel Pennsylvania is a special historic structure that should not be forgotten if this proposal is realized. Therefore, the applicant should study the feasibility of preserving certain historically significant elements of the Hotel Pennsylvania for future display or reuse.

I look forward to working with the City and the applicant on this proposal as it proceeds through the City's environmental and land use review processes. Thank you for considering my testimony on this important project.

February 11, 2009

Mr. Robert Dobruskin
AICP, Director
Department of City Planning – Environmental
Assessment and Review Division
22 Reade Street, Room 4E
New York, New York 10007

Reference: 15 Penn Plaza – CEQR No. 09DCP019M

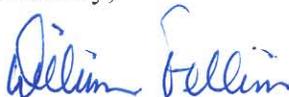
Dear Mr. Dobruskin:

PATH is in receipt of the conceptual drawings dated February 4, 2009 for the subject project. These drawings depict a program of mass transit improvements that Vornado would undertake to generate a floor area bonus for a proposed building at the current site of the Pennsylvania Hotel. The improvements affecting PATH are:

Item	Station	Description
40	6 Av	Provide new 6 Av / 32 St PATH entrance
25	7 Av	Provide new stair from at Manhattan Mall connection PATH to IND near 32 St.

PATH has ongoing discussions with Vornado on this project and has asked that these alterations comply with NFPA (National Fire Protection Association) 130, 2007 Edition. "Standard for Fixed Guideway Transit and Passengers Rail Systems". A code analysis will be required to verify these findings. We will continue to review the details of these drawings and PATH comments and resulting modifications must be addressed prior to PATH granting final approval for construction.

Sincerely,



William J. Fellini, P.E.
Assistant Director
PATH/Capital Project Management

Cc: NYCDP: Edith Hsu-Chen
MTA: Jack Dean, Stephan Russo
NYCT: Rajen Udeshi
Vornado: Doug Williams
Kramer Levin: Robert Flahive
Stantec: James Ariola

*One PATH Plaza
Jersey City, NJ 07306*

APPENDIX H.2

Transcript of Oral Testimony
from the Public Scoping Hearing

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2 THE CITY OF NEW YORK

3 CITY PLANNING COMMISSION

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Public Scoping Hearing

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on Draft Environmental Impact Statement

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Re: 15 Penn Plaza

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City Planning Commission

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Spector Hall

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22 Reade Street

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New York, New York

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January 27, 2009

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10:05 a.m.

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17 B E F O R E:

18 Robert Dobruskin,

19 The Chair

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2 APPEARANCES:

3

4 Robert Dobruskin, AICP, the Chair

5 Celeste Evans

6

7 ALSO PRESENT:

8 The Public

9 The Press

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13 Kari L. Reed,

14 the Reporter

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3 SPEAKER: PAGE:

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Robert Flahive, Kramer Levin 7

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Karen Mintzer, Kramer Levin 14

6
Michael Kent, for Borough President 19

7 Scott Stringer

8 Medina Napier, for Assembly Member
Richard Gottfried

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PROCEEDINGS

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THE CHAIR: I think we are going to

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start now, so if you could take your seats,

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please.

6

So good morning, welcome. Thank you

7

all for coming today for the scoping meeting

8

for the 15 Penn Plaza proposal. For the

9

record, let me note that the City Environmental

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Quality Review application number for the

11

proposal is 09DCP019M. Today's date is

12

Tuesday, January 27th, and the time is

13

approximately 10:05.

14

My name is Robert Dobruskin. I'm the

15

director of the Environmental Assessment and

16 Review Division of the New York City Department
17 of City Planning, and I'll be chairing the
18 scoping meeting this morning. The Department
19 of City Planning is acting on behalf of the
20 City Planning Commission as the lead agency for
21 the proposal's environmental review. Joining
22 me today is my colleague from the Environmental
23 Assessment and Review Division, Celeste Evans.
24 She's a senior project manager and she's
25 handling the environmental review for the

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2 project.

3 We're here today to receive your

4 comments on the draft scope of work for the

5 Environmental Impact Statement to be prepared

6 for the 15 Penn Plaza proposal. For those of

7 you who haven't seen it yet, we have copies of

8 the draft scope along with the protocol for

9 today's scoping meeting on the desk outside of

10 Spector Hall, and you can also view the

11 documents on the department's website at

12 nyc.gov/planning.

13 The draft scope of work outlines all

14 of the subjects that will be analyzed in the

15 upcoming Environmental Impact Statement. And

16 it also describes the methodologies that will

17 be used in those studies.

18 The purpose of today's scoping meeting

19 is to allow for public participation in the

20 environmental review process at the earliest

21 stage possible. And toward that end we'll have

22 an opportunity today to receive comments on the

23 draft scope from elected officials, interested

24 and involved government agencies, community

25 board representatives and members of the

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2 public.

3 Today also marks the beginning of the

4 written comment period on the draft scope. The

5 written comment period will remain open until

6 Wednesday, February 11th.

7 At the end of the written comment

8 period the department will consider all of the

9 comments that we have received, those that we

10 hear today, as well as all of the written

11 comments, and determine what changes, if any,

12 need to be made to the draft scope of work. We

13 will then issue a final scope of work. And

14 it's the final scope of work that serves as the

15 basis for the preparation of the Environmental

16 Impact Statement.

17 Today's scoping meeting is going to be
18 divided into three parts. During the first
19 part the applicant will make a brief
20 presentation describing the project, and also
21 summarizing the contents of the draft scope of
22 work.

23 During the second part of the scoping
24 meeting we'll receive comments from government
25 agencies, elected officials and community board

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2 representatives.

3 During the third and last part of the

4 meeting we'll receive comments from members of

5 the general public. And if you wish to speak

6 today, you do need to fill out a speaker's

7 card. Those are available at the desk outside

8 of Spector Hall. Speaking time will be limited

9 to three minutes, and we request that you keep

10 your comments to the draft scope of work

11 itself.

12 So now I'm going to turn things over

13 to the applicant, who will make a brief

14 presentation describing the project.

15 MR. FLAHIVE: Good morning,

16 Mr. Dobruskin. My name is Robert Flahive. I'm
17 with the firm Kramer Levin Naftalis & Frankel.
18 We represent the applicant. And I will give a
19 brief overview of the project.

20 The 15 Penn site is defined as both a
21 development site which is located at the east
22 side of Seventh Avenue between 33rd and 32nd
23 Street, and it's part of the larger project
24 site which includes the whole block. Both
25 parcels are owned by Vornado Realty. And the

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2 total area of the zoning allowed is just over

3 158,000. Both the development site and the

4 project site is located within a special

5 midtown district, and more specifically a

6 portion, the first one hundred feet on Seventh

7 Avenue, is located within a Penn Center

8 subdistrict.

9 Now, the actions that we're seeking

10 today, which I'll describe in detail in a bit,

11 would allow the development of one or two

12 scenarios. We do not have a specific building

13 but we do have programs for a commercial office

14 building for the site.

15 The first building, which in the EIS

16 is called the single tenant office scenario,
17 has a zoning floor area of 2.05. I should
18 mention both scenarios have the same zoning
19 floor area. The gross on the single tenant
20 office is 2.8 million, and of that 350,000 is
21 trading floors and amenities, and a ten story
22 base and retail on the ground floor. The total
23 building height will be 1,119 feet. That
24 includes a ten story podium and 62 stories.
25 This particular scenario requires height

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2 setback waivers, which I'll talk about later,
3 on both Seventh Avenue, West 33rd and West 32nd
4 Street.

5 The second scenario is a multi-tenant
6 office building. It has less of the
7 specialized character of the first building,
8 again, the same amount of zoning floor area,
9 but the gross is slightly less at 2.6 million
10 square feet. Of that, up to 380,000 will be
11 retail on both the ground floor, the second and
12 third floors, and perhaps a portion of the
13 fourth and fifth and sixth floors. Those six
14 floors are the podium of the building. I
15 contrast that with the single tenant, which has

16 a ten story podium. The total height of the
17 building would be approximately 1,198 feet,
18 maybe 66 stories.

19 The height setback modifications are
20 only being requested for West 33rd and West
21 32nd Street, in that the second scenario
22 complies with the Seventh Avenue setback
23 requirements.

24 This board actually shows an overlay
25 of the two building scenarios. This is a view

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2 of the east-west section. If you concentrate
3 on the yellow portion, it shows a ten story
4 podium and then a tower starting fifteen feet
5 off Seventh Avenue and going straight up. And
6 it will lead into this general outline.

7 The multi-tenant scenario, scenario
8 two, has a six story tower and is pushed
9 further back from Seventh Avenue. Within this
10 larger envelope will be -- the larger envelope
11 will be the basis for both the height setback
12 request as well as all of the analysis in the
13 EIS. The maximum height that we are analyzing
14 is 1,225 feet, which is slightly higher than
15 each of the two scenarios, in order to provide

16 some design flexibility going forward.

17 Now, there are three sets of actions

18 requested. The first is a zoning -- a map

19 amendment. The project site is currently a mix

20 of zones. It's a C6-6 zone on Sixth Avenue,

21 which is a 15 FAR; a C6-6 zone on Seventh

22 Avenue, which is a 15 FAR, and then a C6-4.5,

23 which is a 12 FAR in mid block.

24 Our proposal is to rezone the entire

25 block to C6-6, and for two purposes. One is we

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2 are seeking an increase in floor area of about
3 266,000. But equally important is that it
4 eliminates the two split lots and allows us to
5 develop a unified bulk for the block.

6 The eastern portion, which is
7 currently occupied by Manhattan Wall, will not
8 be developed, redeveloped as part of the
9 scenario. All of the unused development and
10 floor area will be transferred to the western
11 half of the block, which is the development
12 site.

13 In addition to the zoning map
14 amendment there are zoning text components.
15 The first text amendment would modify the

16 special Midtown district to allow for height
17 setback modifications as well as modifications
18 in the district plan elements.

19 The second zoning text amendment is an
20 amendment to the Penn Center district. Whereas
21 transit improvements are being proposed as part
22 of the floor area bonus, where we will be
23 proposing a more efficient process to dealing
24 with the multiple transit agencies as well as
25 part of both the application and the approval

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2 process. The purpose of this is to reflect the
3 fact that we have at least three transit
4 entities to work with, including the MTA, New
5 York City Transit, Port Authority, and Amtrak.
6 And, as I'll explain later, the bonus that
7 we're seeking entails both on-site and off-site
8 improvements. So we expect that this added
9 flexibility will be particularly helpful in
10 reaching agreements in executing the off-site
11 improvements.

12 The two special -- the third group of
13 land use actions is that we will be seeking
14 special permits. The first special permit will
15 be a height setback special permit. As I

16 mentioned, both the 33rd and 32nd Street, both
17 scenarios. And then for scenario one, a height
18 setback modification on Seventh as well. And
19 also a waiver of certain district plan
20 elements, particularly in terms of retail
21 continuity and the location of the street walk.

22 The second special permit is that we
23 have developed a list of a dozen mass transit
24 improvement items for which we are seeking a
25 bonus of up to 20 percent, three FAR, total

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2 floor area 474,000, in exchange for undertaking
3 these improvements.

4 Actually, the full agenda of
5 improvements are listed here. There are twelve
6 of them. But I won't go through each of them.

7 I just instead highlight the major one, which
8 is the reopening and reconstruction, including
9 widening and increasing the height of the 33rd

10 Street passageway that connects the Seventh
11 Avenue IRT with the BMT PATH complex at Sixth
12 Avenue. The passageway has been shuttered for
13 about 25 years or so for a variety of reasons.

14 What we are proposing is for easements on our
15 property on the development side to widen it,

16 reconstruct it, and to make it an attractive
17 connection. It's part of the larger plan for
18 transit improvements that would serve the
19 entire Penn Center district.

20 We are also proposing significant
21 improvements both at PATH and at the IND Sixth
22 Avenue entrances at grade, one level down, and
23 as well as the second level concourse for the F
24 train. In addition, we'll be providing for a
25 widened platform on our property on the Seventh

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2 Avenue northbound, and new stairs from the IRT
3 express at Seventh Avenue, which will require
4 coordination with Amtrak as well as New York
5 City Transit.

6 Now, that's a brief overview. We're
7 also prepared to go through the impact
8 assessment areas, and I think standing in is
9 Karen Mintzer from our firm will take us
10 through that. Thank you.

11 MS. MINTZER: AKRF is joining us a
12 little bit late, so I'm going to go through the
13 EIS.

14 Development of the proposed project
15 may potentially result in significant adverse

16 impacts requiring preparation of the EIS.

17 Scoping is the first step in the process. It's

18 intended to determine the range of issues and

19 considerations to be evaluated in the EIS.

20 This scope has been prepared to describe the

21 two proposed scenarios, the percent of the most

22 favorable EIS analysis, and discuss the

23 procedures for preparing the DEIS.

24 As Bob discussed, we have developed

25 two reasonable worst case scenarios, a single

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2 tenant office scenario and a multi-tenant
3 office scenario. Both scenarios consist of
4 commercial office above, putting a base and
5 below grade mass transit improvements.

6 Both scenarios will be constructed
7 within the maximum building envelope.

8 In disclosing impacts, the EIS is
9 going to consider the impacts on the
10 environmental setting, which would be the
11 proposed project as operational in 2014. The
12 technical analyses will assess current
13 conditions and forecast those conditions to
14 2014 for purposes of determining impacts.

15 The EIS is going to provide a

16 description of existing conditions for 2008
17 analysis year, and assessments of those
18 conditions with the proposed project in 2014.
19 The future baseline for all the technical
20 chapters will assume that none of the
21 discretionary approvals proposed as part of the
22 project will be adopted. Instead, the no-build
23 would consist of an approximately 1.6 million
24 gross square foot building, of which 1.3
25 million gross square foot would be office use,

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2 40,000 plus gross square feet would be retail
3 use, and approximately 202 gross -- 202,000
4 gross square feet would be mechanical space
5 with lobby area and amenity space. There would
6 be accessory parking for one hundred vehicles.

7 We have identified the single tenant
8 office scenario and the multi-office scenario
9 as the reasonable worst case development
10 scenario. Both scenarios maximize potential
11 developments that could occur on the
12 development site, and both will contain a
13 combination of the uses most likely to be
14 developed on the site.

15 The EIS will contain a description of

16 the proposed project in its setting, a
17 statement of the environmental impacts of the
18 proposed project, including short-term and
19 long-term effects and typical associated
20 environmental effects; identification of any
21 adverse environmental effects that can't be
22 avoided if the project is implemented;
23 discussion of reasonable alternatives;
24 identification of irreversible and
25 irretrievable commitments of resources that

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2 would be involved if the proposed project is
3 built; and a description of mitigation to
4 minimize any identified significant adverse
5 environmental effects.

6 The specific areas to be included in
7 the EIS will be land use, zoning and public
8 policies, socioeconomics, community facilities,
9 open space, shadows, historic resources, urban
10 design, neighborhood character, natural
11 resources, hazardous materials, infrastructure,
12 waterfront revitalization, solid waste and
13 sanitation, energy, traffic and parking,
14 transit and pedestrians, air quality, noise,
15 construction impacts, public health,

16 mitigation, alternatives, and then a conceptual

17 analysis of the proposed text amendments.

18 Any questions?

19 THE CHAIR: Thank you very much,

20 Karen.

21 So that concludes the first part of

22 the meeting. We're now going to move on to the

23 second part, where we'll receive comments from

24 elected officials, interested and involved

25 agencies, and community board representatives.

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2 We have two speakers. And the first will be

3 Michael Kent representing Manhattan Borough

4 President Scott Stringer.

5 MR. KENT: Good morning. My name is

6 Mike Kent, and I'm an urban planner for

7 Manhattan Borough President Scott Stringer. I

8 will be reading his testimony into the record

9 this morning.

10 In recent years, the City and other

11 public authorities have pursued several

12 initiatives that would reinforce the 34th

13 Street corridor's fundamental importance to the

14 Midtown Manhattan Central Business District,

15 from the Hudson Yards rezoning, to the creation

16 of an additional New Jersey Transit tunnel, the
17 redevelopment of Penn Station to include the
18 new Moynihan Station. We should embrace plans
19 to further solidify Midtown's place as a global
20 center for commerce, media, and other vital
21 industries. A growing, thriving Midtown is
22 good for the City and the region.

23 However, as the area around Penn Plaza
24 continues to develop and redevelop with greater
25 building densities and concentration of use,

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2 the City should plan to manage this growth
3 carefully. The proposed redevelopment of the
4 site known as 15 Penn Plaza, currently occupied
5 by the Hotel Pennsylvania, with a two million
6 square foot commercial office tower, will have
7 unquestionable economic benefits. However, any
8 adverse impacts caused by this project should
9 be responsibly mitigated.

10 The Penn Station area is already
11 overflowing with pedestrians spilling out onto
12 the streets. The Environmental Assessment
13 Statement for 15 Penn Plaza shows that this
14 project could exacerbate the situation.

15 Additionally, open spaces in Midtown

16 are at a premium. The proposed office tower,
17 whether realized under the single or
18 multi-tenant development scenario, would bring
19 thousands more people to the area than Hotel
20 Pennsylvania does, increasing the demand for
21 open space and the strain on already crowded
22 sidewalks. The Hotel Pennsylvania has
23 approximately 450 employees and 1,700 rooms,
24 whereas the office tower could include close to
25 10,000 employees, far exceeding the 500 person

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2 threshold that would trigger a detailed open
3 space analysis. The proposed tower would not
4 provide any publicly accessible open space, and
5 perhaps in light of its proposed use it should
6 not. The City should consider, however, the
7 long-term open space impacts of permitting such
8 great building density in Midtown and explore
9 innovative ways to improve and expand open
10 space in the area.

11

The proposal to open the Gimbel's
12 passage beneath West 33rd Street, as proposed,
13 is a necessary first step to reduce the
14 pedestrian flows in the Penn Station area.

15

However, the City should consider other

16 measures to make the Penn Station area safer
17 for pedestrians.

18 In December 2007, during the Moynihan
19 Station EIS scoping session, I proposed the
20 transformation of West 33rd Street, from
21 Broadway to the Hudson River, into a great
22 pedestrian way. It would involve reclaiming
23 two curbside lanes to allow widened sidewalks,
24 new bike lanes, and public open space, as well
25 as exploring areas and times of day in which

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2 vehicular access could be restricted. I remain

3 committed to finding a way to study this

4 proposal, and I am pleased to see that the City

5 Department of Transportation has recently

6 proposed a similar plan for West 34th Street.

7 The DOT's Broadway Boulevard plan and the

8 redesign of the traffic pattern to the west of

9 Madison Square Park created much needed passive

10 recreation and pedestrian space. The City

11 should look at using these as models for

12 similar spaces, where appropriate, in the Penn

13 Station area. West 33rd Street could be that

14 space, and the EIS should study the concept as

15 a detailed alternative that could help mitigate

16 the environmental impacts of the proposal.

17 While not a designated City Landmark,
18 the Hotel Pennsylvania is a special historic
19 structure that should not be forgotten if this
20 proposal is realized. Therefore, the applicant
21 should study the feasibility of preserving
22 certain historically significant elements of
23 the Hotel Pennsylvania for future display or
24 reuse.

25 I look forward to working with the

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2 City and the applicant on its proposal as it
3 proceeds through the City's environmental and
4 land use review processes. Thank you for
5 considering my testimony on this important
6 project.

7 THE CHAIR: Thank you very much.

8 The next speaker is Medina Napier,
9 representing Assembly Member Gottfried.

10 MS. NAPIER: Good morning. My name is
11 Medina Napier, and I am the district day for
12 Assembly Member Gottfried. I'm going to be
13 reading his testimony. He's in Albany today.

14 I am Assembly Member Richard N.
15 Gottfried. I represent the 75th Assembly

16 District in Manhattan, which includes Chelsea,
17 Hell's Kitchen, Murray Hill, and parts of the
18 Upper West Side and Midtown, including the area
19 of the proposed project site. I regret that
20 the legislative session in Albany prevents me
21 from testifying in person.

22 A project that proposes to demolish
23 the Hotel Pennsylvania violates New Yorkers'
24 appreciation for architecturally significant
25 buildings. The proposal to demolish the Hotel

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2 Pennsylvania and build a 62 or 66 story mixed
3 used building should not be approved at all,
4 but certainly not without the most rigorous
5 environmental impact review. It is also not
6 clear that there is a sufficiently definite
7 proposal to allow appropriate analysis and
8 review.

9 It is wrong to tear down buildings
10 just because they may be in the way of a
11 development scheme, especially at a time when
12 the city is becoming more green. Preserving
13 functioning buildings is one of the most
14 important gestures we can make in this area.
15 Vornado executives in the past have discussed

16 renovating the building, and have told
17 community members and officials that they have
18 not made any final decisions to demolish it.
19 Therefore, the EIS should evaluate an
20 additional building scenario which is to keep
21 the current facade of the Hotel Pennsylvania
22 and develop a building within and possibly
23 rising above the facade. The study should
24 address how New York City zoning would
25 accommodate such an option, and should provide

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2 a thorough analysis of the feasibility of this
3 option, including whether the hotel shell is
4 structurally sound for this build option.

5

6 The environmental review should also
7 include an analysis of the subway station and
8 rail facility improvements, particularly in
9 terms of disability accessibility of these
10 improvements. Because Hotel Pennsylvania has
11 90,000 square feet of meeting and adjacent
12 exhibit space, the EIS should include an
13 analysis of what the impact will be of losing
14 this space.

14

15 I appreciate the opportunity to submit
these comments and look forward to working with

16 the City Planning Commission and the community
17 to improve this project.

18 And I have copies of his testimony if
19 you'd like copies of it as well.

20 THE CHAIR: Yes, please. Thank you
21 very much for your comments.

22 Is there anyone else who wishes to
23 speak today? I don't have any more speaker
24 cards.

25 (No response)

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THE CHAIR: In that case we are going

3

to close the scoping meeting. Before we do, I

4

just want to remind people that the written

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comment period will remain open until

6

Wednesday, February 11th, and I encourage you

7

to submit written testimony. You can send it

8

in to the address that's listed on the scoping

9

protocol. Thank you all for coming today, and

10

we look forward to receiving all of your

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comments. Thank you.

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(Time noted: 10:30 a.m.)

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CERTIFICATE

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4 STATE OF NEW YORK)

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I, Kari L. Reed, a Shorthand

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(Stenotype) Reporter and Notary Public

11

within and for the State of New York, do

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hereby certify that the foregoing

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proceedings taken at the time and place

14

aforesaid is a true and correct

15

transcription of my shorthand notes.

16 IN WITNESS WHEREOF, I have

17 hereunto set my name this _____ day of

18 February, 2009.

19

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21 _____

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