

## 4.2 LAND USE AND COMMUNITY FACILITIES, ZONING, AND PUBLIC POLICY

### 4.2.1 Introduction

This Section considers the effects of the construction and operation of Shaft 33B at the preferred Shaft Site on land use and community facilities, zoning, and public policy. It assesses the preferred Shaft Site's compatibility with and effects on surrounding land uses and its consistency with underlying zoning and any applicable public policies.

The preferred site for Shaft 33B is located at the base of the Queensboro Bridge on E. 59<sup>th</sup> Street and First Avenue. The Study Area for the preferred Shaft Site is the area within 400 feet of the site, extending past the Queensboro Bridge to E. 61<sup>st</sup> Street on the north, to approximately 100 feet south of E. 58<sup>th</sup> Street on the south, to the Queensboro Bridge exit and approach ramps on the west, and to midway between First and Sutton Place/York Avenues on the east (Figure 4.2-1).

### 4.2.2 Existing Conditions

#### Land Use

##### *Preferred Shaft 33B Site*

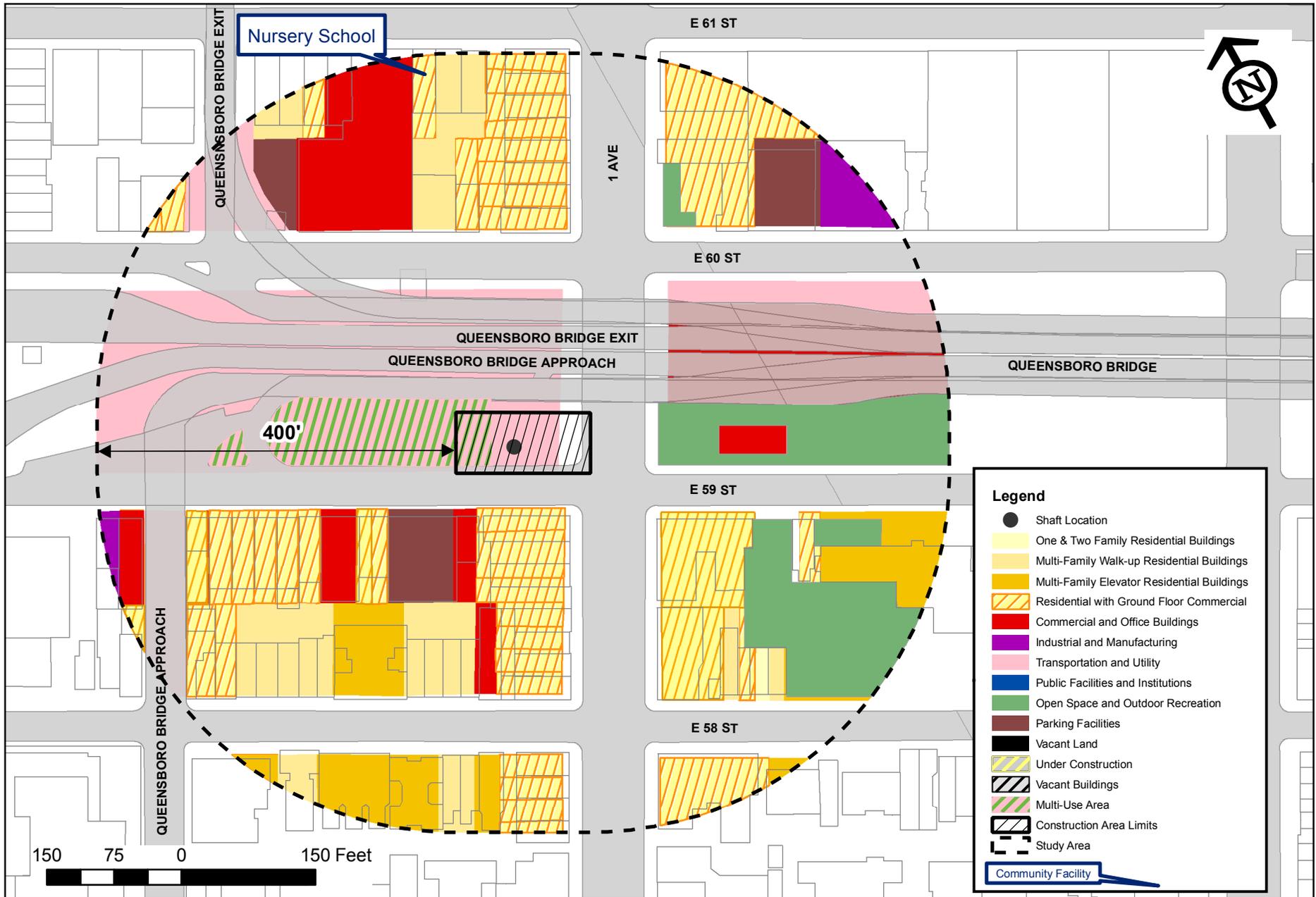
##### *Base Configuration*

Under the base configuration, the preferred Shaft 33B Site would consist of a fenced parcel and adjacent area under the jurisdiction of the New York City Department of Transportation (NYCDOT) at First Avenue and E. 59<sup>th</sup> Street, as well as a portion of the adjacent sidewalks on E. 59<sup>th</sup> Street and First Avenue. For a portion of the construction period (23 months during Stages 2 and 3), the preferred Shaft Site under the base configuration would also use a portion of the area to the west of the fenced NYCDOT site that is used jointly by NYCDOT and for open space use by the public. This "multi-use" area is described below in the discussion of the Study Area.

The entire block containing the Queensboro Bridge structure between E. 59<sup>th</sup> Street and E. 60<sup>th</sup> Streets between First and Second Avenues is under the jurisdiction of NYCDOT; however, the New York City Department of Citywide Administrative Services (NYCDCAS)<sup>1</sup> records indicate that the New York City Department of Sanitation (DSNY) and the New York City Department of Parks and Recreation (NYCDPR) also use portions of the property.

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<sup>1</sup> NYCDCAS is the administrative arm of the New York City government and is responsible for administration of the City's real estate.



**NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
 PROPOSED SHAFT 33B TO CITY TUNNEL NO. 3  
 STAGE 2- MANHATTAN LEG  
 PREFERRED SHAFT SITE  
 LAND USE**

**FIGURE 4.2-1**

The preferred Shaft Site is currently being used by NYCDOT for parking and as a Bridge maintenance facility and staging area for Bridge reconstruction. The site is adjacent to NYCDOT's Queensboro Bridge Engineer's Office, which is located within the Queensboro Bridge structure. Access to the office is made through the preferred Shaft Site. DSNY also uses the site as a central meeting place.

#### *Alternate Site Configuration*

As described in Section 4.1, "Project Description," in the alternate site configuration the preferred Shaft Site would encompass the site described above as the base configuration, as well as the full width of the sidewalks on E. 59<sup>th</sup> Street and First Avenue and portions of the E. 59<sup>th</sup> Street and First Avenue roadways alongside the construction area.

#### *Study Area*

The Study Area is dominated by the massive two-level Queensboro Bridge, a large transportation use that runs through the middle of the study area, occupying a large portion of the Study Area with the Bridge structure and associated ramps leading to and from the two Bridge decks. The Bridge is currently undergoing a long-term rehabilitation and reconstruction project. The preferred Shaft 33B Site is currently being used as a staging area for this work. Surrounding the Bridge, the Study Area has a mix of primarily residential uses, with ground-floor retail uses common along First Avenue and with some commercial uses closest to the Bridge.

In addition to the preferred Shaft 33B Site, the project block also includes NYCDOT's Queensboro Bridge Engineer's Office beneath the Bridge structure immediately to the north of the preferred Shaft Site, which is described above, and the planted, 11,900-square-foot multi-use area immediately to the west of the preferred Shaft Site.

The multi-use area occupies the general area between the NYCDOT parcel at First Avenue and the elevated ramp leading to the upper level of the Queensboro Bridge, which is midway between First and Second Avenues. The multi-use area is under the jurisdiction of NYCDOT, but also is generally used for strolling and dog walking by members of the public. It is sometimes referred to as "14 Honey Locusts Park" (as reflected in a sign located on the site indicating this name) or "Gateway Plaza." The area is 13,000 square feet in size and is divided into two areas bisected by the curved entrance ramp to the lower level of the Queensboro Bridge. The 11,900-square-foot main portion extends from the Bridge ramp approximately to the fenced NYCDOT parcel. The portion west of the Bridge entrance ramp consists of a separate 1,100-square-foot traffic island area that is generally inaccessible to the public. The main portion of the multi-use area is predominantly paved and has nine honey locust trees; the smaller portion has three additional honey locust trees. More information on the multi-use area is provided in Section 4.3, "Open Space."

Immediately south of the preferred Shaft 33B Site, the south side of E. 59<sup>th</sup> Street between First Avenue and the Queensboro Bridge approach ramp is lined with a mix of residential and commercial buildings (Figure 4.2-1). Most of the buildings on this block are four- to six-story walk-up apartment buildings with retail stores—predominantly antique and home decor stores—

on the ground floors. Several of these buildings are fully in commercial use, occupied by various offices, home design services, and a gym. The block also includes a multi-story parking garage.

One block to the south, primarily residential uses line both sides of E. 58<sup>th</sup> Street between First Avenue and the Queensboro Bridge approach ramp to its west. Most of the buildings on the north side of the street are five-story walk-up apartment buildings, with a mid-rise (11-story) apartment building in the mid-block. The south side of E. 58<sup>th</sup> Street is also occupied by a mix of low-rise (four- to five-story) and mid-rise (seven- to 12-story) apartment buildings.

First Avenue is a busy northbound arterial roadway with seven lanes of traffic (including two parking lanes and five moving lanes). Buildings in the Study Area facing First Avenue are predominantly residential buildings with ground-floor retail uses serving the neighborhood's residents. These include restaurants and bars, delis, and local services (e.g., florists, hair and nail salons). The buildings on the west side of First Avenue are low-rise (five-story) walk-up type apartment buildings. On the east side of First Avenue, they are larger, mid-rise (16-story) apartment buildings.

Immediately across First Avenue from the preferred Shaft 33B Site, the area along the north side of E. 59<sup>th</sup> Street beside the Queensboro Bridge houses the Bridgemarket, a modern adaptive reuse of the archways under the historic Bridge. A large supermarket (Food Emporium) and restaurant occupy the above-ground spaces beneath the Bridge's arches; a home decor retailer (Terence Conran Shop) occupies a modern glass-enclosed pavilion and a below-ground space. These retail uses face a landscaped public plaza that extends from First Avenue midway to Sutton Place along the north side of E. 59<sup>th</sup> Street.

The block on the south side of E. 59<sup>th</sup> Street, facing the Bridge and Bridgemarket, is occupied primarily by several high-rise apartment buildings, including a 37-story building and a 45-story building in the mid-block and a 17-story building at the corner of First Avenue. A landscaped public plaza with benches runs through the block between E. 58<sup>th</sup> and E. 59<sup>th</sup> Streets. The north side of E. 58<sup>th</sup> Street on this block also includes a group of low-rise residential buildings with ground-floor retail stores.

The portion of the Study Area north of the Bridge has similar land uses. Low-rise, walk-up apartment buildings with ground-floor retail uses line the west side of First Avenue; low-rise residential buildings also line E. 60<sup>th</sup> and 61<sup>st</sup> Streets west of First Avenue. In the middle of this block, a five-story building that runs through the block from E. 60<sup>th</sup> to E. 61<sup>st</sup> Street houses a gym, parking garage, and men's club. The east side of First Avenue, in contrast, is occupied by a new high-rise (36-story) apartment complex with multiple floors of retail space on the lower floors. A landscaped plaza in front of this building, facing First Avenue, serves as a public open space. East of this building on E. 60<sup>th</sup> Street, a six-story parking garage and a four-story warehouse face the Bridge.

### **Community Facilities**

No public or publicly funded community facilities are located in the Study Area for the preferred Shaft 33B Site. The Study Area includes one private community facility, a private day care and

nursery school facility located on the south side of East 61<sup>st</sup> Street between First and Second Avenues (Figure 4.2-1). This day care center, Renanim Pre-School/Summer Camp, serves children two to five years old and includes an indoor facility and a private outdoor play area in the building's backyard.

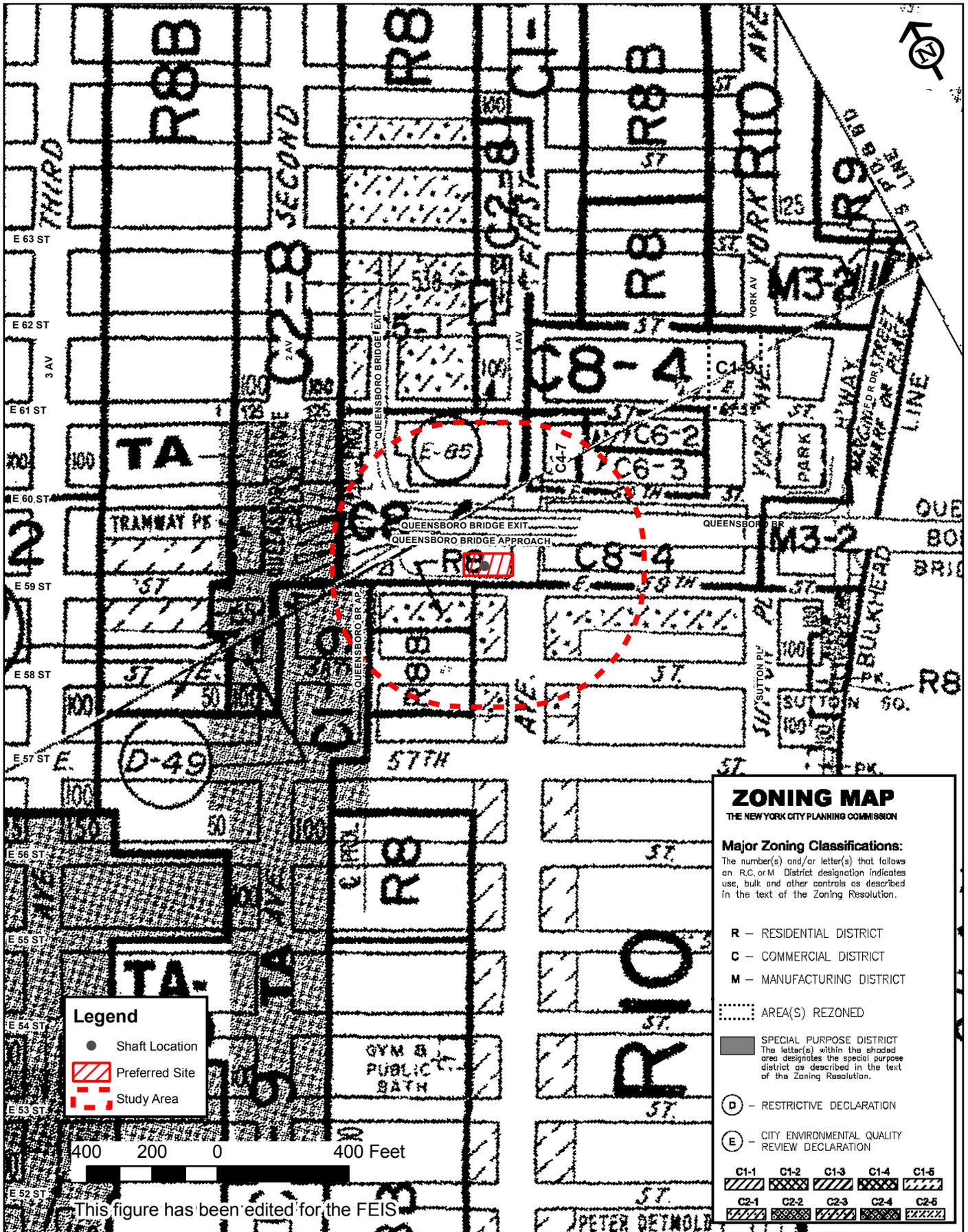
Public safety in the Study Area is provided by Precincts 17 and 19 of the New York Police Department (NYPD). The boundaries of Precinct 17 correspond to the boundaries of Community District 6 (extending from E. 14<sup>th</sup> Street to E. 59<sup>th</sup> Street generally east of Lexington Avenue) and the boundaries of Precinct 19 correspond to the boundaries of Community District 8 (from E. 59<sup>th</sup> Street to E. 96<sup>th</sup> Street east of Central Park). The Fire Department of New York City (FDNY) provides fire protection for the Study Area through its firehouses at 165 E. 51<sup>st</sup> Street (Engine 8 Ladder 2 Battalion 8) and 147 E. 67<sup>th</sup> Street (Engine 39 Ladder 16).

### **Zoning**

Zoning districts in the Study Area are listed in Table 4.2-1 and shown in Figure 4.2-2. As shown in Figure 4.2-2, a large C8-4 General Service commercial district is mapped in the area surrounding the Queensboro Bridge. As shown in Figure 4.2-2, this district extends from west of the Bridge ramps to Sutton Place between E. 59<sup>th</sup> and E. 60<sup>th</sup> Streets. It also extends north to E. 61<sup>st</sup> Street from west of the Bridge ramps to First Avenue. Outside the Study Area, the C8-4 district extends as far north as E. 62<sup>nd</sup> Street between York Avenue and the East River. C8-4 districts are intended to form a transition between commercial and manufacturing districts, and permit automotive and other heavy commercial uses, including public service establishments. These include, among others, electric or gas utility substations on a site of not more than 10,000 square feet, public utility stations for oil or gas metering or regulating, and water or sewage pumping stations. No residential uses are permitted in C8-4 districts. Because the preferred Shaft Site is mapped as street on City maps, zoning regulations do not apply to the site.

The rest of the Study Area north of the Queensboro Bridge is also mapped with commercial districts. These commercial districts—C4-7 along First Avenue and C6-3 along E. 60<sup>th</sup> Street—are all medium-density commercial districts that also allow medium-density residential use. C4-7 districts are intended for major commercial centers, and therefore allow department stores and other commercial uses that serve a larger area. They permit high-density commercial and residential development. C6-3 districts are also intended for medium-density commercial uses requiring a central location; they also allow medium-density residential use.

South of the Queensboro Bridge, the Study Area has a mix of high-density residential districts with commercial overlays mapped along First Avenue and E. 59<sup>th</sup> Street. As shown in Figure 4.2-2, the western frontage along First Avenue and the full blocks along the east side of First Avenue are zoned R10, the highest density residential district in the City. R10 districts are typically mapped on major avenues and cross streets in Manhattan south of 96<sup>th</sup> Street. West of First Avenue, the north side of E. 59<sup>th</sup> Street facing the Bridge is zoned R8, and the mid-blocks on both side of E. 58<sup>th</sup> Street are zoned R8B, a medium-density residential district. R8B districts are “contextual” districts typically mapped in the mid-blocks in Manhattan, intended to allow



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**NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION  
PROPOSED SHAFT 33B TO CITY TUNNEL NO. 3  
STAGE 2- MANHATTAN LEG  
PREFERRED SHAFT SITE  
ZONING**

**FIGURE 4.2-2**

**Table 4.2-1  
Zoning Districts in the Study Area**

Zoning District		Permitted Uses
<i>Residential Districts</i>		
R8B	General Contextual Residential District	Medium-density residential and community facility uses with a maximum FAR of 4.0 except in Community District 8, where community facilities can be developed to an FAR of 5.1.
R8	General Residential District	Medium-density residential and community facility uses with a maximum FAR of 6.02.
R10	General Residence District	High-density residential and community facility uses with a maximum FAR of 10.0 (12.0 with bonus).
<i>Commercial Districts</i>		
C1-9	Local Shopping and Services	Wide range of retail stores and personal service establishments for local shopping, to a maximum FAR of 2.0. Residential and community facility uses at an R10 equivalent.
C2-5 Overlay	Local Shopping and Services	Wide range of local service establishments to a maximum FAR of 2.0; residential and community facility uses according to underlying zoning.
C4-7	General Commercial District	Major commercial uses outside of the central business district, including shopping centers and high-bulk offices. Maximum FAR of 10.0 (12.0 with bonus). High-density residential and community facility uses at an R10 equivalent (10.0 FAR or 12.0 with bonus).
C6-3	General Central Commercial District	Full range of commercial uses requiring a central location maximum FAR of 6.0 (up to 7.2 with bonus). Residential and community facilities at an R9 equivalent (7.52 FAR).
C8-4	General Service District	Warehouses, automotive service establishments, other commercial uses; maximum FAR of 5.0.
<i>Special Purpose Districts</i>		
TA	Special Transit Land Use District	Preserves easements for future Second Avenue Subway.
<b>Source:</b> Zoning Resolution of the City of New York; <i>Zoning Handbook</i> , NYCDCP, July 1990.		

similar density of development as R8, but with shorter buildings. A C2-5 commercial overlay is mapped along both sides of First Avenue and the south side of E. 59<sup>th</sup> Street facing the Bridge. C2-5 districts are mapped as overlays in residential districts, to allow retail uses that serve the residential area. Residential uses are also permitted according to the underlying residential zoning.

The small portion of the Study Area west of the Bridge overpass is part of a C1-9 local retail district mapped along Second Avenue. This portion of the Study Area is also part of a Special Transit Use District (shown as TA on the zoning map), mapped to require developers to provide easements if requested by the Metropolitan Transportation Authority for a future Second Avenue Subway.

### Public Policy

The primary public policy that applies to the Study Area is its zoning, which sets forth the City's land use policy. In addition, the preferred Shaft Site's location in a mapped street further

indicates that the intended use of the site is predominantly for transportation and utility uses. Other than zoning and the City map, no other public policies are currently in place in the Study Area.

Two potential public policies are currently in review: Community Boards 6 and 8 have both recently prepared 197-a plans for review by the City. 197-a plans are plans intended to guide land use decisions in specific areas; these plans and the process followed to prepare them are described below.

Under Section 197-a of the New York City Charter, Community Boards and Borough Boards, as well as the Mayor, the City Planning Commission, the New York City Department of City Planning (NYCDCP), and Borough Presidents are authorized to sponsor plans for the development, growth, and improvement of the City, Borough, and local communities. These plans, each referred to as a “197-a plan,” are intended to offer a neighborhood’s consensus on the general principles to be used to guide land use, public policy, and the provision of community services, rather than any specific zoning, design, service, or funding proposals.<sup>2</sup> A 197-a plan must undergo a two-step review before adoption: first the plan is reviewed by NYCDCP and the City Planning Commission to ensure that it is complete and coherent; then the plan is revised jointly by the City Planning Commission and City Council with regard to the plan’s objectives, policies, and proposals. The process can result in approval of the plan as submitted, approval as modified by the City Planning Commission and/or City Council, or disapproval. The approval process may take several years to complete. If approved by the Planning Commission and adopted by the City Council, a 197-a plan is intended to guide future actions of City agencies in the areas addressed in the plans. To date, 197-a plans have been prepared by the Manhattan Borough President and several community boards. Many of these plans have been adopted, but some have been disapproved and others have been withdrawn. In Manhattan, adopted 197-a plans include the plan for Chelsea prepared by Community Board 4, the plan for Stuyvesant Cove prepared by Community Board 6, and the Comprehensive Manhattan Waterfront Plan prepared by the Manhattan Borough President.

Community Board 6 submitted a 197-a plan in January 2005 to NYCDCP for review; Community Board 8 submitted a plan in May 2005 and a revised plan in August 2005.<sup>3</sup> These plans are not considered public policy until they are adopted by the City Council and therefore, under existing conditions, do not influence land use decisions in the Study Area. The goals and objectives of these plans are considered below in Section 4.2.3.

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<sup>2</sup> *197-a Plan Technical Guide*, NYCDCP, 1997.

<sup>3</sup> *197-a Plan for the Queensboro Bridge Area, Community District 8, Borough of Manhattan, New York City*, April 2005 and August 2005; *197-a Plan for the Eastern Section of Community District 6, Borough of Manhattan, New York City*, January 2005.

### 4.2.3 Future Conditions Without the Project

The analysis of the Future Without the Project describes the land use and community facilities, zoning, and public policy expected to be in place in the future, assuming that the project does not occur. This forecast is made based on existing conditions, known development proposals, and implementation of public policy. This discussion serves as the baseline against which the potential impacts of the project can be compared.

#### Land Use and Community Facilities

In the Future Without the Project, NYCDOT will continue its long-term project to reconstruct and rehabilitate the Queensboro Bridge. This work, which began in 1978, is expected to continue through 2009. The preferred Shaft 33B Site is expected to remain in use by NYCDOT for construction staging through that time. NYCDOT will also continue to use the site for parking and access to the Bridge Engineer's Office, and DSNY will also continue to use the site as a central meeting place. The multi-use area, which is under the jurisdiction of NYCDOT, will also continue to be used for parking and as an access area for Bridge maintenance and staging activities. It is expected that the multi-use area will also continue to be used by members of the public.

Bridge rehabilitation activities planned close to the preferred Shaft Site include repairing the underside of the E. 59<sup>th</sup> Street overpass to the south upper roadway. Other work planned includes cleaning and repainting the structural steel of the main spans and approach roadways; cleaning and repairing the Bridge's anchor piers; upgrading the Bridge's lighting and signage; resurfacing; switching the bikeway/walkway from the south outer roadway to the north outer roadway; and installation of protective screening along the north outer roadway.

Once the Bridge rehabilitation program is completed in 2009, NYCDOT will continue to use the preferred Shaft 33B Site for parking and other Bridge maintenance activities. NYCDOT will also retain its jurisdiction over the multi-use site; the continued availability of the multi-use site in the future is critical to NYCDOT. When the Bridge project is completed, NYCDPR is planning a restoration of the multi-use area, potentially including new seating, lighting, landscaping, and paving. In addition, NYCDPR is considering creation of a landscaped buffer area between the fenced NYCDOT site and the multi-use area.<sup>4</sup>

Community Board 8 is seeking improvements to the open spaces near the Queensboro Bridge as part of its 197-a plan (discussed in more detail below under "Zoning and Public Policy"). The plan recommends installation of a low wall or plantings around the perimeter of the NYCDOT site consistent with NYCDPR's plans for the western border of the site; it also recommends landscaping or other aesthetic enhancements to a portion of the currently closed pedestrian ramp to the Queensboro Bridge overlooking the multi-use area. These changes may or may not be implemented in the Future Without the Project.

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<sup>4</sup> Source: Telephone call, Jennifer Hoppa, Deputy Director, Planning, NYCDPR, September 19, 2005.

In addition to these changes at and adjacent to the preferred Shaft 33B Site, several development projects are planned in the northeastern portion of the Study Area that will contribute to the gradual conversion of that area from its existing commercial and manufacturing uses to high-density residential use. These projects—a new Ronald McDonald House and a new dormitory for The Rockefeller University—are both planned on the north side of E. 60<sup>th</sup> Street facing the Queensboro Bridge. The Ronald McDonald House, a community facility that provides housing and support for children undergoing cancer treatments and their families, is proposing a new facility on a lot currently occupied by a six-story parking garage. The building will be 16 stories and have approximately 120 to 130 beds. Immediately to the east of the Ronald McDonald House site, The Rockefeller University is planning to construct a new 160-bed dormitory for its graduate students on a site currently occupied by a warehouse. Both projects have been approved but are not in construction; it is anticipated that they could be completed in 2008.

Just to the east and northeast of the Study Area, similar changes are under way on the blocks between First and York Avenues from E. 60<sup>th</sup> to E. 62<sup>nd</sup> Street. On the block between E. 61<sup>st</sup> and E. 62<sup>nd</sup> Street, a rezoning proposal (from C8-4 to C1-9) was recently approved. A similar rezoning is proposed for the block to the south. These rezonings will change the current medium-density commercial designation to allow high-density residential uses.

Other than these specific changes, the land use patterns in the Study Area are expected to remain similar to existing conditions in the Future Without the Project. Overall development trends in East Midtown and the Upper East Side are expected to continue, with new residential buildings added in and near the Study Area. Consistent with these existing trends, the area north of the Bridge and east of First Avenue—including the northeast portion of the Study Area and the area immediately beyond—is expected to continue to see gradual conversion of commercial and automotive-related uses to higher density residential uses. These new residential buildings will reinforce the already residential character of the surrounding area.

Other than the addition of one new community facility (Ronald McDonald House), no other changes are anticipated to community facilities or services in the Future Without the Project.

#### *Zoning and Public Policy*

No zoning changes are proposed or anticipated in the Study Area in the Future Without the Project. As described above in the discussion of land use in the Future Without the Project, several rezoning proposals are currently under way or anticipated immediately to the east and northeast of the Study Area. These proposals will continue the existing trend in which the heavy commercial and manufacturing uses clustered in the easternmost areas of the Upper East Side are gradually being converted to residential uses more consistent with the residential character of most of the Upper East Side.

Community Board 8 has prepared a 197-a plan for the Queensboro Bridge area, including the Study Area, for review by NYCDCP. As described earlier in the discussion of existing conditions, this plan must undergo an extensive review, which may include revisions, before it can be approved or disapproved. If it is approved, the planning principles it proposes are intended to be used to guide land use decisions in the future.

Community Board 8's 197-a plan is intended to address open space, waterfront access, and related issues for the Queensboro Bridge area, extending from the East River to Second Avenue between E. 59<sup>th</sup> Street and E. 60<sup>th</sup> Street. The plan's basic goals for this area are improving waterfront access, including links with the existing esplanade; improving connections between existing open space areas; providing more street greenery; creating more open space; and preserving views to and from the Queensboro Bridge and the waterfront. Community Board 8's 197-a plan makes specific recommendations for future changes at the preferred Shaft 33B Site. The plan recommends introduction of a buffer around the preferred Shaft Site, such as low walls and/or planting that would make the continued NYCDOT use of the site more aesthetically pleasing. In addition, the plan recommends landscaping on the pedestrian ramp leading to the Queensboro Bridge that overlooks the multi-use area. If Community Board 8's 197-a plan is approved with these elements in place, the document will be available to guide decisions by NYCDOT with respect to the area around the preferred Shaft Site, multi-use area, and pedestrian Bridge ramp. The improvements recommended may or may not occur in the Future Without the Project, as discussed above under "Land Use and Community Facilities."

Community Board 6 has also prepared a 197-a plan, which recommends changes along the waterfront blocks of the district; none of the recommendations affect the Study Area for the preferred Shaft Site.

Other than the potential adoption of Community Board 8's 197-a plan, no other changes to public policy are anticipated for the Study Area in the Future Without the Project.

#### **4.2.4 Future Conditions With the Project**

This section assesses the potential for construction or operation of Shaft 33B to result in any significant adverse land use and community facilities, zoning, or public policy impacts. It considers the effect of the project on the preferred Shaft 33B Site, as well as the project's compatibility and consistency with surrounding land uses, zoning, and public policy as they will exist in the Future Without the Project. It also considers the project's potential to result in changes to land uses or land use trends in the Study Area.

#### **Construction**

##### *Land Use*

##### *Preferred Shaft 33B Site*

##### Base Configuration

As described in more detail in Section 4.1, "Project Description" in this Chapter, construction of Shaft 33B at the preferred Shaft Site would involve the use of the site for approximately 52 months (almost 4½ years), beginning in 2006 and ending in 2010. During that time, the site would be surrounded by a 20-foot-high wall and in use for construction activities. The site would be occupied by construction trailers, storage containers, and other construction equipment, including a large crane; depending on the stage of construction, construction equipment and

workers would operate on the site and a limited number of trucks would arrive at and depart from the site.

Construction would occur in four stages (for more information, see Chapter 2, “Purpose and Need and Project Overview” and Section 4.1 of this Chapter.) During all four stages, the full area that is currently fenced and in use by NYCDOT would be used for Shaft 33B construction. In addition, the sidewalks along both E. 59<sup>th</sup> Street and First Avenue would be narrowed to 5 feet each.

During Stages 2 (11 months) and 3 (12 months), the construction area would increase in size with the addition of an 1,800-square-foot portion of the multi-use area, which currently consists of a paved area and two trees. This portion of the multi-use area would be enclosed behind the construction wall and could be occupied by a concrete truck enclosure (see Section 4.1 for more information). The two honey locust trees within the construction enclosure would be removed to facilitate construction.

As discussed earlier, the currently fenced portion of the site east of the multi-use area is already in use as a construction staging area for the NYCDOT’s Queensboro Bridge rehabilitation program; the site is also used by NYCDOT as a Bridge maintenance facility and includes a parking area for NYCDOT vehicles. While the proposed Shaft 33B construction activities would continue the use of the site for City municipal purposes, they would bring more active construction work to the site. Access to NYCDOT’s office under the Bridge would be maintained throughout the Shaft 33B construction period. NYCDOT’s parking area would be removed, these vehicles would park elsewhere. Although more intensive construction activities would occur on this portion of the site during the 52-month construction period than in the Future Without the Project, NYCDOT activities that currently occur on or adjacent to the site would be maintained throughout the construction period, and thus no potential significant adverse impacts to land use on this portion of the site would occur.

Construction activities on the currently fenced portion of the preferred Shaft Site would delay the potential introduction of a buffer wall or landscaping around NYCDOT’s active site, which NYCDPR is proposing for the Future Without the Project. This buffer could potentially be introduced around the NYCDOT site in 2009, when the Bridge Rehabilitation Program is completed. Construction of Shaft 33B on the preferred Shaft Site would delay the introduction of this buffer until approximately 2010, when the shaft construction is complete. However, the construction site itself would be surrounded by a wall that would serve as an effective buffer, and therefore no potential significant adverse impacts to land use would be anticipated.

During Stages 2 and 3, when the 1,800-square-foot portion of the multi-use area is in use for construction staging, the remainder of the 11,900-square-foot multi-use area would remain publicly accessible. Following completion of Stage 3 (in 2008), the directly affected portion of the area would be restored in coordination with NYCDOT and the community as applicable. This would be consistent with the planned schedule for restoration of the multi-use area by NYCDPR, which is planned to occur in 2009 when Bridge construction work is complete. Therefore, the temporary use of the multi-use parcel would not conflict with future plans for the multi-use area.

While the multi-use area has been available for open space uses, it is under the jurisdiction of NYCDOT and has been and continues to be used as a parking and access area for Bridge work and capital construction projects by NYCDOT. Recognizing the use of the multi-use area for Bridge maintenance and rehabilitation activities, and the limited nature of the proposed use (1,800 of 11,900 square feet), as well as the restoration of the affected area in coordination with NYCDOT and the community as applicable following construction staging, the use of the multi-use area during construction of Shaft 33B at the preferred Shaft Site would not represent a significant adverse land use impact. For more detailed discussion of the multi-use area, see Section 4.3, “Open Space.”

#### Alternate Site Configuration

The alternate site configuration would occupy the same area as the base configuration, described above. In addition, the construction site in this configuration would encompass additional sidewalk and street lanes adjacent to the NYCDOT site. The alternate site configuration would include the entire sidewalk along E. 59<sup>th</sup> Street, nine feet of the road bed of E. 59<sup>th</sup> Street, the entire sidewalk along First Avenue, and nine feet of the road bed of First Avenue. A temporary walkway would be provided alongside the construction site within the portion of the roadbed used on E. 59<sup>th</sup> Street and First Avenue (for more information, see Section 4.10, “Transit and Pedestrians”).

As with the base configuration, during Stages 2 (11 months) and 3 (12 months), the construction area would also include an 1,800-square-foot portion of the multi-use area, including a paved area and two trees.

The effects of the alternate site configuration in terms of land use on the preferred Shaft Site would be the same as in the base configuration. The Shaft Site would involve more intensive construction activities during the 52-month construction period than occur today or in the Future Without the Project, but NYCDOT activities that currently occur on or adjacent to the site would be maintained throughout the construction period, and thus no potential significant adverse impacts to land use on this portion of the site would be anticipated. The inclusion of an 1,800-square-foot portion of the 11,900-square-foot multi-use area also would not result in potential significant adverse land use impacts, considering the ongoing use of this parcel for both transportation and open space uses and considering that the remainder of the multi-use parcel would still be available for public use.

As with the base configuration, following completion of Stage 3 (in 2008), the directly affected portion of the multi-use area would be restored in coordination with NYCDOT and the community as applicable. This would be consistent with the planned schedule for restoration of the multi-use area by NYCDPR, which is planned to occur in 2009 when Bridge construction is complete. Like the base configuration, the alternate site configuration would delay creation of a buffer wall around the NYCDOT parking area. Since the construction activities would themselves be surrounded by a buffer wall, this delay would not result in potential significant adverse land use impacts. Overall, therefore, no potential significant adverse land use impact would result on the preferred Shaft Site from construction activities associated with Shaft 33B.

### *Study Area*

While construction activities at the preferred Shaft Site would represent a continuation of municipal uses on the site, construction activities for Shaft 33B could be more noticeable to surrounding land uses than the parking and staging activities that occur on the site today and that will continue in the Future Without the Project. The effects of the construction activities for Shaft 33B at the preferred Shaft Site would be the same under the base configuration and alternative site configuration.

The preferred Shaft 33B Site would be enclosed by a 20-foot-high construction barrier during construction for security purposes and to buffer the surrounding neighborhood from the construction activities. As described in Chapter 2, during most of the construction period, the majority of the construction work would take place underground. Heavy construction activities would occur from 7:00 a.m. to 6:00 p.m. at the preferred Shaft Site. Limited, quieter activities (such as clean-up) would occur during the evening, from 6:00 p.m. to 11:00 p.m. Construction associated with the raise bore excavation (Stage 2A) would occur 24 hours a day for an approximately three-month-long period, but this work would occur largely below-ground.

Some trucks would arrive at or depart from the site in most construction stages—the maximum number of trucks expected per day is 30, during Stage 3. These trucks would include concrete deliveries as well as other deliveries of construction materials. During most construction stages, a small number of trucks would arrive at and depart from the Site each day, generally up to three trucks a day. These trucks arriving would be visible evidence of construction activity on the Site, although no potential significant adverse traffic impacts are predicted. For more information on traffic associated with construction activities, please see Section 4.9, “Traffic and Parking.”

The noisiest activity would occur during an eight-month period during Stages 2B and 2C, when controlled blasting would be conducted at the preferred Shaft Site. As described in Section 4.12, “Noise,” NYCDEP would implement a number of protective measures during blasting to minimize potential noise impacts. Blasting would occur over a period of eight months and it is highly unlikely that more than two blasts would occur on a given day. In the second four months, blasting would occur more than 100 feet below the surface and noise levels would be diminished. During other construction activities at the preferred Shaft Site, there is the potential for adverse noise impacts on the upper floors of the residential building located directly across E. 59<sup>th</sup> Street from the Site during all stages with the exception of Stage 2A, and on the upper floors of the apartment building located on the southeast corner of E. 59<sup>th</sup> Street could also be adversely impacted during all stages with the exception of Stages 2A, 2C, and 3. For more information, see Section 4.12.

Overall, the construction activity on the preferred Shaft Site would be most noticeable to the nearest sensitive land uses, the residences directly across E. 59<sup>th</sup> Street and across First Avenue from the Site. The construction activities for Shaft 33B would at times be noisy and disruptive to these residential uses. However, the preferred Shaft Site is approximately 70 feet from the closest residential uses (measured from the edge of the excavation area, or “cofferdam”), and this distance as well as the 20-foot-high wall to be erected around the Site would serve to attenuate some of the noise and separate those residences from the construction activity. From all other

locations in the Study Area, the construction activities at the project site would be less perceptible. As detailed later in this Chapter (Sections 4.9, “Traffic and Parking,” and 4.11, “Air Quality”), the construction activity would not result in potential significant traffic impacts or air quality impacts; therefore, traffic and air quality changes would not be expected to result in potential significant adverse impacts to surrounding land uses during the construction period.

Both the base configuration and alternative site configuration would provide temporary walkways along E. 59<sup>th</sup> Street and First Avenue to replace the sidewalk areas that would be used for construction. Access to all land uses in the Study Area would be maintained during construction activities on the preferred Shaft Site. As described in Section 4.9, “Traffic and Parking,” and Section 4.10, “Transit and Pedestrians,” during approximately the first four months of the eight-month period when blasting is occurring, there would be some limits to access in the area close to the preferred Shaft Site. Blasting could occur up to two times a day during an eight-month period during those periods. A warning whistle communication protocol would be used to halt vehicular and pedestrian traffic within 100 to 150 feet of the blast site immediately prior to the blast, for a total anticipated duration of five minutes or less. However, NYCDEP would seek a whistle waiver from the FDNY to allow a shorter blasting sequence to be conducted at the preferred Site; this would reduce the time when pedestrian traffic would be cleared from the area surrounding the preferred Shaft Site from five minutes to approximately one minute. The FDNY has indicated that they could issue this waiver. This temporary disruption to access in the immediate vicinity of the preferred Shaft Site would not be anticipated to result in a potential significant adverse land use impact.

#### *Community Facilities*

Neither the base configuration nor the alternate site configuration would result in potential significant adverse impacts to community facilities. The nursery school on the south side of E. 61<sup>st</sup> Street between First and Second Avenues is buffered from the preferred Shaft Site by the Queensboro Bridge and intervening buildings on the north side of E. 60<sup>th</sup> Street. Construction activities would not be visible or audible at the nursery school. The new Ronald McDonald House to be constructed in the Future Without the Project on the north side of E. 60<sup>th</sup> Street between First and Second Avenues would also be buffered from the construction activities by the Queensboro Bridge. The only limited view of the preferred Shaft Site from the Study Area north of the Queensboro Bridge is from the corner of the public plaza at E. 60<sup>th</sup> Street and First Avenue (see Section 4.6, “Urban Design and Visual Resources,” for more information on views to the preferred Shaft Site; see Section 4.12, “Noise,” for more information on potential noise impacts).

Construction activities on the preferred Shaft Site would also not adversely affect the ability of NYPD or FDNY to provide protection to the Study Area, particularly since the preferred Shaft 33B Site is already occupied by similar construction uses. As described in Section 4, “Traffic and Parking,” construction activities at the preferred Shaft Site under either the base configuration or the alternate site configuration would not result in significant adverse traffic impacts, therefore, NYPD and FDNY would not be hampered in their ability to provide police and fire protection. FDNY has reviewed the proposed location of Shaft 33B at the preferred Shaft Site and indicated in a letter dated July 21, 2005, that FDNY has no objection to Shaft 33B

at the preferred Shaft Site, provided that the fire hydrants and Siamese standpipe connections on the north side of E. 59<sup>th</sup> Street and west side of First Avenue remain accessible, and that all buildings on E. 59<sup>th</sup> Street and the space under the Bridge remain accessible. As described in Section 4.9, during Stages 2 and 3 of the construction, the project would follow the requirements of the FDNY when blasting is performed. During the first four months of blasting, when temporary halting of street and pedestrian movement adjacent to the site is required, emergency services would not be impacted; the blasting operation would be halted and emergency crews (NYPD, FDNY or emergency medical services [EMS]) would be allowed to pass through the project area as required. NYCDEP has communicated with FDNY about the project and will continue to coordinate with FDNY to ensure that FDNY requirements are met during project construction.

#### *Zoning and Public Policy*

No change in zoning would be required for construction of Shaft 33B. Other than zoning, no adopted public policies apply to the Study Area. If Community Board 8's 197-a plan is adopted in the Future Without the Project, construction activities for Shaft 33B at the preferred Shaft Site would not be in conflict with the goals of the plan related to improvements on the pedestrian ramp to the Queensboro Bridge or the new buffer around the preferred Shaft Site. Use of the preferred Shaft Site under either site configuration would delay implementation of the buffer until shaft construction is complete, but the construction site would be buffered by a wall during construction. NYCDEP would restore the multi-use area consistent with the direction of NYCDOT and the community, as applicable. Therefore, no potential significant adverse impacts related to zoning or public policy are anticipated.

#### *Conclusions*

Overall, construction of Shaft 33B on the preferred Shaft Site would bring more intensive construction activities to a site that is currently in construction-related use by NYCDOT. The NYCDOT activities that currently occur on the site would not be adversely affected by use of the preferred Shaft Site for construction of Shaft 33B. The use of a small portion of the multi-use area for shaft construction staging for 23 months would not result in potential significant adverse effects to the rest of the multi-use area, particularly given the multi-use area's ongoing joint use for transportation use as well as open space use. Construction work on the preferred Shaft Site would result in limited disruptions to the surrounding Study Area, including significant adverse noise impacts on the upper floors of the two nearest residential buildings as described above. These would not be expected to result in changes to development patterns or trends in the surrounding area. Finally, the construction activities on the preferred Shaft Site would be consistent with the areas' zoning and applicable public policies, including Community Board 8's 197-a plan, which may be adopted in the Future Without the Project. Therefore, no potential significant adverse impacts to land use, community facilities, zoning, or public policy would be anticipated to occur during construction of Shaft 33B at the preferred Shaft Site. An analysis of the potential for impacts to land use, community facilities, zoning, or public policy from the construction of Shaft 33B at the preferred Shaft Site together with its water main connections is

presented in Section 5.2, “Land Use and Community Facilities, Zoning, and Public Policy,” in Chapter 5, “Water Main Connections.”

### **Activation and Operation**

#### *Land Use*

As described in Chapter 2, “Purpose and Need and Project Overview,” activation of the shaft would occur over a one-month period. During this time, the shaft would be disinfected to prepare it for use as a water supply shaft. During disinfection, chlorinated water would flow through the shaft and be discharged to the local sewer system. Before discharge to the local sewers, the water may need to be treated to remove the chlorine. No chlorine would be stored at the preferred Shaft Site during this process. During shaft activation, fewer than 10 workers would be on-site each day, and one truck would arrive at the site each day to deliver supplies. All chemicals used in the process would be handled, transported, and utilized in accordance with all local, state, and federal regulations. (For more information, see Section 4.14, “Hazardous Materials.”) The use of the site temporarily for approximately one month for activation activities, which would include water treatment, would be short-term and temporary in nature. No permanent changes in land use would occur as a result of activation of Shaft 33B. There would be no potential significant adverse land use impacts as a result of the one-month activation period.

Once Shaft 33B is operational in 2012, in addition to the underground shaft and distribution chamber, there would be some features of the shaft that would be above ground. These include two at-grade access hatchways to the shaft, a 10-foot-high by 14-inch-diameter air vent located on the sidewalk or the site, and up to two air release hydrants (3-foot-high by 6-inch-diameter). The shaft would operate unmanned, 24 hours a day seven days a week. Neither air emissions nor above-ground noise would be generated by the shaft during normal operations.

Although regular operations of the shaft would occur unmanned, maintenance crews would routinely visit the site several times a week for inspection and maintenance activities. A small maintenance crew of NYCDEP personnel (between 2 and 10 people, but most often 2 to 4 people) would visit the site an average of 1 to 3 times a week (roughly 10 to 12 visits total in a month) for routine inspection and maintenance activities. Certain maintenance trucks would need to park directly over the shaft to facilitate access of mobile maintenance equipment directly to the shaft (for more information, see Chapter 2).

Use of the preferred Shaft Site for Shaft 33B and related structures would not interfere with NYCDOT’s future use of the site. The small areas occupied by the entrance hatches would have to be kept available for access by NYCDEP, but this would not adversely affect NYCDOT operations on the preferred Shaft Site. With Shaft 33B in place and operational, the preferred Shaft Site would continue to be used for municipal functions. NYCDOT would continue to use the site for Bridge maintenance activities, parking, and access to the Bridge Engineer’s office, as they do today and will continue to do in the Future Without the Project. The access route to the NYCDOT offices under the Bridge would be maintained and no other change to the NYCDOT use of the site would be required to facilitate operation and maintenance of the shaft.

The portion of the multi-use area encroached upon during construction would be restored to its original use upon completion of the construction. The above-grade features of the shaft would not encroach into the multi-use area and thus would not obstruct the use of the multi-use area by NYCDOT or the public. Restoration of the area would be completed in consultation with NYCDOT and the community as applicable. Full sidewalk access would be returned along First Avenue and E. 59<sup>th</sup> Street.

Since the land uses that are currently on the preferred Shaft Site and are expected in the Future Without the Project would remain present on the site in the Future With the Project, and since Shaft 33B would have few above-ground structures and only limited activity on the site, there would be no potential significant adverse land use impacts on the preferred Shaft Site from operation of Shaft 33B.

The Shaft 33B operations at the preferred Shaft Site would also not adversely affect surrounding land uses or development trends in the Study Area. Other than limited activity for routine maintenance, the operation of the shaft would be completely underground and would not affect any surface use of the surrounding areas. There would be no conflict with nearby residential uses and no effect on the trend toward gradual conversion of commercial uses to residential uses in the northeast corner of the Study Area. The presence of a water shaft on the preferred Shaft 33B Site would not adversely affect other community facilities, including the nursery school on E. 61<sup>st</sup> Street or the provision of police or fire protection to the project site or Study Area. Therefore, no potential significant adverse land use or community facilities impacts would be anticipated to occur during the operation of Shaft 33B at the preferred Site.

#### *Zoning and Public Policy*

Use of the preferred Shaft 33B Site for shaft operations is compatible with the site's designation as a mapped street and with the C8-4 zoning district that is mapped in the area surrounding the Queensboro Bridge. As described earlier, C8-4 districts permit a variety of uses, including such public service establishments as electric or gas utility substations on a site of not more than 10,000 square feet, public utility stations for oil or gas metering or regulating, and water or sewage pumping stations. No zoning change is required for the proposed Shaft 33B. Consequently, no zoning changes would be expected to occur as a result of operation of the shaft elsewhere in the Study Area, and no potential significant adverse zoning impact would occur.

Other than zoning, no adopted public policies currently apply to the Shaft 33B Site. If Community Board 8's 197-a plan is adopted, the operation of Shaft 33B would not be expected to result in conflicts with that plan. The above-grade features of the shaft would not encroach into the multi-use area and would not interfere with potential improvements to the pedestrian ramp to the Queensboro Bridge or a new buffer around the NYCDOT site. Overall, therefore, no significant adverse public policy impacts would be anticipated to occur during the operation of Shaft 33B at the preferred Shaft 33B Site.

*Conclusions*

Operation of Shaft 33B at the preferred Shaft Site would not adversely affect the existing uses on the site. NYCDEP personnel would visit the site for inspections and maintenance each week, but this activity would be limited. Use of the preferred Shaft Site for Shaft 33B and related structures would not interfere with NYCDOT's future use of the site. The portion of the multi-use area encroached upon during construction would be restored to its original use upon completion of the construction and would not contain any above-grade Shaft-related features. Given the limited activity and continuation of existing uses on the site, no changes to or conflicts with surrounding land uses would be expected as a result of operation of Shaft 33B. In addition, use of the preferred Shaft 33B Site for shaft operations is compatible with the permitted use according to the site's designation as mapped street and the surrounding C8-4 zoning; it would also be consistent with Community Board 8's proposed 197-a plan for the area. Therefore, operation of Shaft 33B at the preferred Shaft Site would not be anticipated to result in potential significant adverse impacts related to land use, community facilities, zoning, or public policy.

