



CITY PLANNING COMMISSION

May 26, 2004 / Calendar No. 29

C 040204 PPM

IN THE MATTER OF an application submitted by the New York City Department of Small Business Services pursuant to Section 197-c of New York City Charter, for disposition to Verizon, Inc., of city-owned property located at Pier 79, 451 Twelfth Avenue at West 39th Street, (Block 665, lots 14, 19, & 99) restricted to public utility uses, Community District 4, Borough of Manhattan.

The application was filed by the New York City Department of Small Business Services on December 10, 2003, for disposition of one city-owned property, in the form of a utility easement, to Verizon, Inc., for relocation of telecommunications equipment in conjunction with the construction of a new ferry terminal at Pier 79, located at 451 Twelfth Avenue at West 39th Street in the Clinton neighborhood of the Borough of Manhattan.

BACKGROUND

The easement area is located in the passenger and bus loading area serving the existing Pier 79 ferry terminal. The easement would consist of a primary area measuring approximately 548 feet by 10 feet and three adjacent spurs each measuring approximately 57 feet by 10 feet.

The area surrounding the Pier 79 easement location is primarily characterized by water-borne transportation facilities, including New York Waterway's Pier 78 and Pier 79 ferry terminals. The Pier 79 ferry terminal is currently being reconstructed as a new, 2-story, 33,000 sq ft facility with three floating barges and berths for six vessels. The new construction will also provide 21,500 sq ft of public open space and waterfront access. Directly adjacent to the easement location are two ventilation structures that serve the two Lincoln Tunnel tubes running beneath the site. The site

is also located directly adjacent to the Hudson River, portions of the Hudson River Park pedestrian and bicycle paths, and Route 9A (Twelfth Avenue).

ENVIRONMENTAL REVIEW

This application (C 040204 PPM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules and Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 01DME014M. The lead agency is the office of the Deputy Mayor of Economic Development and Finance.

After a study of the potential environmental impacts of the proposed action, a Negative Declaration was issued on November 16, 2001. The New York City Economic Development Corporation, in a minor modification letter dated January 5, 2004, indicated that the proposed relocation of Verizon's communication equipment was contemplated in the 2001 proposal to develop the new Pier 79 ferry terminal and that the original Negative Declaration remains valid and in effect.

UNIFORM LAND USE REVIEW

This application (C 040204 PPM) was certified as complete by the Department of City Planning on

January 5, 2004, and was duly referred to Community Board 4 and the Borough President, in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

Community Board Public Hearing

Community Board 4 held a public hearing on this application on March 3, 2004, and on that day, by a vote of 34 in favor, 0 opposed, and with 0 abstentions, adopted a resolution in favor of the application.

Borough President Recommendation

This application was considered by the Borough President, who issued a recommendation on March 24, 2004, approving the application.

City Planning Commission Public Hearing

On April 14, 2004, (Calendar No. 3) the City Planning Commission scheduled April 28, 2004, for a public hearing on this application (C 040204 PPM). The hearing was duly held on April 28, 2004, (Calendar No. 11). There was one speaker in favor of the application and no speakers in opposition.

The applicant's architect briefly described the project and the requested action. The architect noted that the utility trench would be located under one of two passenger loading/unloading areas

adjacent to the ferry terminal and that relocation of Verizon's equipment would only affect one of the two roadways. The architect also noted that construction was not likely to impede operation of the ferry terminal.

There were no other speakers and the hearing was closed.

CONSIDERATION

The Commission believes that this disposition of city-owned property is appropriate.

The Commission believes that it is appropriate to dispose of this city-owned property to Verizon, Inc., for the relocation of telecommunications equipment as part of the construction of a new Pier 79 passenger ferry terminal. The Commission notes that the provision of telecommunications services to the Pier 79 ferry terminal is a critical component of the upgrading and enhancement of ferry services on the west side of Manhattan. Construction activities involved with the relocation of telecommunications equipment would not significantly disrupt operation of the ferry terminal and passenger loading areas. The Commission understands that construction would take place entirely within the existing passenger loading/unloading area of Pier 79, which is located adjacent to Hudson River Park.

The subject easement will facilitate the new ferry terminal to be located at 451 Twelfth Avenue and

West 39th Street.

RESOLUTION

RESOLVED, that the City Planning Commission finds that the action described herein will have no significant impact on the environment; and be it further

RESOLVED, by the City Planning Commission, pursuant to Sections 197-c of the New York City Charter, that the disposition to Verizon, Inc., of city-owned property located at Pier 79, 451 Twelfth Avenue at West 39th Street, (Block 665, lots 14, 19, & 99) restricted to public utility uses, Community District 4, in the Borough of Manhattan, proposed in an application by the Department of Small Business Services, dated December 10, 2003, is approved.

The above resolution (C 040204 PPM), duly adopted by the City Planning Commission on May 26, 2004, (Calendar No. 29) is filed with the Office of the Speaker, City Council, and the Manhattan Borough President, in accordance with the requirements of Section 197-d of the New York City Charter.

AMANDA M. BURDEN, AICP, Chair,
KENNETH J. KNUCKLES, ESQ., Vice Chair,
ANGELA M. BATTAGLIA, IRWIN G. CANTOR P.E., ANGELA R. CAVALUZZI, R.A.,
RICHARD W. EADDY, ALEXANDER GARVIN, CHRISTOPHER KUI,
JOHN MEROLO, KAREN A. PHILLIPS, DOLLY WILLIAMS, Commissioners