Appendix E: Hearing Transcript and Written Comments on the Draft Environmental Impact Statement (DEIS)

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

tel: 212-736-4536
https://cbmanhattan.cityofnewyork.us/cb4/

LESLIE BOGHOSIAN MURPHY
Chair

JESSE BODINE
District Manager

February 23, 2026

Dan Gardonick
Chair
NYC Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

RE: Draft Environmental Impact Statement
DeWitt Clinton Park North (801 Eleventh Avenue & 629 West 54th Street)

Dear Chair Garodnick,

At its February 4, 2026 Full Board meeting, Community Board 4 (MCB4) voted by a vote of 35 in support, 0 in opposition, 0 abstentions, and 0 Present-Not-Eligible, to **deny, unless the following conditions are met,** the proposed application from the development team for zoning map amendments, zoning text amendments, and zoning special permits (collectively, the Proposed Actions) to facilitate the development of two buildings at 629 West 54th Street and 801 Eleventh Avenue.

The development team for the applicants, 760 12th, LLC and 801 11th Ave., LLC (the Applicants), presented their proposal at the Clinton/Hell's Kitchen Land Use Committee meeting on January 14, 2026. The public hearing for this ULURP action was held at the February 4, 2026 MCB4 Full Board meeting.

This proposed plan is a welcome addition to our community as part of the overall MCB4 Affordable Housing Plan, yet there remain issues that concern MCB4 in the implementation of the Proposed Actions. Specifically, MCB4 requests that the Proposed Actions occur only if:

- the massing of the buildings reduces overall height;
- the percentage of affordable units increases from 25% of residential square footage to 30% of the overall square footage of the entire development;
- the Eleventh Avenue street-wall remain uninterrupted;

- the unit mix of affordable apartments includes a wider range of AMI's and includes more family-sized units[1];
- there is a significant contribution to the capital needs of DeWitt Clinton Park[2]; and
- there is a Construction Task Force to keep communication lines open with impacted neighbors[3].

MCB4 has continued concerns about the cumulative impacts of multiple developments within Manhattan Community District 4 (MCD4). The Draft Environmental Impact Statement (DEIS) has multiple shortcomings as to the impact of this development on our neighbors. Specific issues from each chapter of the DEIS are detailed below.

PROJECT DESCRIPTION

Project Area

The project area ("Project Area") and its surroundings are located within the Special Clinton District, created to preserve and strengthen the residential character of a community bordering midtown, maintain a broad mix of incomes, and ensure that the community is not adversely affected by new development. Development Site 1 is located in the C2 Sub-district of the Special Clinton District and Development Site 2 is located in the C1 Sub-district.

The Project Area is currently in M2-3 (CL) and M2-4 (CL) zoning districts and no residential uses are permitted as-of-right. The Applicants wish to pursue a mixed-use residential and commercial development by mapping a commercial C4-7 district, which has an R10 residential district equivalent. The Applicants hold that a replacement of the existing manufacturing districts with a high-density commercial district permitting residential uses would allow for the development of new housing (including affordable housing) in an area of Hell's Kitchen with a dense, mixed-use character at a location in close proximity to public open space including DeWitt Clinton Park and the Hudson River Park.

Proposed Actions

The Proposed Actions include zoning map amendments to map the Special Hudson River Park (HRP) district on the Rezoning area and the portion of the granting sites not already mapped within the Special Hudson River Park District; and zoning text amendments to identify granting and receiving sites within the Special HRP District.

The Proposed Actions include zoning special permits under ZR Section 89-21 to transfer floor area from the designated granting sites to the development sites. Plus, on the W 54th Street site a Special Permit for a modification of minimum base height, maximum base height, and minimum setback; and, on the 11th Avenue site a Special Permit for the modification of street wall location.

[1] In the draft Commitment Letter, dated January 26, 2026, the Applicant has committed to ensuring that at least 15% of the residential zoning floor area will be comprised of family sized units (2+ bedrooms), and MCB4 requests that additional units be family-sized units.
[2] In the draft Commitment Letter, dated January 26, 2026, the Applicant declined this request, citing the projects' existing commitment of at least $29 million to Hudson River Park, and MCB4 maintains this request.
[3] In the draft Commitment Letter, dated January 26, 2026, the Applicant has committed to participating in a community construction task force with periodic meetings held no more frequently than once every three months, to provide information on the construction schedule, upcoming milestones, street closures, and hours and types of work.

As well, the Proposed Actions include a use-related zoning text amendment to allow auto showroom uses with repair and the preparation of motor vehicles for the delivery as permitted uses in the Project Area . The text amendment is necessary, according to the Applicants, to continue allowing auto showroom uses within the Project Area to include, as under the existing zoning, repair and preparation of motor vehicles for delivery.

The Proposed Actions also include mapping a Mandatory Inclusionary Housing (MIH) area coterminous with the proposed C4-7 (CL) (HRP) district. The proposed MIH area would ensure permanent affordability is included in the Proposed Actions.

Project Areas

The Applicants intend to construct two buildings: a 42-story, mixed-use residential and commercial building on Development Site 1; and a 38-story, mixed-use residential and commercial building on Development Site 2.

Site 1 – West 54th Street

Development Site 1 occupies the western portion of Block 1102 and has approximately 201 feet of frontage along Twelfth Avenue and 175 feet of frontage along West 54th and West 55th Streets. Site 1 has a total lot area of 35,145.25 square feet (sf). It is improved with a six-story, 82- foot-tall commercial car dealership building with a total built area of approximately 152,375 gross floor area (gsf). The building was constructed in 1930.

The proposed building on Development Site 1 would contain a total of 617 Dwelling Units (DUs), of which 154 units would be designated as permanently affordable pursuant to MIH – Option 1, and 84,349 gsf of commercial auto dealership space. The proposed building on the Development Site 1 would rise to a roof height of 550 feet with a maximum height of up to 590 feet including a 40-foot mechanical bulkhead. The maximum base height would be 155 feet along West 54th Street and 167 feet along West 55th Street, after which a 10-foot setback from West 54th Street and a 15-foot setback from West 55th Street would be provided before reaching the maximum building height. The maximum base height along Twelfth Avenue would be 58 feet. The commercial use would occupy the first through third floors, and the residential use would occupy the fourth through 42nd floors.

Site 2 – Eleventh Avenue

Development Site 2 occupies the eastern portion of Block 110 and has approximately 201 feet of frontage along Eleventh Avenue, 100 feet of frontage along West 55th Street, and 150 feet of frontage along West 56th Street. Site 2 has a total lot area of approximately 26,830 sf, and is occupied by two buildings that have been operated as a single commercial car dealership, including a two-story, roughly 50-foot-tall building and a three-story, roughly 35-foot-tall building, with a total built area of approximately 57,805 gsf. The buildings were constructed in 1920, and the northern building was enlarged in 2011. Development Site 2 is mapped in a M2-3 district within the C1 Sub-district of the Special Clinton District (CL).

The proposed building on Development Site 2 would contain a total of approximately 477 DUs, of which 119 units would be designated as permanently affordable pursuant to MIH Option 1, and 64,392 gsf of commercial auto dealership space. The proposed building on Development Site 2 would rise to a roof height of 485 feet with a maximum height of up to 525 feet including a 40-foot mechanical bulkhead. The maximum base height would be 110 feet, after which a 10-foot setback from Eleventh Avenue and 15-foot setbacks from West 55th Street and West 56th Street would be provided before reaching the

maximum building height. The commercial use would occupy the first through third floors and the residential use would occupy the fourth through 38th floors.

MCB4 COMMENTS TO DEIS

The overall DEIS remains unfulfilled with regards to MCB4's requests for further EIS study in our February 10, 2025 letter[4] (MCB4 Requests) regarding the draft scope of work (DSOW). The greatest concern is the outdated methodology by relying solely on the CEQR standards and neglecting the cumulative impact of multiple developments within MCD4. The oft repeated phrase "No Significant Impact" throughout the DEIS is a result of avoidance of a true study of the impacts developments are having within MCD4.

MCB4 has called upon the Department of City Planning to fund and conduct a study on the cumulative impact of ULURP approvals since January 2021 on public infrastructure demands, particularly on public safety (e.g., police, fire, and EMT), schools, health care, recreational, and transportation services. This would include a forward perspective study taking into consideration specifically the rezonings in Midtown South (MSMX) and City of Yes, and a review of the future impact of NYCHA (Elliot-Chelsea/Fulton) redevelopment and ESD sites (Site K and Intrepid) that are now in the early stages of development. The study should quantify infrastructure strain, identify service gaps, and forecast future needs to guide equitable capital planning and investment. The study should include the cumulative impact of the possible approval of this ULURP, as an individual ULURP may not trigger certain detailed analysis. MCB4 and the overall community remain concerned about not being proactive and prepared for the influx of new residents, workers and visitors in the coming decades. MCB4 has a proven track record of supporting growth, and we remain committed to doing so by ensuring adequate preparation for and delivery of essential services.

The following details MCB4's requests from the February 10, 2025 letter for further EIS study, the Applicant's response as presented in the DEIS, and follow-up comments and requests from MCB4.

A. LAND USE, ZONING, AND PUBLIC POLICY

MCB4 DSOW Request:[5]
Please study an Alternative Proposal of development on these lots without added bonuses, meaning one that was not a receiving site of development rights from Hudson River Park, nor with the additional residential FAR. We need to understand the incremental difference of impacts between what could be built with a simple zoning change to a commercial zone versus what they plan to build as a receiving site with a 14 FAR.

- DEIS Response:

  In the Land Use, Zoning, and Public Policy section, this is studied as a "No-Action Condition," in which no zoning changes take place, noted on page 2-20 to 2-21. This alternative condition is an assessment of the expected environmental conditions in 2029 in the absence of the Proposed Actions and is different from MCB4's request for a scenario where a zoning change to a commercial zone takes place.

[4] February 10, 2025 MCB4 Letter to Applicant re DeWitt Clinton Park North Draft Scope of Work
[5] Please note that all subsequent MCB4 DSOW Requests cite requests detailed in the February 10, 2025 MCB4 Letter to Applicant re DeWitt Clinton Park North Draft Scope of Work for analysis.

- MCB4 Comments:

  However, Chapter 20 – Alternatives of the DEIS, considers a "No Special Permit Alternative," in which the Applicant would seek a rezoning, but would not seek a transfer of development rights from Hudson River Park. **MCB4 requests an Alternative Proposal be studied in the EIS without the added bonuses as a result of the transfer of development rights from Hudson River Park.**

MCB4 DSOW Request:
Please study a plan to address potential flooding in the area due to higher temperatures and rising seas. This should include awareness of current and future flooding potential, especially given the proximity to the Hudson River. This should also include working with the different City and State agencies considering long-term solutions to flood resiliency, including large-scale projects providing coastal protection

- DEIS Response:

  The only analysis of the flood risk and resiliency in the DEIS is the following:

  "*Neither Development Site is waterfront adjacent or located within 2050s 1% Annual Chance Floodplain. Development Site 1 is partially within a moderate risk flood zone with a 0.2% annual chance or greater of being met in any year; development on the Development Site 1 would be built to Appendix G Building Code standard as described throughout the WRP Policy response sections. The Proposed Actions would be consistent with WRP policies by supporting commercial and residential redevelopments in appropriate Coastal Zone areas, protecting ecological systems and water quality within the New York City coastal area, minimizing negative impacts on public health from hazardous materials, increasing climate resilience, and enhancing the public waterfront access(WRP# 23-225)*." (pg. 2-6)

- MCB4 Comments:

  A study of a plan to address potential flooding due to higher temperatures and rising seas is largely missing. **MCB4 requests that a more detailed study be done in the EIS to address potential flooding in the area beyond the limited technical definitions and limitations of the current CEQR standards, but more expansive to include the 2050 1% chance possibilities.**

B. SOCIOECONOMIC CONDITIONS

MCB4 DSOW Requests:
- *We recommend that the DEIS include an explanation of how the other types of displacement were deemed not to meet the CEQR thresholds before focusing primarily on the indirect residential displacement analysis.*
- *It would be helpful if the DEIS included a brief description of what the Maximum Residential Scenario entails, including the scale and type of development anticipated and a detailed explanation of the criteria used to determine whether and how the Proposed Actions would introduce or accelerate a trend of change in socioeconomic conditions in the area.*
- *Please specify the exact data sources used (e.g., links or citations of databases or reports) in the DEIS to ensure transparency and credibility of the analysis involving "recent available U.S. Census data and current real estate market data."*

- *Please specify the timeframe over which the increasing rent trends will be assessed for accuracy and context and consider including a discussion of potential confounding factors that could influence rent trends, such as broader economic conditions or policy changes.*
- *The draft mentions that a detailed analysis will be conducted if the preliminary assessment reveals potential for the Proposed Actions to introduce a trend of change in socioeconomic conditions. It would be beneficial for the community to know the criteria or thresholds that would trigger this detailed analysis in the DEIS. Please include in the DEIS a brief description of what such analysis would entail, including any additional data sources or methodologies for community awareness and understanding.*

    - DEIS Response:

      The DEIS relies on prior EAS conclusions rather than clearly presenting the screening analysis within the DEIS; does not fully explain why business displacement and industry impacts are excluded; does not clearly state the rent trend analysis timeframe; and does not take into account socioeconomic effects related to the cruise terminal.

    - MCB4 Comments:

      MCB4 requests that:
      - the FEIS provide a step-by-step explanation of each displacement screening determination;
      - the FEIS clearly define study areas and analytical assumptions (including how the Maximum Residential Scenario is applied);
      - the FEIS fully disclose all data sources and timeframes used for rent, demographic, and trend analyses; and
      - the FEIS present transparent thresholds and calculations that trigger a detailed displacement analysis.

C. <u>COMMUNITY FACILITIES AND SERVICES</u>

MCB4 DSOW Request:
All New York City Public Schools must adhere to the Class Size Law (requiring the reduction of all class sized by 2028). Please study what effect this will have on the need for more space and teachers in elementary and middle schools.

- DEIS Response:

  DEIS Findings on the Project's impact on schools: Conclusion - No significant adverse impacts were determined

  The DEIS provides a detailed assessment of the potential indirect effects on public elementary and intermediate (middle) schools in Community School District 2, Subdistrict 3, and concludes that the Proposed Actions would not result in significant adverse impacts to these schools.

  Based on the Maximum Residential Scenario (1,242 dwelling units), the project is projected to introduce: 39 elementary school students and 13 intermediate school students.

  The DEIS analyzes the "With-Action" condition (future with the project) against the "No-Action" condition (future without the project) for the year 2029.

Elementary Schools

• Capacity: In the With-Action condition, elementary schools in the subdistrict are expected to operate within capacity at a utilization rate of 89.0%.
• Impact: Because the utilization rate remains below 100%, no significant adverse impact is anticipated.

Intermediate (Middle) Schools

• Capacity: Intermediate schools are expected to operate above capacity in the future, regardless of the project.
  ◦ No-Action Condition: Projected utilization of 135.9%.
  ◦ With-Action Condition: Projected utilization of 137.2%, with a deficit of 369 seats.

• Impact: Although the schools will be overutilized, the project does not create a "significant adverse impact" according to CEQR guidelines because it generates fewer than 100 intermediate-school-aged students (specifically, it generates only 13).

- MCB4 Comments:

Despite the technical "Action" and "No Action" implications showing "no significant adverse impacts," there is clearly an Intermediate Schools deficiency. This is likely a correlation between the effects of cumulative developments occurring across the district without an analysis of cumulative impacts.

MCB4 requests that the EIS recognizes the Adverse Impact of pending developments on the Intermediate Schools and offers mitigation.

D. OPEN SPACE

MCB4 Requests:

- *An analysis of the impact of 2,000 new residents on DeWitt Clinton Park and the additional costs associated to preserve and enhance the park with this additional use.*
- *An analysis of the measures which will be in place to ensure the safety of park goers during construction.*
- *A plan for improving the sites with community greening, including the feasibility of planting trees.*

- DEIS Response:

The DEIS finds that there is no Significant Adverse Impact, that the Proposed Actions would not result in any significant adverse impacts with respect to open space resources, and that the developer will provide trees as required by the Zoning Resolution of New York City ("ZR") Section 26- 41. There are numerous additional open spaces within a half mile of the development sites that are not included in the quantitative analysis, including Hell's Kitchen Park, Gutenberg Playground, Damrosch Park, and Lincoln Center Plaza. These spaces would reduce the burden on open spaces in the study area. because there are sufficient parks and open space in the vicinity of the developments.

- MCB4 Comments:

Gutenberg Playground, Damrosh Park, Lincoln Center Plaza, are neither green nor spaces for active recreation. In fact, the reconstruction of Damrosh Park is slated to begin this year. It will

not reopen for years. Hell's Kitchen Park, a small local park, is already heavily used and a half mile walk from the 54th Street proposed development. Lorraine Hansberry Plaza is currently an empty lot. It is unclear when it will be developed as open space and available to the public.

DeWitt Clinton Park, directly across the street from the proposed 54th Street development, has a playground for children, a paved basketball court, a handball court, a playing field, a dog run, benches, trees and flower beds and public restrooms. It has paths for walking and, when baseball and soccer sports teams are playing, provides opportunities for nearby residents to gather and watch the games. Because of its proximity to the Project Area, it will serve as the go-to park for many of the 2,000-plus residents including children, teens, adults, and their animal companions.

A well-maintained nearby park would be an extraordinary amenity for the 2,000-plus new residents at DeWitt Clinton North, as well as a selling point for the Proposed Actions.

MCB4 requests that the EIS recognize the Adverse Impact on DeWitt Clinton Park and offer mitigation. MCB4 supports the developer working in consultation with Councilmember Brewer, the Parks Department, and MCB4 to work out a commitment by the developer to contribute to Parks Department funds to improve, beautify, and maintain DeWitt Clinton Park.

E. SHADOWS

MCB4 DSOW Request*:*
Please study potential shadow impacts on all surrounding areas, including DeWitt Clinton Park and Hudson River Park, for all daylight hours and during all seasons

- DEIS Response:

  The Applicant completed detailed shadows analyses for DeWitt Clinton Park, Hudson River Greenway, Pier 96 and Hudson River Park, Pier 97 at Hudson River Park, Gertrude Ederle Playground, Samuel N. Bennerson Playground, Balsley Park, and the Hudson River. These sites were identified as being within the area of the longest shadow for the Proposed Actions.

Table 6-3 Detailed Analysis Summary of Incremental Shadow Entry/Exit Times

Resource	Analysis Day: December 21 8:51AM - 2:53PM	March 21/Sept 21 7:36AM - 4:29PM	May 6/Aug 6 6:27AM - 5:18PM	June 21 5:57AM - 6:01PM
Open Space Resources				
O1 – DeWitt Clinton Park	No incremental shading	No incremental shading	No incremental shading[1]	7:30AM-8:45AM (1 hour 15 minutes)
O2 – Hudson River Greenway	9:20AM-12:18AM (2 hours 58 minutes)	7:36AM-12:10PM (4 hours 34 minutes)	6:27AM-11:55AM (5 hours 28 minutes)	5:57AM-10:37AM (4 hours 40 minutes)
O3 – Pier 96 at Hudson River Park	8:51AM-11:22AM (2 hours 31 minutes)	8:00AM-11:15AM (3 hours 15 minutes)	7:28AM-10:44AM (3 hours 16 minutes)	No incremental shading
O4 – Pier 97 at Hudson River Park	8:51AM-11:30AM (2 hours 39 minutes)	No incremental shading	No incremental shading	No incremental shading
O5 – Gertrude Ederle Playground	No incremental shading	No incremental shading	No incremental shading	No incremental shading
O8 – Samuel N. Bennerson Playground	No incremental shading	No incremental shading	No incremental shading	No incremental shading
O10 – Balsley Park	No incremental shading	No incremental shading	No incremental shading	No incremental shading
Natural Resources				
N1 – Hudson River	8:51AM-12:18PM (3 hours 27 minutes)	7:36AM-10:22AM (2 hours 46 minutes)	6:27AM-8:27AM (2 hours)	5:57AM-8:21AM (2 hours 24 minutes)

Notes:
Per the *2021 CEQR Technical Manual*, the selected time zone for the analysis is Eastern Standard Time and daylight-saving time was not used.
[1] There would be no incremental shadows on this resource due to intervening buildings

Page 6-14 onwards details shadow impact and analysis for DeWitt Clinton Park, Hudson River Park, and the Hudson River.

The conclusion is that there is "No Significant Adverse Impact" on the areas studied.

- MCB4 Comments:

However, MCB4 notes that the technical definitions of "no impact" do not take into consideration the negative effect on people using the bike lanes and walkways being cast in shadows for up to five and a half hours during the days.

MCB4 requests the EIS recognize the adverse impact of losing five hours of sunlight on the pedestrian and bike paths of Hudson River Park and offers mitigation.

F. URBAN DESIGN AND VISUAL RESOURCES

MCB4 DSOW Request:
Please study the feasibility of designing and planting a robust street tree canopy and vertical greenery to provide both important environmental benefits and a pleasing aesthetic.

- DEIS Response:

  The DEIS does not address our request for a study of the feasibility of designing and planting a robust street tree canopy and vertical greenery. While it notes the existence of street trees along the development sites as part of its existing conditions description, the DEIS lacks analysis of whether the proposed building footprints, setback configurations, or base heights would accommodate enhanced tree planting, nor does it evaluate vertical greenery options such as green walls or planted façades.

- MCB4 Comments:

  MCB4 requests that the Applicant consider both the environmental benefits and the aesthetic integration of a robust greening strategy into the final building designs.

  With respect to 625 W 54th Street, MCB4 finds that the proposed development at 625 West 54th Street, located adjacent to DeWitt Clinton Park and Hudson River Park along Twelfth Avenue, may result in significant adverse impacts related to urban design, neighborhood character, and visual resources. Based on the massing diagrams and preliminary renderings submitted by the applicant, the proposed bulk, height, and material expression are not consistent with the existing scale and character of the surrounding built environment.

  Further, MCB4 notes that the proposed 45-story glass tower element, set back approximately 70 feet from the Twelfth Avenue lot line and rising from a three-story podium base, is inconsistent with the established street walls in the district and the built form along Twelfth Avenue and introduces a tower typology that is not reflective of the prevailing development patterns in the area. MCB4 finds that this configuration may result in adverse urban design impacts, including an erosion of characteristic street wall heights and a pronounced visual presence along the waterfront corridor.

  MCB4 finds that the proposed predominantly glass material palette of the tower portion does not adequately reference the surrounding context, which is characterized largely by masonry commercial loft buildings and former warehouse structures. The Applicant has committed that the tower will not have an all-glass façade and will contain vertical and/or horizontal elements characterized by masonry or similar contextual materials (e.g., brick, stone, precast concrete).

  With respect to 801 Eleventh Avenue, MCB4 finds that the proposed recessed entrance condition at the northwest corner of West 55th Street and Eleventh Avenue is inconsistent with the established street wall and built context along both frontages and may result in adverse impacts related to urban design and pedestrian experience. MCB4 notes that recessed entry conditions in this area have historically raised quality-of-life and public safety concerns. The Applicant has committed to eliminating the street wall waiver and locating the ground floor of the building at the Eleventh Avenue street line.

  Therefore, MCB4 requests that, in accordance with the Applicant's commitments:

  - the Applicants further evaluate a redistribution of floor area across the site, including a reduction in overall tower height and a reconfiguration of massing that more closely aligns with lot-line street wall conditions, particularly along Twelfth Avenue, in order to mitigate potential adverse impacts on urban design and neighborhood character;
  - the Applicants incorporate masonry and other contextual materials into the tower elevations to better relate the project to the existing built environment, thereby mitigating potential adverse visual resource impacts; and

- with respect to 801 Eleventh Avenue, the applicant revise the entrance design to align with the lot-line street wall on Eleventh Avenue and West 55th Street in order to better integrate the building with existing conditions, reinforce street wall continuity, and mitigate potential adverse impacts on neighborhood character.

G. HAZARDOUS MATERIALS

MCB4 Request:
Please study the potential impact of hazardous materials on the surrounding community, please study the potential impact on ground water, please study potential soil contaminants, and please study the impact of hazardous materials during construction.

- DEIS Response:

  In the Final Scope of Work in Preparation of a Draft Environmental Impact Statement, it was stated that

  > "A hazardous materials assessment determines whether the Proposed Actions may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources. The presence or likely presence of any hazardous substance or petroleum products on a site under conditions that indicate an existing release, past release, or a material threat of release of any hazardous substances or petroleum products into structures on the property or into the ground, ground water, or surface water of the property is known as a Recognized Environmental Condition (REC), which must be disclosed under CEQR."

  In the DEIS, it was reported that "The Proposed Actions would not result in significant adverse impacts with respect to hazardous materials with the placement of an E-designation (E-869) on Development Sites 1 and 2."

- MCB4 Comments:

  It is concerning that, as was noted, the Phase 1 Environmental Site Assessments identified a Recognized Environmental Condition (REC) and several Business Environmental Risks (BERs) at the development sites. The DEIS asserted that potential impacts would be reduced or eliminated through subsurface investigation and, if applicable, remediation. These issues remain a concern. As does the fact that the DEIS admits "Implementation of the DEP-approved Phase II ESI Work Plan for Development Site 1 has not occurred as of yet since the existing tenant at the site has denied access for further site investigations due to concerns that testing would disrupt and negatively impact business operations.

  The fact that this study has not been completed leaves this issue at best an open one, and at worst one that could cause harm to the surrounding area.

A designation on a zoning map is a step in the right direction, but it would be more reassuring with known test and analysis results as opposed to relying on an internal notation to *possibly* conduct a study, and then if necessary, to remediate.

With 133 years of potential impact of auto shops, repairs, and industrial discharges, MCB4 remains concerned about the impact of hazardous materials. With DeWitt Clinton Park, where families and children visit and play every day, just a few feet across the street from one of the Project Areas, MCB4 remains very concerned about the impact of hazardous materials both now and into the future.

MCB4 requests that all environmental studies are completed and that all mitigation measures are in place prior to approvals of any building permits.

H. WATER AND SEWER INFRASTRUCTURE

MCB4 DSOW Request:
Please study the impact on wastewater and storm water on the City's sewage infrastructure both during construction and on completion of the projects.

- DEIS Response:

  The DEIS provides an analysis of the project's impact on water and sewer infrastructure upon completion. It notes that the incremental increase in combined sewage flow would represent only approximately 0.04 percent of the North River Water Resource Recovery Facility's permitted capacity of 170 million gallons per day (MGD), and that the facility would retain approximately 55 MGD of available capacity under With-Action conditions. The analysis uses the Maximum Commercial Scenario as the conservative basis, as it generates greater water demand and sewage than the Maximum Residential Scenario. The DEIS states that the Proposed Actions would incorporate best management practices that would be required in accordance with the NYC Department of Environmental Protection (DEP)'s Unified Stormwater Rule (USWR) guidelines, which include requirements for bringing the development sites into compliance with the allowable stormwater release rate. However, the determination of specific best management practice methods are subject to further refinement of the building and site design and DEP consultation, and the chapter does not address infrastructure impacts during the construction phase.

- MCB4 Comments:

  MCB4 requests that the Applicant provide a construction-phase stormwater and wastewater impact assessment and mitigation strategy addressing the potential for dewatering discharge, sediment-laden runoff, and other construction-related impacts on the City's combined sewer infrastructure. Additionally, MCB4 requests that the final EIS include specific commitments regarding the green infrastructure and best management practice measures to be implemented at each development site upon completion.

I. TRANSPORTATION

MCB4 DSOW Requests:
- *Please undertake a congestion impact study focused on traffic, noise, and environmental implications during both peak and off-peak hours during construction.*

- *Please study the impact of construction on traffic patterns and any re-routing of traffic in the community and any impact on the West Side Highway.*
- *Please undertake a collaborative plan with the MTA to address potential delays and overcrowding on local bus routes, especially studying plans for a potential increase of the frequency of the M12.*
- *Please study the possibility of sidewalk widenings to compensate for where the existing sidewalk may be narrow.*
- *Please study opportunities to make crossing over to Hudson River Park safer for the new residents as well as for all residents in the area.*
- *Please study a pedestrian safety plan.*
- *Please study a plan for consulting and communicating with the community if and when construction necessitates blocking streets or sidewalks.*
- *Please explore the feasibility of incorporating ample, secure bicycle parking and work with the DOT on measures to harden the bike lanes on 54th and 55th Streets and on11th Avenue.*
- *Please study if and how the concurrent construction of the Port Authority Redevelopment will interact with the impact on transportation/traffic of this project, and develop mitigation plans accordingly.*

  - DEIS Response:

    The DEIS correctly identifies that M57 and M12 service must be increased to compensate for additional ridership.

    The DEIS does not include a meaningful analysis of bicycle traffic, despite the rapid growth of cycling in Manhattan, existing bicycle lanes along W 54th Street, W 55th Street, and Eleventh Avenue, and the State's ongoing study of additional West Side Highway corridor improvements.

    The DEIS identifies a significant adverse traffic impact at Twelfth Avenue and W 55th Street during the Saturday peak hour and contemplates mitigation through signal timing changes.

  - MCB4 Comments:

    MCB4 agrees with the DEIS findings on the need for increased M57 and M12 service and that these enhancements must be in place by the time the new buildings are occupied. We emphasize the need to improve rider comfort and safety along Eleventh Avenue, including upgraded waiting areas and shelters from W 54th Street through W 57th Street.

    Given the distance to nearby subway stations, MCB4 expects increased bicycle use by residents, visitors, and delivery workers. The Proposed Actions should thus make significant on-site and curbside bicycle accommodations. MCB4 supports widening and upgrading the W 55th Street bike lane into a two-way configuration to help calm traffic and improve pedestrian safety at crossings.

    MCB4 remains concerned about pedestrian safety around the West Side Highway, particularly at the W 55th Street crossing, where traffic movements create dangerous conditions. Safety improvements at this gateway to the highway will benefit new residents as well as the broader Hell's Kitchen community and will improve access to Hudson River Park.

    MCB4 is concerned that the Proposed Actions regarding traffic may be infeasible or ineffective if it requires reducing green time for the West Side Highway, which is under the purview of the New York State Department of Transportation (DOT), and notes that this area is becoming a

major residential district at a major highway entrance, increasing conflicts among vehicles, pedestrians, and cyclists.

MCB4 agrees that W 57th Street and Eleventh Avenue is a dangerous intersection and should be addressed with pedestrian and bus-rider safety improvements.

MCB4 supports streetscape measures that enhance the pedestrian experience, including closely spaced elongated tree pits, and expects that building operations will not compromise sidewalk access (including that garbage staging will occur within a loading dock and not on the sidewalk). Sidewalk widening does not appear necessary for this Project.

Therefore, MCB4 requests that:

- M57 and M12 service be increased, with service enhancements implemented no later than building occupancy, and that bus waiting areas on Eleventh Avenue and bus shelters be installed at all stops from W 54th Street through W 57th Street to ensure and improve the quality of the commute;
- the EIS include an analysis of bicycle traffic and that the Project provide a substantial allocation of parking dedicated to secure bicycle parking, supported by one or more in-roadway bicycle corrals and a large in-roadway bike-share station adjacent to the site entrances;
- the W 55th Street bike lane be widened and upgraded into a permanent two-way bike lane to calm traffic and improve pedestrian crossing safety;
- the Applicant coordinate with NYC and State DOT to improve pedestrian safety at and around the West Side Highway, including at the West 55th Street crossing, through measures such as shorter crossing distances, exclusive turning signal phases, and increased pedestrian walk time;
- traffic mitigation for the Saturday peak-hour impact at Twelfth Avenue and West 55th Street be revisited with realistic assumptions regarding State DOT signal constraints, and that alternatives, including diverting some highway-bound traffic to West 57th Street, be evaluated if signal timing reductions on highway approaches are infeasible;
- safety improvements be implemented at West 57th Street and Eleventh Avenue, including bus waiting areas, protected turning signal timing (including red-arrow protections where appropriate), and bulb-outs;
- elongated tree pits be installed at close intervals to improve the pedestrian experience, and that Con Edison access be provided from within the building where feasible; if not, utility grates should be located between tree pits in the furnishing zone;
- all refuse and garbage staging occur within a building loading dock and never on the sidewalk; and
- the Applicant present a construction-period traffic and pedestrian management approach that minimizes disruption to traffic operations and maintains safe, continuous pedestrian access along sidewalks and crossings.

J. AIR QUALITY

MCB4 DSOW Requests:

- *Please study air quality impacts from project-generated vehicle trips, as well as heat and hot water systems.*
- *Please study impacts on air quality from on=site construction emissions and off-site mobile source emissions that result from construction equipment, delivery trucks, fugitive dust, and worker vehicles*

- *Please study an asbestos and other hazardous materials remediation plan, including an emergency exposure plan for all residences within the 1/2-mile radius. This should go beyond merely developing measures to "minimize potential exposure."*
- *Please study the traffic delays resultant from the project, especially during construction. Those delays will translate into engine idling with further negative impacts on air quality. Please analyze those impacts and provide quantitative results. Similarly, concrete delivery trucks will also queue and idle, further affecting air quality. Please analyze those impacts and quantify the results. Idling for hours will affect air quality. Where will the cement trucks be queued up?*
- *Please study the use of low carbon and carbon negative building materials for all elements of the proposed project. Please also study incorporating CO2capturing building materials.*
- *Please study the air quality impact of construction on De Witt Clinton Park and Hudson River Park and the families and children using these parks.*

  - DEIS Response:

  The Air Quality section does not address emissions related to traffic idling, congestion, or stop-and-go conditions near the project site. As a result, it is unclear whether localized vehicle-related air quality impacts have been fully evaluated.

  While the Transportation study estimates the number of trips generated by the project, it does not analyze traffic flow or idling conditions, and no additional information is provided to support the Air Quality analysis.

  In addition, demolition and construction activities may release dust, asbestos, or other hazardous materials into the air. The DEIS does not clearly describe how construction-related air quality impacts would be monitored or managed, or what measures would be in place to protect nearby residents, workers, and pedestrians

  - MCB4 Comments:

  Therefore, MCB4 requests:

  - a localized air quality analysis of project-generated vehicle trips, including congestion, stop-and-go conditions, and idling, with quantitative results;
  - an analysis of emissions and air quality impacts from building heat and hot water systems, including the fuel/source assumptions and expected operational emissions profile;
  - a construction-period air quality analysis covering on-site emissions and off-site mobile source emissions associated with construction activity, including construction equipment, delivery trucks, fugitive dust, and worker vehicles, with quantitative results and clearly stated assumptions;
  - an analysis of traffic delays attributable to the project, especially during construction, and the resulting idling emissions, including concrete delivery truck routing, staging/queuing locations, expected idling duration, and quantified air quality impacts;
  - a detailed asbestos and hazardous materials remediation plan, including an emergency exposure plan for residences within a one-half-mile radius, that goes beyond general statements about minimizing exposure;
  - evaluation and adoption, where feasible, of low-carbon and carbon-negative building materials across the project, including CO_2-capturing materials where appropriate; and

- an assessment of construction-related air quality impacts on DeWitt Clinton Park and Hudson River Park, including potential exposures affecting families and children using these parks, with protective measures informed by the findings.

K. GREENHOUSE GAS EMMISIONS AND CLIMATE CHANGE

MCB4 DSOW Requests:

- *Please study a plan to address potential flooding in the area due to higher temperatures and rising seas. This should include awareness of current and future flooding potential, especially given the proximity to the Hudson River. This should also include working with the different City and State agencies considering long-term solutions to flood resiliency, including large scale projects providing coastal protection*
- *Please provide confirmation that the Proposed Project will comply with Local Law 33 of 2018/Local Law 95 of 2019 requiring owners of certain buildings over 25,000 square feet to obtain the Building Energy Efficiency Rating labels and display them near building entrances.*
- *Please provide confirmation that the Proposed Project is meeting the requirements of Local Law 97 of the Climate Mobilization Act (CMA) which requires most buildings over 25,000 square feet to meet greenhouse gas emissions limits*

  - DEIS Response:

    The DEIS concludes that the project would comply with New York City climate policies, including local laws, but much of this compliance is based on future actions rather than firm commitments. The DEIS does not clearly explain which measures will be used, when they will be implemented, or how long-term compliance will be ensured.

    While flood resilience measures are described, additional clarity is needed to better understand how the project will reduce greenhouse gas emissions and remain resilient to future climate conditions, especially given the site's location in a coastal, flood-prone area.

  - MCB4 Comments:

    Therefore, MCB4 requests:
    - a comprehensive plan addressing current and future flooding risks associated with sea level rise and climate change impacts, with clear assumptions and coordination with relevant City and State agencies on long-term resiliency solutions, including large-scale coastal protection projects;
    - confirmation that the Proposed Project will comply with Local Law 33 of 2018 / Local Law 95 of 2019 regarding Building Energy Efficiency Rating labels and required posting near building entrances, as applicable; and
    - confirmation that the Proposed Project will comply with Local Law 97 of the Climate Mobilization Act, including applicable greenhouse gas emissions limits for buildings over 25,000 square feet.

L. NOISE

MCB4 DSOW Requests:

- *Please provide a noise analysis showing that the mechanical equipment will not result in any significant increases in noise levels, either by itself or cumulatively with other project noise sources.*
- *Please study the potential impact of construction high decibel levels.*

- *Please study the noise impact of construction on a wide area around the construction sites. Mitigation measures must extend to residential uses in that area.*
- *Extraordinary construction related traffic delays caused by construction will generate traffic backups. MCB4 has experienced that serious traffic backups create impatient motorists and significant car horn honking. This impact should be studied, quantified and mitigated with enforcement personnel and noise surveillance cameras.*
- *Please study the impact to tenants and commercial users of buildings, once completed, of noise from the West Side Highway.*
- *Please study the impact of noise on surrounding parks.*
- *Please study the mitigation on noise during construction.*

  - DEIS Response:

    The DEIS assumes mechanical equipment noise will be acceptable based primarily on compliance statements; does not discuss cumulative noise impacts; monitoring locations do not reflect park edges, playgrounds, or the most affected residences; construction noise mitigation language remains vague (e.g., "where feasible"); and does not take into account noise effects from the cruise terminal.

  - MCB4 Comments:

    Therefore, MCB4 requests that:
    - the Applicants commit to enforceable measures for mechanical equipment placement, screening, and noise limits (not solely compliance-based conclusions);
    - the Proposed Actions include monitoring that covers DeWitt Clinton Park and other sensitive outdoor spaces, including park edges and playground areas;
    - the FEIS define construction noise mitigation measures with specificity, including monitoring and a response framework (with clear standards rather than "where feasible"); and
    - the FEIS address cumulative noise impacts, including from the cruise terminal, to the extent relevant to the affected area.

M. <u>PUBLIC HEALTH</u>

MCB4 DSOW Requests:
- *Please provide an analysis of what impact thousands of new residents might have on the potential health care demands, including the use of emergency services, of the community. Please include in the analysis the impact on the district of the recent impending closure of the Beth Israel Hospital and Emergency Room.*
- *Please study the availability and accessibility of public transportation to medical, behavioral health, and dental facilities.*
- *Please study the impact on the ability to obtain timely doctor appointments and patient services, both for existing residents and the new ones.*
- *Please study the impact on the current EMS catchment area and its EMS station ability to provide emergency services.*
- *Please study the response time of EMS, FDNY, and NYPD to each of the sites and, as necessary, to the nearest appropriate hospital (such as for Trauma).*
- *Please study how the residents and workers of the Proposed Actions will have access to food in general, and healthy and affordable options in particular.*

- DEIS Response:

  It was noted that the Project Area is located in a developed area that is served by existing police, fire, and healthcare services, and would not introduce a sizeable new neighborhood. The Applicant believes that the Proposed Actions do not have the potential to result in significant environmental impacts related to police, fire and healthcare services and no further analysis on these services is warranted.

- MCB4 Comments:

  With a combined 1,094 new dwelling units between the two Project Areas, MCB4 remains concerned about the impact on Public Health and the areas we noted above, both for the existing residents, workers, and visitors as well as the new ones. This is especially so as no analysis or studies were done on the topics we requested above.

  MCB4 requests a detailed analysis of the studies requested in February 2025 as to the impacts of close to 2,000 new residents on the demands on our health care systems.

N. CONSTRUCTION

MCB4 DSOW Requests:

- *Please study the use of bird-friendly glass and windows with a frit-dot pattern in all buildings. These materials will also make the buildings easier to heat and cool, reducing energy needs.*
- *Please Study: Please provide detailed plans for managing construction-related traffic, emphasizing minimizing disruption and ensuring resident safety as well as minimizing noise for Dewitt Clinton Park users.*
- *Please study a plan to control and contain and remove construction debris.*
- *Please study a rat abatement plan.*
- *Please develop a plan to work with the nearby community and MCB4 during the construction phase to keep the community, and the developers, informed of any potential problems so they can be quickly resolved.*
- *Please study the impact the construction schedule will have on the surrounding area in general, and on current and planned future construction in a 2-mile surrounding radius, up to the point of planned completion of this proposed project. For example, the impact on the construction on Pier 94.*
- *Please study a plan for consulting and communicating with local schools and social service programs on pedestrian safety during construction.*
- *Please study developing and implementing a complementary public safety and social services plan to manage scaffolding and construction site conditions.*
- *Please study the impact construction will have on nearby NYC Sanitation facility and salt storage units.*

- DEIS Response:

  The DEIS treats analysis as sufficient without committing to mitigation; explicitly states a community communication plan is “not required”; lacks enforceable commitments on construction coordination, complaint response, and real-time monitoring; does not clearly address cumulative construction impacts in the surrounding area; and does not consider construction effects from the cruise terminal.

- MCB4 Comments:

  Therefore, MCB4 requests that:
  - the Proposed Actions require a Construction Community Protection Plan, including:
    - designated community liaison;
    - advance notice of disruptive work;
    - complaint response timelines;
    - regular coordination with MCB4; and
    - real-time monitoring during high-impact phases.
  - the Proposed Actions include debris management and rodent abatement plans with defined responsibilities and enforcement mechanisms; and
  - the FEIS analyze cumulative/overlapping construction impacts in the surrounding area, including cruise terminal-related construction effects where applicable.

O. ALTERNATIVES

MCB4 DSOW Request (for Land Use, Zoning, and Public Policy):
Please study an Alternative Proposal of development on these lots without added bonuses, meaning one that was not a receiving site of development rights from Hudson River Park, nor with the additional residential FAR. We need to understand the incremental difference of impacts between what could be built with a simple zoning change to a commercial zone versus what they plan to build as a receiving site with a 14 FAR.

- DEIS Response:

  This chapter on alternative conditions in the DEIS considers a "No Special Permit Alternative," in which the Applicant would seek a rezoning, but would not seek a transfer of development rights from Hudson River Park. This No Special Permit Alternative would result in 219 fewer units of housing, and 65 fewer permanently affordable units compared to the Proposed Actions. The DEIS also noted that anticipated significant adverse impacts of the Proposed Actions would still occur under the No Special Permit Alternative. The Applicant declined MCB4's request to utilize MIH Option 2, citing that compliance with Section 485-x of New York State Real Property Tax Law would render the projects financially unviable, and the projects must therefore continue to utilize MIH Option 1 (25% of floor area at an average of 60% AMI).

  The following table, extracted from the DEIS, also notes the differences in square footage and the number of market rate and affordable units with and without the Special Permit, in the maximum commercial and maximum residential scenarios.

Table 20-1 Future No-Action and With-Action Comparison

Maximum Commercial Scenario[1]

		With-Action Condition	No Special Permit Alternative	Difference
Auto Dealership (GSF)		0	0	0
Commercial Retail (GSF)		87,036[2]	87,036[2]	0
Commercial Office (GSF)		112,714	112,714	0
Residential	GSF	939,934	754,215	-185,719
	DUs	1,094	875	-219
	Affordable DUs	*219 to 328*	*175 to 263*	*-44 to -65*
TOTAL GSF		1,179,321	993,603	-185,719
Population		1,838	1,470	-368
Workers		756	748	-8

Maximum Residential Scenario

Auto Dealership (GSF)		88,559[2]	88,559[2]	0
Commercial Retail (GSF)		0	0	0
Commercial Office (GSF)		0	0	0
Residential	GSF	1,066,176	881,942	-184,234
	DUs	1,242	1,025	-217
	Affordable DUs	*248 to 373*	*205 to 308*	*-43 to -65*
TOTAL GSF		1,194,373	1,010,139	-184,234
Population		2,087	1,722	-365
Workers		138	130	-8

Notes:

[1] The Proposed Projects are similar to the Maximum Commercial Scenario, except that in lieu of commercial retail and office uses, the Proposed Projects would have 199,750 GSF of auto dealership use.

[2] Includes commercial loading area.

- MCB4 Comments:

MCB4 appreciates the response from the Applicant to study the alternative conditions through a No Special Permit Alternative in the DEIS. However, MCB4 specifically requested an alternative proposal that studied the difference of impacts between what could be built with a simple zoning change to a commercial zone, without added bonuses through additional development rights and additional residential FAR. The No Special Permit Alternative studies the condition of the zoning map amendment and zoning text amendment that would also allow the transfer of residential FAR.

Therefore, MCB4 requests that:

- The FEIS studies a "No Added Bonuses Alternative," which studies an alternative development scenario in which the Applicant would only seek zoning map amendments from an M2-3 and M2-4 zoning district to C4-7 zoning district.

- The Applicant increases the percentage of affordable units from 25% of residential floor area to 30% of the overall floor area of the entire development.

CONCLUSION

MCB4 is the only Community Board in New York City with an affordable housing plan[6] with projections for development that bring both market rate and affordable housing into our community. We recognize that the Proposed Actions provide an opportunity for new housing in MCD4. However, there remains a number of shortcomings in the proposal that must be addressed before any zoning text amendments and special permits can be approved. The issues we present are surmountable with commitments from the development team to bring forward a thoughtful and integrated scheme.

We look forward to working in partnership with the Applicant to ensure that a respectful and successful mixed-use development occurs at these sites that enriches the lives of current residents as well as our new neighbors.

Sincerely,

Leslie Boghosian Murphy
Chair
Manhattan Community
Board 4

Paul Devlin
Co-Chair
Clinton/Hell's Kitchen
Land Use Committee

Rachel Lee
Co-Chair
Clinton/Hell's Kitchen
Land Use Committee

Cc: Hon. Zohran Mamdani, Mayor
Hon. Brad Hoylman-Sigal, Manhattan Borough President
Hon. Julie Menin, NYC Council Speaker
Hon. Gale Brewer, NYC Council
Applicant Team

[6] MCB4 2025 Affordable Housing Plan

April 1, 2026

Chair Sideya Sherman
City Planning Commission
120 Broadway, 31st Floor
New York, NY 102

RE: DeWitt Clinton Park North, 801 Eleventh Avenue and 629 W 54th Street

Dear Chair Sherman and Commissioners,

On behalf of the Association for a Better New York (ABNY), a non-profit dedicated to the advancement and support of New York City, I am writing to express our support for the proposed rezoning of the Dewitt Clinton Park North sites at 801 11th Avenue and 629 West 54th Street. The project represents a critical step forward in addressing New York City's ongoing housing crisis while delivering meaningful benefits to the local community.

The Chapman Group and Friedland Properties' proposed development will yield just over 1,000 new housing units, a full 25% of which will be designated as much-needed affordable units. At a time when the demand for housing far exceeds supply, projects like this are not just beneficial but essential. The additional residential use will also positively contribute to increasing the vitality and 24-7 nature to this corner of Manhattan.

Importantly, the project has been thoughtfully designed to minimize potential impacts on the surrounding neighborhood. For example, it will not cast shadows on Dewitt Clinton Park, preserving this much-loved public space for the community's enjoyment. Additionally, the new project is proposed without displacing the existing auto showrooms in the commercial space ensures the retention of high-paying local jobs and supports the area's economic activity.

Additionally, the significant financial investment via the air rights purchase from the Hudson River Park Trust will directly support critical projects that enhance the park, ensuring it continues to thrive as a vital resource for all New Yorkers. This collaboration between private development and public infrastructure improvement is a model of responsible and community-centered urban planning. The Trust has been an incredible steward of this world-class park for decades and we are thrilled to see this project support its efforts, contributing to improvements in the park that visitors from across the entire city will benefit from.

Thank you for considering our support.

Sincerely,

Chad Purkey
Vice President

From:	Public Hearing Comments (Do not reply)
To:	Chelsea Evans (DCP); Andrew Martini (DCP); ManhattanComments_DL
Subject:	Comments re: C 260015 ZSM - Dewitt Clinton Park North (801 Eleventh Avenue)
Date:	Saturday, April 4, 2026 12:39:46 AM

Re. Project: **C 260015 ZSM - Dewitt Clinton Park North (801 Eleventh Avenue)**

Submitted by:

Name: **Nick Leung**
Zip: **11101**

I represent: **Myself**

Details for "I Represent":

My Comments:

Vote: I am **in favor**

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

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

Additional Comments:
New Yorkers are facing record (and ever-increasing) rents; these are the type of projects that we desperately need if we are ever to make NYC an affordable and livable place for the both the people who already live here as well as everyone who wants to have an opportunity in NYC. I myself was looking to live in this area before I was forced to look for a cheaper and more livable unit elsewhere in the city. This is a common sense projects to build homes around public space, with transit oriented development, while bringing a significant amount of affordable homes, and thus I ask you all to please support this project.

From: Public Hearing Comments (Do not reply)
To: Chelsea Evans (DCP); Andrew Martini (DCP); ManhattanComments_DL
Subject: Comments re: C 260015 ZSM - Dewitt Clinton Park North (801 Eleventh Avenue)
Date: Sunday, April 5, 2026 11:09:52 AM

Re. Project: **C 260015 ZSM - Dewitt Clinton Park North (801 Eleventh Avenue)**

Submitted by:

Name: **William Meehan**
Zip: **11238**

I represent: **Myself**

Details for "I Represent":

My Comments:

Vote: I am **in favor**

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

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

Additional Comments:
I am very supportive of new mixed-income housing in Hells Kitchen. Rents have grown substantially in the area thanks to the Special District effectively banning new housing.

Paul Devlin
02:02:09 - 02:05:05

Hey. Good morning. Afternoon. Good afternoon now, everyone, and congratulations, Chair Sherman. I think this is my first time testifying with you, but great to see some other familiar faces. I'm Paul Devlin, the co-chair of the Clinton Hell's Kitchen Land Use Committee of Community Board 4, representing the Community District's position. It's interesting for me to be standing here today in a deny position, because the committee actually voted to approve with conditions, because this is the kind of site that we want for high-density housing. We respect that it's a 14.4 FAR, and we're in favor of that. In our negotiations with the development team, we had about 6 conditions. The stickiest point was the percentage of affordability units. We want to continue to push for higher percentage of affordability. When we went to full board, the full board said if they can't get higher percentage of affordability, we should take a deny and less position. So it's interesting for me to be here standing to say, this is a great opportunity for our community, but we're in a denied position. So I hope that we look at some of those conditions. In terms of the affordability issues, my colleague Joe will address that in more detail. I just wanted to raise two of the other conditions that are still under negotiation, and Commissioner Mann, thank you for pointing out the height issue. The envelope of the building We had been pushing for the beginning conversations over two years ago that the height should taper down as it approaches the river. We should not have tall buildings as a wall adjacent to the Hudson River, and that we have requested that some of the bulk be moved into a lower position. We think that the 12th Avenue building should be lower than the West 54th Street building, and so we're really trying to push for that as much as we can. The other issue that we have is the 11th Street... the 11th Avenue corridor, the street wall. We want to have that remain uninterrupted. It's consistent with the rest of the district. It helps protect some of our public safety concerns in that neighborhood, and so we want to make sure that street wall remain uninterrupted. I do want to thank the development team for the other conditions that they have been amenable to. The construction task force is very important to us. We have a lot of development going on in this community. The interaction of all of the various developments that occur. And how those coordinate to not negatively impact our residents is really critical to us, and we applaud their commitment to a union task force. So, thank you. Commissioner Mann? Hey, Paul. Just a quick question on the 11th Avenue street wall. I read the recommendation to indicate that the applicant committed to no longer Using the street wall waiver on 11th Avenue? Is that... am I getting that wrong, or am I misunderstanding? We had reached an agreement that that would be the case, but then some of the conversations have shifted, and so we just want to make sure that we reinforce that commitment to that street wall. Okay, thank you. Thank you. Great. Thank you.

Joe Restuccia
02:05:05 - 02:11:21.649

Hi, my name is Joe Restuccia, Community Board 4, Co-Chair Housing, Health, and Human Services. This is my 46th year of doing this work, and I want to note that our affordable housing plan... we have an affordable housing plan in our district, only out of 59 community boards. We adopted it first in 2015, and we identified this... one of these sites on 11th Avenue to take HRP development rights and be upzoned. We are in support of the project in general. We always issue a deny on less letter. When we get to an agreement, we say approve of conditions. Between the committee and the full board, something went awry here. The context is we have an ESD site on 46th, near the Intrepid, that will be at 18 FAR residential. We have sites on 11th Avenue, on 34th and 35th, 18 and 30 FAR residential, the densest in the city. We embrace, we are not the NIMBY board, don't build here. We, in fact, say build here, and we push for more affordable housing. And that is one of our big issues with this site, that We

understand it must work with 45X, but given the rents in our district, that mandates a 25% component at 60%. A one-bedroom... a studio is at $4,800 in the market, a... One bedroom is at $7,000, And a two-bedroom is at $10,000. Those rents can support an additional 5% increment, and we asked the Commission to look at how we can include moderate middle-income housing. Because for those rents, for that $10,000 a month two-bedroom, you must make $400,000. And no one, even in the moderate-middle-income range, makes that kind of thing. We are specifically asking for an additional increase. In our district, you can actually bonus commercial space. And that was done, a project, as you may remember, on the International Continental Hotel on West 44th and 8th Avenue. A hotel was built, and we got affordable housing out of it through the purchase of VIH certificates. We also are surprised the developer would not consider the equity. The current rules for inclusionary say 65% of the floors for affordable distribution. We normally get 80%, that's when we work with developers. They did not agree to that. They said 65%. The finishes be the same throughout affordable and market rate apartments. not put in writing. These are things that we do with all kinds of developers of scale, like the Related, the Cornerstones, the Rock Roses, all the time, Douglaston, they don't blink. We just want to work to get this project done. And to say that, honestly, we think we can come to a conclusion here, but we need also to make a contribution to a Clinton Park. We're working with a council member on that. We think that's going to be achievable. And on the height and the bulk, it's just about We don't want to reduce the bulk. They said they can reduce it more, they didn't represent that today. It may require a waiver, but it'll get a building that more fits in the character of our district going west, as opposed to Riverside South coming south. Those are the main items. Thank you. Thank you. Vice Chair? Thank you. Thank you, Joe, for your work and your testimony. I just want to understand, to a greater degree, your critique around the affordability. I mean, do you want... I guess this is, MIH1, do you want a greater percentage than the 25%? Or... just elaborate on that. We think the creative solution is MIH1, which is in alignment with 45X, so they get their tax exemption, but a 5% increment at a middle-income range, right? And specifically, we have these zoning mechanisms that exist in our district that allow this to happen. It's a piece of text that could be worked in there. And given those surrounding rents. I think they're very nervous about the feasibility of the project. I get that fully. But given those rents. That sounds very real, as being able to be done. We have a lot of projects that have 30% affordability, and having that 5% increment at a higher, maybe a 80% to 100% AMI, that would be a helpful thing, because those middle-income families, as noted before in other testimony earlier. They're the ones moving out because they cannot afford a $10,000 a month two-bedroom. Right. So that's a sort of, like, how do we do it? And be creative about it. We brought this to the commission, to the department, who said, no, we can't do anything. Now is the time to be creative and be flexible. That's my thought.

Leo Guttmann
02:11:24 - 02:13:26

Hello, I'm speaking, again today. Thank you again. This is to speak in, in favor of the DeWitt Clinton, rezoning here. I live in Long Island City, but my connection to this, these sites is that my father spent, quite a few years working at not the dealers on this site, but the ones a couple blocks south. And for my point of view, I would love to see all those car dealers go. I don't think it's some of the best use of some of the most amenity-rich space in the entire world, near subways, near open space, given the, you know. The... Dire housing prices, especially affordable housing prices faced by the city. it's time for us to, you know, fit the needs of the city that maybe weren't in place at the time those doors were put in place. So, that means maximizing the amount of housing that gets built, and especially the deeply affordable housing that MIH Option 1 would provide for. One other thing I'd like to, you know, pick at is. I don't think looking strictly at the open space ratio is a great measure for new housing, for looking at new housing proposals, because basically, definitionally, if you're increasing the population, that ratio

will go down. I think it's a ratio that's better used for, where to upgrade or add additional open space, like, with a nearby park. But I don't think it's a good... I don't think looking at it as a way to, you know, go after new housing is really appropriate. So, yeah, that said, I think this is an exciting development for the city, and I hope the rezoning goes through. Thank you.

Theodore Perez
02:13:28 - 02:15:35

Good afternoon to Chair Sherman and to the rest of the Commission. My name is Theo Perez, and I'm here today on behalf of SEIU Local 32BJ to speak in support of the project. 32bj is the largest union of property service workers in the country. We represent over 175,000 members across 13 states, including tens of thousands of commercial property service workers, security officers, and residential building staff here in New York City. At 32BJ, we support responsible developers who invest in the communities where they build, and I'm happy to report the developers of this proposed proj- of these proposed projects, Friedland Properties and Chapman Group, have made a credible commitment to creating good jobs for the workers who will permanently staff the buildings. Good jobs like these mean prevailing wages, meaningful benefits, and a pathway to the middle class for those community members who fill them. We estimate that between these two projects, we're looking at at least 15 permanent building service jobs. Moreover, we need housing to be built in every neighborhood of New York City to ensure that working families are not displaced by dwindling supply and skyrocketing rents. The proposed development will include roughly 1,000 residential units, hundreds of which will be permanently income-restricted for low- to middle-income New Yorkers. As the cost of living rises and working New Yorkers struggle to stay in their homes, it's more important now than ever to create both affordable housing and good jobs which uphold industry standards across the city. For these reasons, 32BJ is in strong support of both the 801 11th Avenue and 629 West 54th Street proposals. Thank you for your time. Thank you. We will bring up Chad Perkey, who I believe is on Zoom. I don't see Chad in the Zoom, so we could go to the next. So, our next person is Cynthia Clemens on, in person, I think, or on the phone? She's on the phone, Cynthia, we're trying to unmute you, can you... there we go.

Cynthia Clemons
02:15:41 - 02:16:56

Okay, good afternoon. My name is Cynthia Clemens, and for this project, I propose raising the threshold to 99.99% of the AMI. April Fool's. I love housing, and it's clear that we need so much more of it in New York City. I'm a Manhattan resident who spends time weekly in CD4, working with the people who keep it running as a diverse, inclusive entity that it is. I urge the City Planning Commission to approve the construction of these 1,000 new homes, 25% of which are affordable, at 629 West 54th Street and 801 11th Avenue. We need to house people, not cars. What I'm paying for, for a single room at this stage of my working life in the city is not stability, it is a housing crisis. And when people leave the city, it's because of housing pressure, the city changes. New York has always been a place where people could stay and come and go, but right now, I ask what kind of city we are choosing to design and maintain. Are we building a city where people can stay in community, or a shopping mall? This proposal builds more than 1,000 homes next to transit. parks, and jobs. It's also crucial that these units remain MIH Option 1 to preserve deeply affordable units. Please approve this project, and thank you very much.

Daniel Miller
02:17:42 - 02:18:59

Great, my name is Dan Miller. I'm just, asking you to, you know, real quick, I support this rezoning, because the city's in an emergency. You know, one... we've all had this conversation before, right? 1.4% vacancy rate, You know? I... like, this is the kind of conversation that... exemplifies why we can't build more quickly, because every single project is subject to endless negotiation, to... pushback to disputes, many of them in good faith and reasonable, but the net effect is the status quo. It's where we are today. It's a city where prices are incredibly high. Where people can't move here, and because they don't feel like they will be able to secure housing without a six-figure income. This is a city that's in crisis. And it's dying under the weight of a thousand cuts, and this... you know, meeting is one of those cuts, and so I just ask you to approve it as is, and, you know, let's take less time, let's hurry things up, let's get things done, rather than, you know, discuss.

Noreen Doyle
02:19:02 - 02:28:58

Hello, everyone, thank you. I'm Noreen Doyle, I'm the President and CEO of the Hudson River Park Trust, as you just heard, and on behalf of the Trust, I would very much like to thank you, to City Planning staff and to all of you for continuing to support Hudson River Park through your consideration of the DeWitt-Clinton North projects for inclusion in the special Hudson River Park District. The Trust, as you probably know, is a legislatively created partnership between New York State and New York City. We were created for the purpose of designing, building, operating, and maintaining Hudson River Park on a financially self-supporting basis to the extent practicable. Our potential ability to sell unused development rights within the special Hudson River Park District is an incredibly valuable tool that has previously resulted in three completed development sales and generated approximately $151 million that we've used for park infrastructure. We've used these funds to perform essential structural repairs supported by the community board at Pier 40, to build new public restrooms in Chelsea, to help build the brand-new public park pier at Pier 97 at 57th Street, and to advance the permanent park improvements that are currently in design for the area between 29th and 44th Streets. As you know, in consultation with Community Board 4, we've identified Pier 76 as our priority for the use of currently contemplated development rights sales proceeds for this project. Pier 76 is located in Hell's Kitchen, where there is little public open space, as has been discussed, and it was used by NYPD as a tow pound until 2021, before becoming part of Hudson River Park. Since then, the Trust has operated it as interim public open space. It is a large swath of asphalt, basically. The pier measures more than 5.5 acres, and is supported by 6,500 wooden piles that are deteriorating. It's going to need to be completely rebuilt, and given its scale, the cost will be very significant. The Trust expects to use the proceeds from the contemplated development right sales to complete one or more aspects of the Pier 76 project, such as a subset of new piles and a structural deck or finished park landscape. The Trust has already secured $85 million from New York State for Pier 76, and we've been looking towards a match from New York City as well. Unlike the three previously approved sites, the Trust cannot conduct its or own mandatory, legislatively required significant action process concurrently with ULURP, as the developers do not yet have a specific construction schedule for their projects. For this reason, and with the encouragement of Community Board 4 and the cooperation of the developers. We've built certain protections into our agreement, including a minimal floor price for eventual development rights purchases. At that point, in the somewhat unlikely event Pier 76 is no longer a need, given the needs that I just described, the Trust

has committed to engage in a future discussion with Community Board 4 and our elected officials, and in consultation with others about desired improvements with a focus on the Hell's Kitchen area. And I know that you have some questions for me.
[**Commissioner Mann:** Hi, Noreen. Just one question about the timeline of how these things interact, which I know is a challenge for you all. So, the $29 million is the floor, right? So theoretically, if the development happens in a couple years, and there's an appraisal, it's a higher number, that number could go up, but it won't go below $29 million?] Correct. [**Comissioner Mann**: Is that right? Okay. So then, just for my own benefit, how are you thinking about how to… You're not yet sure on, kind of, the overall funding landscape for Pier 76, given the scale of the project. So how are you thinking about how this will likely unfold, given what you know about the development team's schedule?] Sure. For starters, we have more work to do ourselves before we start… even if we had all the money right now, we have committed that we will engage further with Community Board 4, our elected officials, other stakeholders about Pier 76 and its planning. Because it was a tow pound until pretty recently, it was not part of the foundational planning for Hudson River Park, and so we have… we did a successful task force with the Community board and elected officials a few years ago that resulted in a change in our statute. That's what led to the governor's commitment of $85 million towards this future project and public infrastructure. So we have more work to do ourselves, and I think that fundamentally is the starting point for this. Like, we're not in desperate need for this money this instant. Secondly, I would say that, For your context, I've described a big financial need here, but there have been several projects, such as Pier 26 in Tribeca, where we built the project in phases. We didn't have all the money up front, but we were able to kind of subdivide chunks of it, build usable public space in the interim, and then add on to it over time. So that is another possibility here for us as we proceed. [**Commissioner Mann**: Can the $29 million be used for soft costs, or does it have to be used for capital?] It can be.
[**Commissioner Mann**: So you can use some of it for the initial design work?] Yes, and there's going to need to be demolition and other things like that. Obviously, Community Board 4 wants something usable, and we want to deliver that too, which is, again, where the state's money and other… you know, we… the Trust has also committed that we might participate in… In the premise that we had for our task force a few years ago for the public infrastructure component of it, we posited needing $85 million each from the state and city, and that the trust, potentially through future development rights funds, which were not this project at that point, would commit another $50 million towards this effort.
[**Commissioner Mann**: Okay, thanks, Noreen. Sure.]
[Commissioner Osorio?] [**Commissioner Osorio**: Thank you, Chair. Thanks again for your testimony and for addressing our questions. I just wanted to hear your thoughts on the question about opportunities to mitigate the decrease in open space. Clearly, you've laid out how your work with the board, et cetera, has identified Pier 76 as the priority right now, but I'm wondering if… what other alternatives, what other opportunities do you see to further mitigate this? Again, in the spirit of accommodating additional residential development, but at the At the same time, or not at the expense of quality of life in the district.] Well, Hudson River Park is a defined property, so we can't add to the park, but we can improve the open space. So, as I mentioned, Pier 76 right now is asphalt, and so we have a long-standing, and actually we're quite proud of our engagement with the community boards over the years. We do an interactive process with people, separate from our development rights sales, where we actually do public engagement about park programming. [**Commissioner Osorio**: Would that include public open space as part of the… active recreation space, for example, as part of the future design for the public open space at Pier 76?] It could. And I would imagine, as is pretty much always the case, particularly for our wider spaces, which Pier 76 is, that we will have lots of advocates for more active recreation space. [**Commissioner Osorio**: Thank you. I think that that's a very clear response to the question. But I'm asking about the community district. In your conversations, what are the other opportunities that you see as potential opportunities to mitigate the impact district-wide?] City Parks is one of our board members, so is State Parks. I'm an advocate for open space generally, obviously, given

what Hudson River Park's purpose is. Everybody sort of would like more public open space. It has to be balanced with all of the other city needs. You know, just landing a park, even if there were infinite resources for it, isn't so easy to do. So I think that a lot of what I would view as the opportunity is making existing spaces And they exist in city parks all over the place, as sort of a small community park that is in need of additional support, right, for its, amenities to be upgraded so that people want to use it more, spend more time there otherwise. I mean, I think these are the types of things that we need to do. generally, as we continue to plan for the city. That's sort of my policy view on it, that existing spaces sometimes need to be refreshed and reimagined and have some investment in them so that people will actually use them, because sometimes it's not just I mean, I was an environmental planner at one point. I know how those calculations on passive and public open space are done. I don't think it's just a question of number of square feet. I think it's what the spaces are designed to do, and how they're used. Thank you, that's, that's useful, thank you. Any further questions? Thank you. Thank you. I assume no further questions, so thank you very much.

Samir Lavingia
02:28:59 - 02:30:17

Hi, my name is Samir Lavingia, I spoke earlier today. I live on 55th Street in Manhattan, so I actually bike past this area all the time on my way to the Hudson River Park, the Greenway. To bike down, you know, maybe sometimes north, to Jersey or down to Brooklyn. And the current showroom is horrible for pedestrians. They park on the sidewalk, and we need to get rid of these showrooms, they just don't have a place in Manhattan. We need to do what's right and add more housing instead, and we only get more housing if we're proposing economically reasonable plans. I'm a student at Fordham Law, and many of my classmates who have practically no income struggle to live here, and we need more affordable housing, especially at the most deeply affordable levels. This project will help the Hudson River Park and allow more neighbors to enjoy this world-class bike and pedestrian space and amazing park. There's so much space, and we should be excited to share it with our new neighbors, instead of embodying a scarcity mindset and saying that we don't want more people to use it. Sharing is caring, and we should be caring for our fellow New Yorkers and new neighbors. We should get as much deeply affordable housing as possible, and as many units as possible, especially in Manhattan. There's no reason to limit heights, and we should go as tall as we need to to get as many new homes as possible. Thank you, and I hope you will support these projects.

Albin Henneberger
02:30:30 - 02:32:28

My name is Alvin Henneberger, and I've been a renter since 2016. I'm taking some time out of my workday to be here, because our city is in a housing supply crisis. We cannot continue to allow perfect projects to be the enemy of the good, and rejecting a 1,000-unit project due to hyper-specific local demands is a luxury that this city simply cannot afford. As it may result in the project not being able to pencil and not being built at all. I'd like to specifically address CB4's recommendations, which I believe are well-intentioned. Their demands ignore economic reality. They are calling for an increase in affordable units up to 30%, while simultaneously demanding height restrictions that decrease the market rate units needed to cross subsidize those very homes. These are contradictory, unfunded mandates with no financial feasibility analysis provided to prove they are billable. In our current macroeconomic climate, defined by rising costs and financing uncertainty, prolonging the debate with such unrealistic requests can function as poison pills that risk the entire viability of the project and

leaving us with no units. Because of this, I encourage the Commission to go with what has been proposed and use MIH Option 1. This ensures concrete, deep affordability at 60%, rather than this unverified 30% requirement that exists Only on paper. Finally, I'd like to remind everyone that New York voters overwhelmingly approved ballot measures, demanding more housing, and having that housing built… being built fast. The few with the time to attend these hours of meetings are not always represented of the broader community, including the future tenants who would live in these units. This commission Must uphold that democratic… democratic mandate for growth, and thank you for your time.