

Metropolitan Transportation Authority

State of New York

TRANSCRIPT

Metropolitan Transportation Authority - New York City

Transit

Scoping Meeting on the Lexington Avenue Subway Line -

Emergency Ventilation Plant / Park Avenue

Held at Mount Sinai Beth Israel, Podell Hall, 1 Nathan

D. Perlman Place (between East 15th & East 16th

Streets)

June 16, 2016

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*June 16, 2016*

*Dais Appearance*

Marcus Book  
Assistant Director Government & Community Relations NYCT  
Scoping Meeting Officer

Carlo Bergonzo, P.E.  
Design Manager NYCT

Greg Sanchez, P. E.  
Principal Mechanical Engineer

Herbert Chong, P.E.  
Principal Civil Engineer

Emil Dul, P.E.  
Principal Environmental Engineer  
Presenter

Niek Veraart, AICP, ASLA, ASCE  
VP Louis Berger (Consultant)  
Presenter

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*Name*

*Affiliation*

Registered Speakers

- |                    |  |
|--------------------|--|
| 1. Ellen Imbimbo   | Murray Hill Neighborhood Assoc.  |
| 2. Bruce Podwal    | Murray Hill Neighborhood Assoc.  |
| 3. Ricard Berliner | Murray Hill Neighborhood Assoc.  |
| 4. Parce Ainsworth | Board of 55 Park Avenue  |
| 5. Fred Arcaro     | Murray Hill Neighborhood Assoc. & Manhattan East Community Association |
| 6. Steven Toneatto | Union League Club  |
| 7. Margaret D'Arcy | Murray Hill Neighborhood Assoc.  |
| 8. Joanne Vanek    | Murray Hill Neighborhood Assoc.  |

- |     |                  |                         |
|-----|------------------|-------------------------|
| 9.  | Boblyn Austin    | 55 Park Avenue Resident |
| 10. | Gerard Schriffen | Union League Club       |
| 11. | Aimee Ball       | 67 Park Resident        |

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<i>Name</i>	<i>Affiliation</i>
<i>Attendees</i>	
1. Bruce Podwal	Murray Hill Neighborhood Association
2. Janet Storm	Murray Hill Neighborhood Association
3. Ellen Imbimbo	Murray Hill
4. Ned Putnam	Board of Directors 67 Owners
5. Ricard Berliner	Murray Hill
6. Stacy Kaplan	55th Park Avenue
7. G. Barrq	55th Park Avenue
8. Fred Arcaro	MHNA & Manhattan East Comm. Assoc.
9. Parce Ainsworth	55th Park Avenue
10. Steven Toneattoq	Union League Club

11.	Christopher Consalvo	State Senator Office
12.	Marion Weingarten	MHNA
13.	Linda Vitelli	MHNA
14.	Noah Hurowitz	DNA Info
15.	Howie Levine	Rep. Council Member Dan Garodnick
16.	Brian Regan	Morgan Library
17.	Margaret D'Arcy	MHNA
18.	Joanne Vanek	MHNA
19.	Aimee Ball	Resident of 67th Park Avenue
20.	Michael Kenney	Manhattan Community Board #5
21.	Boblyn Bustin	Resident of 55th Park Avenue
22.	Gerad Schriffen	Union League Club
23.	Omar Castaneda	MHNA
24.	Antione Arouin	MHNA
25.	Keith Maltzie	45 Park Avenue Condo Resident
26.	Elis Bennett	67th Park Avenue Resident
27.	Brice Peyre	Rep. NYS Assembly Member - Richard Gottfried
28.	Masaya Ruiz	57th Park Avenue
29.	Fatima Calderon	46th Park Avenue
30.	Sandra McKee	Member of Community Board #6
31.	Victoria McGann	American Scandinavian Foundation

[Hearing Convened, June 16, 2016 at 6:37:00 PM]

MR. MARCUS BOOK: Prior to this meeting hard copies of the draft scoping document were sent to Community Boards 5 and 6, the Pikipsany [phonetic] Library, the Pinckney [phonetic] Library, the New Manhattan Library, the Bronx Central Branch Library. Additional notices announcing this meeting were posted on the MTA's website, [www.mta.info](http://www.mta.info), and mailed to local elected officials and other interested parties.

The draft scoping document is available on the MTA website and a limited number of hard copies are available at the information table outside of this auditorium at the registration desk. You will also find the scoping fact sheet for tonight's event. This fact sheet provides a broad overview of this project and restates how you may obtain a copy of the draft scoping document and submit your comments.

If you haven't already done so, you may fill out a comment card at the registration table outside of the auditorium. Community stakeholders are encouraged to submit your comments via our website or by mail to Mr. Emil Dul, Principal Environmental Engineer at 2 Broadway, 5th Floor, New York, New York 10004.

If you have any written comments that you would like to submit this evening please drop them off at the information

table right outside of the auditorium. This proceeding will consider all comments, but tonight our response is being limited to information that has already been provided in the draft scoping document. All comments, i.e. spoken statements presented tonight, all correspondence, all emails received, and all comment cards will be considered in preparing the final scoping document.

Before we begin, I'd like to briefly explain the proceedings for tonight's meeting. First, we will make a presentation on all key elements of the draft scoping document. Second, I will call the names of people who are registered to speak in the order in which they signed up. If you wish to speak tonight please fill out a registration form at the registration table outside the auditorium.

I will be calling out names one speaker at a time. When I call your name please come to the microphone on the side, the microphone at the front of the auditorium. When you begin your comments please state your name and your affiliation please. So that we may hear all interested parties tonight, your remarks should not exceed three minutes. If you need additional time you may submit written comments online to supplement your oral testimony. This public scope meeting is accessible to people who are mobility impaired.



Seated next to me are staff members and the project consulting team. We have Mr. Emil Dul who is the environmental engineer. We have our project consultant, Mr. Niek --

MR. NIEK VERAART: Veraart.

MR. BOOK: -- Veraart. We have Gregory Sanchez who is our

--

MR. GREGORY SANCHEZ: Principle mechanical engineer.

MR. BOOK: Principle mechanical engineer. Carol Bergonzo who is are design manager.

MR. CARLO BERGONAO: Yes.

MR. BOOK: And we have Herbert --

MR. HERBERT CHONG: Chong.

MR. BOOK: -- Chong. He is our --

MR. CHONG: Principle structural engineer.

MR. BOOK: Principle structural engineer. Vikas Vitas [phonetic] is also here and he is our?

MR. VIKAS VITAS: Works with the design manager.

MR. BOOK: He works as a design manager also. For the record, the date is Thursday, June 16. The time is 6:37, and the public scoping meeting is at the Beth Israel Medical Center Podell Hall located at 10 Nathan D. Perlman Place, New York, 10003.

We will now begin with New York City Transit's presentation

and following the presentation we will hear from the members of the public who have registered to speak. I'll introduce Mr. Emil Dul now who will give the presentation.

MR. DUL: My name is Emil Dul. I'm an engineer with the --  
UNIDENTIFIED MALE 1: Can't hear anything.

MR. DUL: Okay. My name is Emil Dul. We have a bunch of names up there on the next slide, so you can see who we are. Matter of fact, why don't we go to that.

UNIDENTIFIED FEMALE 1: We still can't hear you.

UNIDENTIFIED MALE 2: Can't hear anything.

MR. DUL: What we're here to do is give you the highlights of what's in that document, and we recognize that that document is pretty hefty in size, but that's not the measure. What we are trying to do is make sure that we fulfill what the legal requirements are in this environmental impact statement process.

The key point there is to document relevant data and information. That's why -- at least, what we believe we've done, but we're waiting for your comments on that matter as well.

So let me just go on and say that, yes, we're doing an environmental impact statement for an emergency ventilation plan to be located -- to serve -- to be located in that area in the vicinity of that tunnel segment between the end of the 33rd

Street station on the Lexington Avenue line and the 42nd Street station. So that's an approximate -- what is that, 2,600 feet. Half a mile distance.

Let's go to the next slide. Let's move on. The problem is not that we have a tunnel segment there. That was built -- started in 1904, but the nature of how the construction was done. Now, physically it's fine, but with respect to a matter of ventilation of those tunnels it was designed in that period for whatever the standards were in that period. In this period, we're now -- and we're tak-, we're not required to meet the NFPA, National Fire Protection Administration requirements, but we've chosen to use those as a guideline in how to improve the life safety conditions in our different tunnel segments.

Now, the problem we have is that this tunnel segment that we're talking about, that 33rd/42nd Street, that there is no mechanical system. In fact, you walk from there to there, that's it. It's walking like in any other tunnel.

The issue is if there is a smoke condition, fire/smoke condition there's a process that the operator has to go through. You stop, you make a -- pick up the phone, you make a call, and you announce to the receptor on the other side, in our system, there's a smoke condition or whatever that person -- that operator believes they're experiencing that's abnormal. That

then sets off a whole certain process.

Electronically, people talking so there is a response. One of the things we cannot respond to is ventilating that tunnel segment. Now, we have people, you know, the [unintelligible] [0:08:02.6], so the train stops midway between two stations. We're in the tunnel. We're there in the car. They're saying stop the train and move the people. Well, if there's a smoke condition, yes, you have to walk through a smoke condition to get out to fresh air. That way -- uptown or downtown, you know, 33rd or 42nd.

What we want to do is the same thing we all have probably done in our kitchens, put that fan over the stove, you know, if it's unacc-, you press the button. Get it the heck out of here, and let's get on with our lives. We don't have that kind of button to press for something because there's nothing there. It's a tunnel. We want to create something that we've done in a number of places around the different boroughs. In fact, over on Sixth Avenue and 30th Street, over at Mallory Square, up Park Avenue in the 50s. We can talk more about it if you want.

So what we're doing is trying to do something that was not done as part of the original 100 year old design and construction, and that takes time. So how do you prioritize what you're going to do?

Well, we did a study at New York City Transit. The appropriate consultants and our own people doing stuff. I wasn't there then, but we have other people who were. We can talk about that whenever you want to go there. But what was done we looked at the -- what was it, 252 tunnel segments? Right, 252 tunnel segments in the system that require ventilation.

We then did a prioritization which takes into account the populations in the boroughs, the ridership on the trains, the actual [unintelligible] [0:09:44.4], and the conditions in the system, and there was a rank ordering of them. That document we have, okay? It's the [unintelligible] [0:09:51.4] Report of 1994, okay?

We're guided by that priority. Now, you can't do all of those in the same timeframe. If you look at our annual or our five year capital program you'll see how a certain amount of money is distributed across all aspects of MTA and all segments in New York City Transit.

This tunnel segment in that priority ranking came out to be number five. So one of the natural questions that comes is, well, if you did another one over there that was number 10, and that one was number 14, and that one was -- why didn't you get to number five sooner? Well, again, as I just said, not only is

there a priority ranking, but the priority ranking takes into account the different boroughs, the different riderships. So there has to be a distribution.

I don't make that distribution and I'm not apologizing that, but our organization makes up distributions and then they make a statement. As we see on the next slide, in the fall of 2015 our chairman, and the board was aware of this, he produced and sent to them the five year capital program. If you look through that document, typically, you know, it's a bundle of -- if you think that, you know, it's like this document that you have, the scoping. There's a lot of pages in it, but it's broken into segments. Long Island Railroad, bridges and tunnel, etcetera.

Then you get into New York City Tr-, it goes by different segments. Busses, subways and different components of subways, right? Like telecommunications the electrification, sensors, station repair, and then there's a segment on ventilation, emergency ventilation.

What's important to us is to make -- hopefully, you'll agree with that. When they say in the capital program and then the governor and the others approve that program this has to be met. The commitment made in that document, in that five year capital, is that this -- we're going to make investments of

equipment, including fan plans on the Lexington Avenue Line. One of which is new, to protect an area that currently has no such protection. That's the segment we're talking about.

So the problem is we're number five and we want to do something. The opportunity is now they've said, do it, okay? And the money is there to get it done, so get on with it. Well, to get on with it we have to -- just by the way, if I could, you know, the whole routine with the kitchen, right? Here's the subway tunnel, right? If a smoke event occurs that idea is to build something with about 500,000 cubic feet of passage to suck that smoke out and get it out to the street. Get it out to fresh air.

Yeah, it's hot. It's smoky. Fortunately, if it's hotter than the natural air it's going to rise quickly once it hits the street. And -- but we're dispersed. What we've done is protected the people in that subway car, that series of cars, and we provide what we call a tenable atmosphere. Tenable just means, in the legal call ons, safe enough to get out of that car, get to a free air area, and get out to the street. That's the objective. Get those people out of there, and then allow emergency respondents to come in and do what they have to do to abate the fire -- whatever that smoke condition is. Okay?

So given that, let's go to -- why don't we get on with this

thing? Well, there's a regulatory requirement. You know, if this was before 1970 and in the state 1970, at the federal level we passed the National Environmental Policy Act that says if you have federal money on the project you have to do certain things. You have to do environmental impact statement, period.

Well, we don't have to comply with the NEPA, but we do have to comply with the State Environmental Quality Review Act which is, in essence, similar to NEPA except for one exception and that is -- we talk at the state level, you either do an EIS or you don't have to do anything. You know, you can Google that law. At the federal level you have -- there are three things.

You either do an EIS or you do nothing because you made a determination that there's no potential or significant adverse -- or if you're not sure, you have nothing, they call it an environmental assessment. So we're state funded on this project. We will, because we have to comply with that law, and what we are entering with the issue of this document, the scoping of it, the first of three steps in the process, in the, you know, state required EIS process.

The -- we'll get to that in a moment, but let me just, some of the key words in that law, it's interesting because, well, so how do you think about meeting this law? What do you have to do? Well, it tells you some of these things. You had to take



into account, in addition to what you traditionally did. What did we do before 1970? We went out to wherever you were, you want to build it. If you have the money you could buy it. You could build it, and get the permit and go in to it. You go do it.

So it was basically engineering, architecture, construction, and money. If you had the money to get it then if you had the money, but you don't know what to do, so forget it. What this law is saying is you do that. You can do that. But you also have to give equal consideration to environmental factors that before that time were not given any consideration.

Okay. Well, just by the way, it's a little awkward standing here. It's a little tight, but anyhow. Mind if I stand here? Okay, thank you.

What the law says is if there's a potential significant adverse impact make that judgment, MTA. If there is then follow the law. If you don't believe that, right it down, prove it, and then you don't have to worry about this law.

We looked at it. We're thinking about it, and we said, well, there is potential for adverse impact [unintelligible] [0:16:39.5] constructing this emergency ventilation plan. Well, obviously, we're going to be in the street, subway. We're going to be on the property somewhere, and things will ha-, and then

we will, you know, we'll use the words, aggravate, provoke tons of peoples' reactions to those actions.

So just at that level we say since, you know, the public is there, you know, they pay our salaries and fund us and all. Well, we have an obligation to tell them what we think. And we think that, in other words, traffic will be affected around the historic district. Issues arise. So rather than trying to deal with them when they arise we're going to say, we have potential adverse effects, and we're going to tell you what we think, and then you'll tell us what you think by commenting on our document.

The kinds of things we take into account when we're thinking about the potential significant adverse impacts are things like human and community resources. We don't want the -- we've got the usual, right? All the schools, houses of worship, residences, commercial properties, a myriad. So we have to take -- it's not only the air quality, noise and vibr-, which are included, but also community and, and human resources. If we're including our peoples' ability to use the street, use their properties and so on that's a potential adverse impact.

The law requires that it produce a suitable balance amongst engineering, economic, and environmental considerations. That's where this law sometimes gets to be a bit confusing to some of

us because -- so what I'm going to do is make an analogy. You say, you know, if you have that -- you know, going to get you to the house, you have the old table there with a flower on it, some [unintelligible] [0:18:28.6] over there. But that has three legs. Engineer-, you know, with the economic environment. You have that flower vase on top, well, if none of the legs is - - you know, if they're all the right thing then that's great, but if one's out of kilter with the others that's not a good thing. You know? If two are that's less.

So how does that apply, that kind of nonsense, what I just said, to this? Well, if you think about three domains, the idea on the secret is to minimize the potential adversely from an economic standpoint, from an engineering construction standpoint, from an environmental standpoint. Keep working it down until you get to that minimum point where you have the best, reasonable and aggregate balance amongst these things.

The next thing we always say in this regard is there's never the best place to put anything. So it's -- where is the place that provides the least opportunity for potential significant adverse effects when taking into account all three of these domains: engineering, economics, environmental. That's the EE&E that we'll be talking about. We just use that as --

UNIDENTIFIED MALE 3: Mr. Dul, excuse me?

MR. DUL: Sure.

UNIDENTIFIED MALE 3: Point of information, sir?

MR. DUL: Yes, sir.

UNIDENTIFIED MALE 3: This is on the record, correct?

MR. DUL: Yes.

UNIDENTIFIED MALE 3: This is a public hearing. A public -

-

MR. DUL: Actually it's a --

UNIDENTIFIED MALE 3: -- zoning session.

MR. DUL: -- public meeting specifically.

UNIDENTIFIED MALE 3: Yeah.

MR. DUL: Typically, I believe it's -- yes, sir?

UNIDENTIFIED MALE 3: When does the public get its change to address issues? We haven't reached any issues yet. You're using all of the time to go through some rather basic stuff. I'm looking around --

MR. BOOK: I think you might have missed the opening. I gave an introduction and I explain we're going to do a presentation. At the end of the presentation those who would like to make testimony, make a comment, ask questions, you can register at the desk outside.

UNIDENTIFIED MALE 3: Done.

MR. BOOK: Okay. And then we will have questions and answers and testimony after -- once the presentation's completed.

UNIDENTIFIED MALE 3: For the record, I will address is. This is not -- I'll address it when that's my time.

MR. BOOK: Sure.

UNIDENTIFIED MALE 3: Thank you.

MR. DUL: Thank you.

UNIDENTIFIED MALE 4: Sorry. My question is what is EIS?

MR. DUL: I'm sorry?

MR. BOOK: What's EIS?

MR. DUL: Oh. Environmental impact statement. This is shorthanded for that. Then you'll see DEIS, draft environmental impact statement, and then FEIS, final environmental impact statement. We don't make up those words or those thoughts or the process. That's the state. Okay?

Okay. So what we're going to try to do now is we move on. Mary, if we could, and mention that there are three stages of the SECRA [phonetic] process. The first is scoping. But please note, the state law says it's an option on behalf of the proposal to implement. We choose that option because we wanted to get your involvement early, not when we're into some DEIS phase where we've already gone to another stage of analysis of

engineering it, but right from the beginning.

And what we believe we've done in this document, draft here, is tell you how we started, and how we've gotten to this point. Not any point beyond this meeting and this process. Okay? So that's right in the beginning when Marcus said we're here to talk about what's in that book, not about what it could lead to, but what it is and get your comments on that before we go off to the next stage in the process.

[unintelligible] [0:21:54.9] asked us to include a reasonable range of alternatives. So, again, we can't say -- there's the right place to do -- there's a good -- note, you have to proffer a reasonable array of alternatives which we will and have, and you can comment on that. Yes, you may. So if you think you have other ideas or this is on -- tell us that.

The document -- any document produced has to meet that second test. Whatever the government believes is reasonable, relevant material. Facts. That's why that document is what it is with lots of data and information because it's on the record.

The other thing is, whenever we come across, in any stage of this process, where we find a significant adversity, and that principally starts out with something we are planning that we may be doing or planning to do does not meet a regulation. Whether it's air regulation, historic preservation regulation,

DOT requirement, a noise and vibration requirement of the City of New York. We're required to tell you in that document how we plan to mitigate. To get it, at least, to that acceptable threshold that's established by federal, state, or local, and/or local regulations. Okay?

So this is not like finding the least, and the least is causing a lot of problems that would ex-, cause a violation. No, no, no. You have to be above that threshold. And theoretically, minimally right at that threshold. Okay?

So anyhow, we'll move on now to -- okay, so, so with all that said, how do you start figuring out -- where, where do you start thinking about putting this ventilation thing? Well, what we do is we use some of what's called computational fluid dynamics. We have a mechanical engineer. That's his job to figure out where's the optimum place. The optimum place to put a ventilation plant, so that we could put the smallest ventilation facility that does the maximum potential to remove that smoke equally along the segment.

Not preferring this or preferring that and/or, so there's a mechanical engineering study that's done on that matter. In this case, we -- well, we know what area we're talking about, and once we have that centroid then what we do is look at potential sites. We look above ground. Are there places we

could build this vent in or around that centroid area?

Just by the way, the typical ventilation vent, because of technical reasons, has [unintelligible] [0:24:29.5] about 500,000 cubic feet per minute capability that we use. If you start moving a block away that thing is going to go probably about 10 percent in size. If you go about two blocks away from the centroid, and cannot -- you have some kind of rules that has the projection that it's not [unintelligible] [0:24:49.0], it's just increasing.

And what we want to do is find that optimum location because that provides the smallest configuration. Therefore, the smallest area of impact. The smallest cost, etcetera.

We have -- okay, we'll move on to the next slide. The centroid, well, if you look at that area, the centroid is about 38th Street. Why about? Why not -- well, it's not that exact, but there's another thing going on. When we do that, that thermodynamic -- the studies, those technical studies it takes into account the shape, the configuration features of the tunnel segment.

What's interesting about, to me, this tunnel segment is if you're going north on it, do you notice that between 33rd it's -- it feels like it's going straight, but if you watch the cars you start seeing that it starts turning to the west, and then it



starts turning back to the east. And if you plot that you find out that there's a bow. It's not a straight line on that line. It's a bow to the west. We took note of that because we said, well, maybe there are opportunities there. It could work right in Park Avenue if we could find the space there.

But typically what we do is we look at side streets because we want to avoid main ones with traffic and other commercial reason. Well, anyhow, okay, we can go past that. We know what that looks like. Our findings, to date, as recorded in that document is we, we see no properties that are available for us to work on, so we're going to do something, as we characterize it, in the street there. Not on property, not above ground. By the way, go look at Mallory Square if you, you know, over in the West Village. They only have one that's above ground. Okay? If you go over to Sixth Avenue and 30th Street it's underground. If you up Park Avenue you get to the 50s, right parallel there are two plants there?

MR. BOOK: Two.

MR. DUL: Okay. So we look, and you've brought me -- they have seen this multiple times. About three years ago we started this looking, looking, looking, and then all of the sudden, okay, they have a program that involves, etcetera, and now we get into earnest and we find what we believe are 13 potential

alternatives. You want to go to that, Mary?

We just name them. You know, here we are. West and east. West and east. One, two, three, four, five, six, seven, eight. And then we actually thought about doing something in the tunnel, the DOT tunnel, knowing it's a DOT tunnel, but who knows? Maybe we can talk to them about that. See what they're thinking is. We thought about the head of the tunnel at the other end where we could construct there, possibly. Again, we'd have to talk to the DOT. Fine.

And so we had those, eight, nine, ten, and then we start looking here on, on the avenue. Again, because of that bow condition. Oh, by the -- here's another little thing. If you, if you follow this out, do you know at the north end there, there are tunnels that go right off to the -- you know, that crosstown shuttle? You know, there are tunnels there. So at one end of this tunnel segment it's 33rd Street Station. Up there you've got things going that way, and you've got a couple of things going in the other direction. So, again, the centroid winds up a little north of 38th Street. There's an exact location. It's actually north, perhaps 38 and a half.

Anyhow, once we came to that point, Mary, do you want to go on? We, we said, well, what would these things look at -- look like there? Well, if you have a side street laid out, Sixth

Avenue and 30th Street, for example, it's operating. It would take about 50 feet wide because here we -- you have these fans. In this configuration we put the fans abreast, three abreast. That would take a minimum of 50 feet outside, outside of the concrete.

But to pour concrete 50 to 50 feet we need more than that. We usually say 2 feet plus on both sides. If you look at plus 2 feet, plus 2 feet, and then look at the property lines you see that we wind up on the drawings. We wind up under peoples' stoops into their property line. In one case we wind up under a building, and that means all kinds of other implications that we don't want to get involved in. But we study. We lay them out and we don't make a decision like, well, we don't think that's a -- no. We go -- and, in fact, you could look in this document and you can see that we lay out, for each of the streets, where the property lines are. So we know where the stoops are and we worry about that for all the obvious reasons.

We know where the drop down there for areas where you step down into them. And so when I say worry about, we're thinking, how do we accommodate, how do we accommodate the community while we're doing our thing? Well, our thing, you know?

Well, on the side street that would be a typical arrangement and then cross section what happens is you build

this thing, 50 foot wide down the lane, about 300 feet long -- 250 - 300 feet long, okay? And about 50 feet down. So all of a sudden you have a lot of soil or rock to have to remove before you can start pouring concrete.

And then we have to make a plenum, you know, the duct work, concrete structures to get to both of the tunnels. Here we come over. That's a typical arrangement. We have the sketches in the document for each of these eight alternatives on the side streets.

If we're along Park Avenue here, well, what we do, we slim down because we want to take advantage of that little bow, so we put four -- not three abreast, but two and two. And the other thing this winds up doing just because of the space needs, to get access inside for operational maintenance and whatnot. It, it winds up that this is more, like, about 30 feet. The good news is we stay away from the mall. That was a major consid-, for all of those real reasons. Park reasons, you know, and whatnot.

So we could fit two in there. We actually came up with a third which is towards the back end, but in that case, as you'll see in the later slide, we would have to take prop-, we'd have to get under the building, and we're -- we don't want to do that if we can avoid doing that.

So anyhow, we move on. If we work in Park Avenue, and there's, you know, the house of worship this is what it would look like. It would have a component on this side, a component on that side, and then both -- you know, the plenums start in the tunnels, come this way. Smoke -- you know, smoke product come in and out through the side with bricks, okay?

What this does is allows construction through this, through that, and then do the plunge here. You know, a plunge it's called. Because you can do certain things that you, you split up the proj-, if you sequence the project you could get in there, do this in a shorter time period while the others, if you tried to do the whole thing, you know, one big thing you have a different timeline for the construction. If you have a longer timeline that's more implications to all the residents and commerce.

So with these 13 alternatives, and knowing that under the law we have to account for each economic environment and document it and make it clear in terms of data, how do you do that? Well, Mary, you want to just move ahead here?

What we did, it was just typical, but the -- if you read the document we have all the narratives in there, all the tables, all the data. But how do you make it in a, in a form that we can talk to people in a brief period and say something

and then get reactions?

Well, we break it, for engineering, the things we worry about, principally, are utilities, hundreds down there. With the gas companies, the sewers are down there. And if you take a look in the street you see some of those ConEds gathered around there, right? ConEd vaults. They're wonderful. They're great. So then we would -- the issue we're thinking about is, well, wait a second. How are we going to build something on that street with that vault there when if I go over here I don't have a vault? Isn't that better? I could avoid it. It's always a matter of avoidance, right? At least in our way of thinking.

So we, we develop criteria in these different accounts for engineering for each of the alternatives, and then we do a comparative evaluation. We use -- yes, we use a lot of words, a lot of data. Read it in the book. But we could up with this way of trying to indicate the extent of adversity. And to get a minus on something that means our people, our people have made a decision and you comment on that, that this, compared to the others, is something we want to avoid.

Typical example is that vault over there, and whatever it's on, 30-, 39th Street I think it is, right? Am I right on that one? Right on the west side, right? Well, it's in the bow though.

Anyhow, we go through this process, Mary, you want to move on? The same from an economic standpoint. We want to fund the least potential cost. From an environmental standpoint it gets a little lofty in terms of the accounts that we have to account for. Why? Because there are laws, you know, under SECRA that's an umbrella law, but it says you have to account for all these other laws that exist, so you don't get off by saying one thing. You know, you have to take into account in certain -- yeah, we now where the Morgan Library is. We've got it. We've got the plots. We understand that.

We understand the through streets right on 36th, 37th Streets. Oh, wow, wouldn't that be great to avoid as opposed to the other ones. And I know I'm saying these kinds of things, but it's nice to -- look at the document and you'll see all of the -- you know, we've articulated what we believe from a data and inspection standpoint.

Noise and vibration. A common question, and what are you going to do to my foundation? Yeah, we understand that. And I think someone's mentioned earlier today, well, how do you worry about that? Well, we have specifications that whenever we're constructing we have to meet city -- and by the way, we have to meet federal and state regulations. We're not compelled to meet city regulations. However, we do honor them. We do consider

them, so it's not as though we're blowing off what -- you know, it's not that we only deal with statements from our presentation office, but we deal with Landmarks Preservation. Okay? We get -- and we know what the noise code is.

And whether or not we want to adhere to it, the fact is any contractor has to, by law, adhere to the code. So we choose to and they have to. So therefore, we make them, and we monitor vibration. We monitor noise. And there's a real time accumulation of that information, especially in these days we can do that. Maybe Paula wants to talk about it later if we get to it.

We also worry about socioeconomics. We can only do something in front of that store, that operation, that medical facility if it's going adversely affect your economics. How do we know that? Well, all we say is that's there doing that, so wouldn't it be better if we avoided that situation. So it's at that level. And, again, it's documented in what we've written in the book. Community facilities, of course, those things, I think, are -- perhaps are self-evident.

And now what I'm going to do is, now that you see the provino [phonetic] card here, how do you fill this thing in? We filled it in the book, but now Niek, one of our consultants, and colleagues in doing this is going to speak to how we fill those



out and where we go from here.

Niek, you want to take it?

MR. VERAART: Sure.

MR. DUL: Thank you.

MR. VERAART: Hello. My name is Niek Veraart. So as Emil explained, a number of different criteria that we're evaluating. We went through the engineering. We went through the economics. I'll talk briefly about the environmental criteria. We evaluated all the alternatives in this initial state which is exploratory, all the alternatives, 1 through 13 with regard to their performance. And then we -- want to go back to the previous one? Thanks.

So and this is actually very similar to what we do in an environmental impact statement. The same type of resources are being addressed here that you see in an environmental impact statement: traffic, air quality, community facilities, as well as [unintelligible] [0:37:47.2], in other words, what would this project have in terms of impacts, and if the alternatives in combination with other things that might be going on.

So we build this out. It's in the document for every single alternative and then we started to rank them and compare them. When we look at these three aspects in combination, and this is the first example where we're looking at the engineering

analysis. So you see a number of different alternatives here. We ranked them with regard to a number of different categories, if you will, utilities, structural, institutional community, traffic type issues. And then we said, well, you know, based on the analysis are there going to be, you know, the less adverse issues. That's really what we're looking for.

We're not looking for, necessarily, the best location because no location is perfect if you're dealing with an existing urban environment. But where would we have the least adverse impact, if you will.

You'll also notice there, there are a number of orange shaded columns. So when we first went through this analysis we ran into a number of issues with regard to engineering to make a number of these alternatives, basically, engineering wise impractical. One of the reasons, and my colleague, Emil Dul, already explained some of that with regard to the centroid that he explained where it is located.

What happens is, if you pick the location for a ventilation facility that's further away from that it has to be sized much larger. Instead of 500,000 you're ending up with approximately 850,000, so that has a lot more impact or more consequences. So those locations, by definition, represent major obstacles that we found and the engineers analyzed would make them, basically,

impractical.

In other cases, there's an alternative where we're basically using the DOT tunnel. There may not be enough clearance below the tunnel to put the plan in which the shaft that guides the air in between. So those are the types of engineering considerations that we found, you know, fatal flaws, if you will. And therefore, those were, in the subsequent steps, eliminated from further consideration.

But if you look here, for example, number four, you've got -- you know, a four ranking on four items. This one got three. If you look here the yellow ones that we're looking for where we have the least adverse effects. So those are the ones that get a positive score when it comes to the engineering analysis.

Next, Mary.

UNIDENTIFIED MALE 5: What do those scores mean? Those 0s, 1, 2, and 3s?

MR. VERAART: So in the document there is a detailed description of how the scores were arrived at. So in some cases it's a [unintelligible] [0:40:40.4] score, and it's basically, you know, describing, for example, if you have major utilities in a certain location or you have a sewer that's an adverse situation in terms of where you want to locate it. But that's articulated in detail in the actual document. This is for

purposes of giving, sort of, a concise overview. But you should always go back to the actual document itself to see what the background was, you know, behind the determination.

You may very well disagree. And if that's the case, please, all provide your comments. That's what Emil mentioned. That's all the [unintelligible] [0:41:15.2] of the document.

With regard to economics, there's really not a big difference whether you put it on the West Side or the East Side. Both are in the range of about \$95 million. If you go to Park Avenue, however, there is a significant difference. It's about a \$10 million difference. So if you look at the bottom right corner, you have a moderate impact there, and the ones that are on the street from an economic perspective are less desirable.

The comparative environmental analysis, a more detailed analysis because as Emil indicated there are a lot of laws and actually guidance. This is also, in many cases, the core of the environmental analysis that later will come back in the environment impact statement where you see these same issues addressed in much greater detail for those alternatives that may be advanced for further analysis.

Here, too, we would seek for the least adverse effect. So you look at alternatives 10, 11, and 12 that have the lowest score of the potential major impacts. So those, basically, come

out on top. If you look at moderate they're, you know, more or less, in the same range. So what we have here is a summary of the environmental analysis. And, again, you can go back into the document and look for more detail behind these numbers.

So when we roll this all together and we looked at the environmental, the economic, and the engineering aspects of the different alternatives. We looked at engineering. There are three alternatives that rise to the top, so to speak. Economic we also have three, and environmental as well. And the ones that actually, in our analysis, at the end of the evaluation come out on top are 11 and 12.

However, that doesn't mean that those are necessarily the ones that would be advanced in the environmental impact statement, and that's why we're having a meeting like this, to get your input on the overall analysis, as well as summary conclusions of the report.

And with that -- go to the next slide, sorry. So this is alternative 11. This is facing south from East 39th Street. Just for clarification purposes, you know, the dash line is actually superimposed in aerial photograph, so the perspective makes it look like it's close above the street. That's actually not the case. But this is, essentially, the parameter of the ventilation facility.

The ventilation facility, once it's constructed, you won't really see anything of the ventilation facility. You'll see grates in the sidewalk, of course, on the edge of the curb. But the ventilation facility itself, once it's constructed, will be below the street, and you wouldn't even know it's there.

Alternative 12, that's also facing north here. For here we're facing the same kind of general location of the ventilation facility that would be below ground.

I think with that, I'll give it over to --

MR. DUL: You've got one more.

MR. VERAART: Was there one more? I'm sorry.

MR. DUL: We have --

MR. VERAART: No, I think, Mr. Book was going to run through that.

MR. BOOK: So just in summing this up we just wanted to give you an idea of what the time schedule would be for submission of the EIS. We're going to issue the draft scoping document somewhere near around May 18, 2016. We're having -- we issued the scoping document for us at this point. We're having the public scoping meeting tonight, which is June 16, 2016. We will have a comment period for this document that will close on July 1, 2016. We'll issue a final scoping document July or August 2016, and issue a completed draft environmental impact

statement somewhere in August/September 2016.

Following that, we'll have a public hearing. There will be another hearing on this scope, on EIS, and that will occur in the fall of 2016, and then there's a comment period following that hearing for 2016. It should be completed, final environmental impact statement in the fall of 2016. Finding statement, I'm really not sure what that means. Can you explain that to them?

MR. SANCHEZ: That's the closure. We have to produce a document that says, for all these reasons we've done these things.

MR. BOOK: Okay.

MR. SANCHEZ: And here is what we believe is the way to go, the preferred alternative.

MR. BOOK: Okay.

MR. SANCHEZ: That goes, ultimately, to the Board of Directors.

MR. BOOK: Following that final statement we'll commence with the detailed design process. That will be some time in June of 2017.

So just following up, this document that we've been talking about tonight is available. It was available as of May 18, 2016. It's available at our MTA website, [mta.info](http://mta.info). That

forward slash is kind of important, as Emil brought to my attention this morning. That sort of gets you directly to the pages, so try to use that forward slash.

We also have another webpage, [webmta.infomtanewscape](http://webmta.infomtanewsscope). This information is available on the fact sheet that we provided at the beginning of the meeting. And the document is also available at the repositories which I mentioned in my opening statement.

So here's the public's opportunity to comment [unintelligible] [0:47:02.3], issues, analysis, and topics, concepts, methods to assess the alternatives, special conditions and concerns for New York City Transit to consider. New York City Transit will collect all verbal and written comments and consider them in preparing the final scoping document.

Okay. So now, we're going to proceed with the testimony, comments, and Q&A. So we'll set that mic up, so people can come up, and I will call your name in the order in which you signed in and registered. And I'll just say again, just please try to limit your comments to three minutes. After three minutes I will let you know that you need to wrap up.

Okay. Before we begin, I just want to recognize representation from our elected officials' offices who are here tonight. We have Chris Consalvo, and I'll ask that you'll stand



up and just be recognized. Chris Consalvo from Senator Krueger's office. Howie Levine from Councilman Dan Garodnick's office. And Brice Peyre from Assembly Member Gottfried's office. Where's Brice? There's Brice to the left.

So we'll now begin. When you hear your name please come up to the mic and state your name and your affiliation. Ellen Imbimbo from the Murray Hill Neighborhood Association.

MS. ELLEN IMBIMBO: Thank you for the opportunity to speak to you hear today. My name is Ellen Imbimbo and I'm an honorary trustee of the Murray Hill Neighborhood Association on --

UNIDENTIFIED FEMALE 1: It's not working.

UNIDENTIFIED MALE 6: Can you turn her mic up?

MR. BOOK: Yes, I'm going to. Let me just check.

MS. IMBIMBO: Hello, hello? Does my three minutes begin again?

MR. BOOK: Yes, yes.

MS. IMBIMBO: Thank you for the opportunity to speak to you here today. My name is Ellen Imbimbo and I'm an honorary trustee of the Murray Hill Neighborhood Association on whose behalf I speak to you. Murray Hill must and New Yorkers must, at one time or another, suffer the consequences of being participants in that group. However, since this subject has been studied since 1994 we're surprised at the sudden

notification received from you regarding this meeting and the deadline of July 1 for comments on the scoping, particularly, when you've already come to the conclusion that the impacts are sufficient to warrant a draft environmental impact statement, and may further require an environment impact statement.

We firmly believe that participation by local communities adds a dimension to planning that is irreplaceable. Having said that, we would very much appreciate your responses to the following questions.

Given the central location of Park Avenue in the 30s and its lead in to the Midtown Tunnel, a traffic study is essential to gauge the obstruction to traffic during the construction period. How will traffic be rerouted? It's important that you provide the details of your traffic mitigation methods, and how they might vary during the years of construction.

What's the nature of construction equipment? Cranes? Concrete? Deliver trucks? Material that is piled up on the sidewalk? We've long been witness to East Side access activity. Where will all of this be stored?

Diversion of smoky air into the neighborhood from the ventilation place, were there to be an emergency, could cause harmful air quality problems for residents. Please define the level of those air quality issues. What is the alarm system to

be used in warning street side pedestrians and traffic of an emergency? Have you any plans in the event of a terrorist attack?

Murray Hill is an historic district with plan marked buildings. You indicated you would be measuring the degree of vibrations with small monitors. Please indicate how those vibrations will be collected and disseminated throughout the community. What mitigations will be provided for any damage to historic buildings of the historic district?

How long will this construction take? Do you plan to have meetings periodically to update the community of the status of construction? We still await the completed of the East Midtown access construction site at 37th and Park, despite having given numerous deadlines. Please provide the information.

Murray Hill will lose seven trees during construction. Will there be any remediation for the loss of these trees? What about damage to the walls on which Murray Hill spends considerable time and effort in maintaining?

We thank you again for providing an opportunity to speak, and hope that we can be collaborators in an important project for the safety of New Yorkers.

MR. BOOK: Thank you.

MR. DUL: Ma'am, we tried to do up a list as you were

speaking. We'll consider everything you said. You said you're going to submit the document, right?

MS. IMBIMBO: I have it written.

MR. DUL: Thank you. But just off the top, let's take traffic, the malls, the trees, the follow up and the terrorist. The terrorist we have to say this very clearly. We are the engineers and architectures and environmental people and lawyers for usual and customary activities in New York City Transit. Whenever security issues arise there's a separate group in MTA that defines all of those protocols, implements them. We are not part of that.

That doesn't mean what we plan to construct and operate isn't reviewed by them. What I'm saying is we, at least people on this part of this, are not privy to that information. Okay?

Now, let me go further. In the actual draft scoping, if you have it or whenever you take -- just look at the table of contents, and you'll see that we're committed to provide, implement methodologies for preparing the draft EIS. How are we actually going to produce that data? How are we going to do those calculations? How are we going to do those comparisons to the regulations?

We have chapters. In Section 5 of this, and you can read inside, Chapter 1 is -- 5.1 is a description of the project.

5.2 is the discussion of alternatives. Well, let's get to some of the real --

UNIDENTIFIED MALE 1: Point or order please, Mr. Dul.

MR. DUL: Yes.

UNIDENTIFIED MALE 1: This is a public hearing. You are using public time to argue the MTA's position which I am proposing to you is not only irregular, but does not meet the letter of the law. Your own documentation that you flashed on the screen listed today as a scoping session.

MR. DUL:

UNIDENTIFIED MALE 1: This is not a session to be used by the MTA for its purposes. This is for the public. So far, the overwhelming majority of time has been used by you, and the scoping session does not require, nor is it written, that every time someone from the public makes a comment someone from the MTA is then obligated to respond with a counter argument.

So I would suggest, sir, since you have already said this is all printed, and we have copies, there's no need to go over it. Simply let the public use it for what it was meant to be used for, and let the public say what it has to say, and you can respond to it in your written response after the comment period is closed.

MR. BOOK: Thank you for your comment. This is a public

scoping meeting. This is really not a public hearing. The public hearing will take place, as I showed you up on the screen --

UNIDENTIFIED MALE 1: Sir, would you be quoted that in court for this, because there will be a law suit. And what you're saying is absolutely incorrect. And I hope you understand what you're saying.

MR. BOOK: Sir, what I'm saying is that this is a public scoping meeting.

UNIDENTIFIED MALE 1: Correct. Public.

MR. BOOK: Yes, that's correct.

UNIDENTIFIED MALE 1: So let the public --

MR. BOOK: We provided information --

UNIDENTIFIED MALE 1: Let the public have its --

MR. BOOK: Hold it. The young lady made a statement, and she also asked several questions.

UNIDENTIFIED MALE 1: These questions, sir, could be addressed in writing by your agency, not tonight. This is the recording session for the issues to be identified, legally, tonight, and then to be responded to in depth, according to law, in the articles in section of the state law and city law, I'm sorry, city law does apply here, that have to be addressed by your agency. Not by any comments you're making.

What you're making, sir, there's -- is not appropriate this evening. What you're doing.

MR. CHONG: I just want to say something. What you're saying is correct. Normally, when you do take public comments all the comments are answered in your document. All comments get addressed and then answered in the final document. So, in essence, he's correct.

MR. BOOK: No, we're trying to accommodate. People have questions. They don't want to just comment and, and just --

MR. CHONG: We don't have to do it tonight.

UNIDENTIFIED MALE 1: You shouldn't do it tonight.

MR. BOOK: If that's the consensus. We are willing to answer your questions. When the meeting's over we have those boards out there. You can come and ask the experts questions, but if your preference is that questions not be answered here tonight then that's fine. We can have our statements --

MR. CHONG: It will be in your document.

MR. BOOK: -- and that's fine. Okay. Alright?

MR. CHONG: Okay.

MR. BOOK: So we will proceed with the next speaker, Bryce Podwal. Mr. Podwal?

MR. BRUCE PODWAL: It's Bruce Podwal with a P. I'm a professional engineer and I'm a resident of Murray Hill. I want

-- I make two points. Number one, I think you've immediately shown up the process is flawed because your mind is made up. I heard a statement made that because this was written up in the capital plan, it must happen. There is a no build alternative, I believe, that should be addressed which means you do not have to build anything.

I did not notice the no build alternative mentioned and its impacts addressed at all today or in any of the documents to any degree at all. So I encourage you to go back and start over with people who are not biased, who have not made their minds up, and have them address a no build alternative as a legitimate alternative to the process.

My second point, and while I prefer for the moment the no build alternative, I think there is another alternative that you have not taken. That is to consider the city sub-, city traffic tunnel. Some years ago that was two ways. At a certain point in time in the past it was converted to one way. If it could handle one way, which means Park Avenue could handle the traffic, why not eliminate that traffic tunnel completely and turn that into your ventilation system?

So I recommend that you start with another alternative as part of your process. Lastly, even though it's a third point, I support the idea that you have not given the public adequate



time by giving them a July 1st cut-off date.

MR. BOOK: Our next, our next speaker is Ned Putnam.

MR. PUTNAM: I have no comment to make at this time, sir.

MR. BOOK: Okay. Ricard Berliner.

MR. RICARD BERLINER: Berliner.

MR. BOOK: Berliner?

MR. BERLINER: Yes. I believe I also have the right to ask for a 90 day extension, and if so, I would like to put that on the record anyway. Thank you.

UNIDENTIFIED MALE 7: I didn't know I was going to speak today until I was given number four. But anyway, while I'm here, remembering what the wonderful Christy Whitman did during 9/11 where the area was perfectly okay. Perhaps, I still -- I'm sorry.

MR. BOOK: Speak into the mic.

UNIDENTIFIED MALE 7: Okay. Happy now?

MR. BOOK: Yes.

UNIDENTIFIED MALE 7: Okay. I was talking about the wonderful Christy Whitman during 9/11. How she claimed how the air was good right after the buildings came down. There are more cops dying now, a true fact, than all the cops that died in 9/11. A huge majority of fire fighters, first responders have died as a result. Okay?

Number two, I live on the corner of 39th Street and Park Avenue. I am a member of Murray Hill. You aware of the Long Island Railroad project, okay? You're probably not aware of the fact that 90 Park Avenue is being totally renovated from top to bottom. It's about a 40/45 story building. We are living consistently, constantly with grinding, banging noise from 3:00 p.m. to 10:00 p.m. on weekdays. On Saturdays sometimes trucks, once they clear a floor, trucks are making deliveries. At one time a quarter to 6:00 in the morning on a Saturday. Okay?

So we have Long Island Railroad. We have 40 Park. I spoke to people, the management of my building, they have no idea. They've spoken to 90 Park, no idea when that's going to end, and now we have this project. Okay? So I think that's a little bit much for people in that concentrated area.

MR. BOOK: Thank you, sir. Thank you, sir. Parce Ainsworth.

UNIDENTIFIED MALE 8: I have no question.

MR. BOOK: Mr. Fred Arcaro?

MR. FRED ARCARO: This is my written testimony.

MR. BOOK: Thank you.

MS. PARCE AINSWORTH: I'm Parce Ainsworth. Was I supposed to go next?

MR. BOOK: Yes, yes.

MS. AINSWORTH: Okay. I just had trouble getting access here.

MR. BOOK: That's okay. It's alright. It's okay.

MS. AINSWORTH: It's all about access. Sorry. Well, so many of the things that I was going to say have already been addressed, but I do want to mention and put my comments within a framework of what Mr. Dul had said. That is that this is not required work under what the NFPA has required us to do.

This is a matter of, it sounds to me, like use it or lose it state funds, and create -- job creation, potentially. I think we have to look at it from that framework.

This neighborhood, Murray Hill, has been embattled by what has been going on as far as the construction from the tunnel, from the Long Island Railroad, from 90 Park, and we have buildings. We're an historic neighborhood. We have landmark buildings. We have buildings over 100 years old that this type of impact is taking its toll on daily.

I am on the sixth floor of 55 Park Avenue and my neighbors are here, and we can here in our bedrooms the subway that is below us, every train is going by. I want to address the issue of when you say that this is proposed emergency ventilation system that would use -- would only be used to expel gasses and fumes in case of an emergency, as it is stated by you, in a case

of fire.

But, you know, there are going to be issues. We have a brand new world. You mentioned that we are not under the 1970 regulations, but there is saran gas. There is ricin gas that could be expelled directly into residential building, and two potential strategic soft targets on the block of 37th Street where you have a UN Mission and you have a Christian church. This just makes no security sense.

To have the two MTA people not speaking to each other or having two separate kind of entities. There seems to be no communication, and this security issues has not been addressed at all.

I think that, that this, the continued construction along with highway traffic, compounded by a finished product that would spew hazardous fumes that would make -- that would be even against OSHA regulations in a workplace, let alone in a residential setting would have deleterious environmental health impacts for those living in the area.

You're proposed underground safety gain would be negated by an above ground health and safety loss. That is just the health and safety issues. There are numerous nuisance issues that this is going to create. This is going to create issues where you have one block of coming. If you're coming out of the tunnel on

37th Street, you know, one block of traffic on the left-hand side, and you would be proposing closing off a block -- two blocks of tra-, two lanes of traffic where you have one lane going to the right.

There are constantly, every single weekend, there are traffic accidents, at least one a weekend, once a week. And this snarls up traffic, not to mention the horns, the alarms, the yelling. And there's nowhere to go. You can't go left and you're going to not be able to go right. And on a daily basis on the corner of 37th Street you have, you have people that are not only loading and unloading in a residential area, you have a United States Post Office box there. You're going to have people blocking the road for recyclables and sanitation.

You have a church. You have funerals. You have weddings. We also have ice vans which international -- the immigration service and customs -- service immigration --

MR. BOOK: [unintelligible] [1:06:55.5].

MS. AINSWORTH: I will. Vans that use -- that the mission is using. This is not a project for this area when it is not a required project.

MR. BOOK: Thank you.

MR. FRED ARCARO: Could you hear me?

MR. BOOK: Get closer to the mic.

MR. ARCARO: Could you hear me now?

MR. BOOK: Yes.

MR. ARCARO: Okay. My name is Fred Arcaro. I'm a member of the Board of Trustees of Murray Hill Neighborhood Association and President of Manhattan East Community Facility.

MR. BOOK: You need to stay close to the mic.

MR. ARCARO: Now?

MR. BOOK: Yes.

MR. ARCARO: Okay. Thank you for giving me the opportunity to address this hearing. We recognize the compelling need to provide emergency ventilation to, to the tunnel section on Lexington Avenue [unintelligible] [1:08:05.3] under Park Avenue between 30th, 30th Street and 42nd Street. In compliance with NFPA 130 standard for emergency ventilation.

But moreover, we also recognize the intent of the project is to save lives in the event of a smoke condition in the subway tunnel. After reviewing all 13 potential alternatives for the project ventilation thing. We considered alternative 10, 11, and 12 which are least impacted on our neighborhood. However, we eliminated alternative 11 -- I'm sorry, 10, of course, the construction time will be three years. Much too long.

In addition, the alternative 10 would have only one -- about 136 feet long of exhaust radiant on the East Side of Park

Avenue between 37th and 38th. Having only one grading would concentrate the smoke and fumes. Alternative 11 has been eliminated because it will take too much of construction air equipment. Therefore, we focused on alternative 12.

On Page 12 of the Scope, Table B-1 you indicated for alternative 12 the width of the fan plan to be 32 feet, and the construction zone to be 37 feet. If this is true, the width of the construction zone would be less than indicated on Page 71, Figure B-48. If one looks at Page -- Figure D-23 on Page 150 the work zone will take only one lane of traffic.

By having two lanes of traffic instead of one it would greatly reduce traffic congestion in our neighborhood. The scope of documents should include the following. A study of the use of pre-task concrete elements to reduce for the regulation - - to reduce construction time. A traffic study issued -- should be made to help design the best mitigation measures possible to reduce traffic congestion, of course, by the construction project.

The scope should indicate what mitigation measures that will be taken to reduce traffic congestion. The scope of work should include a study of the cumulative effect of the many construction projects near the proposed alternative 12 construction site. The documents should indicate what

coordination procedures to be taken to accommodate emergency vehicles at the construction site. In addition, to include procedure of operation of ladder fire trucks to reach buildings in the event of a fire near the site.

MR. BOOK: Mr. Arcaro, you're at three minutes.

MR. ARCARO: Just a couple. The study should include what potential health risks there are to neighborhood residents located near the ventilation if the plant -- if the ventilation plant is enacted -- is acted. Just one more thing.

We should consider, MTA should consider, installing an alarm sounding system to alert local residents that would be sounded before the ventilation plan starts. Studies should also include the cautionary measures to keep our residents safe when the ventilation plan is active.

MR. BOOK: Thank you, sir. Our next speaker will be Steven Toneatto.

MR. STEVEN TONEATTO: I'm Steven Toneatto. I'm the Controller of the Union League Club on 37 and Park. I did want to mention that one of the alternatives was on 37th Street, to have the ventilation there, and traffic on 37th Street is very heavy all the time. There should be a traffic study that's taken place to consider this alternative.

You did mention about the ventilation plans, all, all the



work is going to be done underground, but where is the access to the underground work? Are they going to use an existing entrance down there? Because currently the East Side access is right on the Park Avenue sidewalk by the Union League Club. Workers go down through that hole. Are you going to still use that same hole to work on the ventilation duct or ventilation system?

We certainly, from the Union League Club, don't want that to happen. One of the issues is when an East Side access work was beginning, it started in the summer of 2007. We were notified. The work was done in 2000-, it began, I believe in 2008 and the MTA talked about an eight month construction timeline. That was eight years ago. You know, so the MTA clearly does not live up to their bargain, their agreements, or what they have notified the public about things.

One of the other points I wanted to make is on your slide you take about repair the EIS if potential significant adverse impacts take place. Well, for us, you can clearly get rid of the if and the potential because there are significant adverse impacts. The financial impacts for the Club. There's quality of life impacts. We used to have trees on Park Avenue. It was pretty beautiful. There are no trees there. It's terrible.

You had change with contractors. The existing contractor

who's there now treats it awfully. We had an agreement, we had an agreement with the MTA where these was going to be some aesthetic improvements. That didn't last very long. There's no awning. We used to have an awning there. It's not there. We had flagpoles, the U.S. flag and Club flag. Those flag poles have been down for seven or eight years. So we -- the MTA clearly does not live up to their timeframe or their agreements.

A couple other points I wanted to make. The Club is a landmark building. We've borne -- we've had the brunt of the impact for this East Side access project. It's right there on the sidewalk. We see it every day outside the windows. We've had events that the crane is up and down. There's noise. It's clearly had an impact on us, a negative impact all, all around.

There's been some physical damage to the building. There's noise. There's [unintelligible] [1:15:33.1]. There's traffic. There's odor. The MTA talked about stopping the exhaust fans and using it mainly, almost exclusively for intake, and we were to be notified when they were. At times, there, there was exhaust issues with that, when it was going to take place. We're not being notified anymore.

We have an issue with our standpipe, with the water line. The fire department can't complete an inspection because one of those water lines was shut off because of the work of the MTA.

That's an issue. That's a big problem. And now to then have a potential nother project that's going to take place is outrageous, and then to consider it in the same area, you know, it, it -- it's really, really troubling.

There's one other final point that I want to make is we're going to have to explore legal options for this. We're going to have to challenge you. We're going to have to challenge your environmental documents. We think they're insufficient. They clearly were insufficient last time when you talked about an eight month project that lasted, now, eight years. So that's all I have to say.

MR. BOOK: Okay. We will now hear from Margaret D'Arcy.

MS. MARGARET DARCY: Hi. I'm a resident of Murray Hill. I've been living there for 16 years.

MR. BOOK: Microphone.

MS. DARCY: Sorry, that's better. I would like to echo what everyone else has already said. I have seen this project that the gentleman just spoke about near the Union Club. Eight years. It's a monster, okay? I'm like, when is this going to end? I didn't know it was supposed to be eight months, okay? I have no confidence that the MTA can keep to their schedule, so my question is, who's going to enforce your deadline?

I was a project manager for over 12 years. Who's going to

enforce the deadlines? Who's going to enforce the environmental safety? I have no confidence that you can enforce -- that my home which is on 38th and Park is not going to be full of noise, which it already is from the traffic congestion. That it's not going to be full of noise, even more noise, more vibration that would damage our historical building. I have grave concerns about that. Our building is almost up to -- almost 100 years old.

And I can, at this point, as someone -- as the woman from 37th Street said, when I sit in my dining area on the 15th floor I can feel the subway. I get little subtle vibration. I'm very concerned. I lived across the street from the Morgan Library's construction where they were drilling into bedrock, and let me tell you, the noise was excruciating, and I was on the back of the building, and I was on 36th Street, okay?

So I have great concerns about the fact that you're not going to take care of the environment. That you're going to do damage to the property. You're going to ruin a beautiful, historical neighborhood of New York City which is why we moved there, why we bought a place to live in there -- in that neighborhood in the first place. Okay?

The other thing is the traffic is terrible. The horns are constant. And I'm not even 36th or 37th anymore, and the

traffic is already terrible. There are tons of pedestrian accidents. No one mentioned that. People on 38th and Park are constantly being hit. In the time that we've been living there, since October, two people have been terribly hurt by cars turning onto 38th -- onto Park, sorry, from 38th Street. If there's one avenue I guarantee more people are gonna be hurt because everybody's texting, and I know they shouldn't be, but that's what they do, and people don't pay attention and neither do drivers. I'm concerned about crossing the street.

And what else do I have here? And the, the environment, the noise, the pollution, the effect on the utilities. What's going to happen to our water quality in our buildings? How it's going to affect our electricity, our gas lines? What are you going to do to protect that?

And also, frankly, I agree with the engineer. I think this is, we have the money so we need to do this project. I went to business school. I know how to read data. I looked at this presentation online. You've made your data fit what you want to do. That's how I feel about it, and that's how the data looks to me. That you said, oh, we have this money. We can do this project, make sure our data fits where we want to do this project because that's where we think we should do it.

So I really have no confidence in the fact that your data's

going to actually be valid, and I would much rather have a third-party do this data analysis than anybody from the MTA with a vested interest in spending their capital program money. You know, I think that that gentleman was absolutely right that you need to look at the no alternative alternative, and you need to really think this through because I think the neighborhood's already being bombarded by construction and congestion, and you're just gonna make it worse. Thank you.

MR. BOOK: Our next speaker is Juliette -- Julie Cavlin [phonetic].

MS. JULIE CALVIN: No comments from me.

MR. BOOK: No comments. Boblyn Austin? Okay, she's coming. Okay.

MS. BOBLYN AUSTIN: I would like to also ask for a 90 day extension on the comment period, on the comment period. I have a big voice, so I think I'll be alright, because we have had two weeks.

MR. BOOK: Microphone.

MS. AUSTIN: We've had two weeks and we only found out, what, two days ago of a project that's been in the works for how many years. I've written this today just because I get nervous when I'm speaking.

MR. BOOK: Move closer.

MS. AUSTIN: One of the alternative sites for your planned emergency ventilation project is between 37th and 38th Streets on the East Side of Park Avenue. That's probably number 11, I think. Some of the residents of that block are here tonight to express our deep concerns and dismay over your possibly choice of location. We at 55 Park Avenue have worked hard for many, many years to maintain a lovely pre-war building that is over 90 years old, and create the beautiful historic block that residents, tourists, and passersby delight in. It is truly one of the most beautiful blocks in the city and a jewel for Midtown.

Half of our buildings' residents have only Park Avenue facing windows for light and ventilation. We have five and a half young children living in the building. The half is a boy who will be born in November. We also have senior citizens like myself who have lived happily in this building for many years. Choosing this site for your project would be a devastating catastrophe for our block.

While you may be building this emergency ventilation system for an unknown future catastrophe you will, without a doubt, create one in this densely residential area. We are already struggling with the East Side Access Project at the corner of 37th Street on the west side of Park Avenue where work goes on

daily year after year, and as many as four cement trucks line up along the curb with their machines churning on many days.

Traffic is also severely hampered by this existing project so that gridlock and honking from vehicles exiting the FDR and Midtown Tunnel, as well as up and down Park Avenue is a common experience at that corner. The thought of one lane of traffic snaking along the curve northbound is chilling. As it comes with idling, honking, and road rage.

From 39th Street to Grand Central Station, Park Avenue become commercial and the buildings, set back from the sidewalk, no one lives there. That would not be as intrusive since you've already closed the street at 41st Street. It may be a more difficult engineering feat to do, but the cost in above ground Draconian upheaval for all the residents in that area would be far less.

Human beings have to be included in this equation since that's what you're doing it for, isn't it? To save people from a desperate situation underground? Well, above ground needs to be saved from a desperate situation too.

MR. BOOK: Thank you. I believe I skipped over Ms. Joanne Vanek.

MS. JOANNE VANEK: That's me.

MR. BOOK: Okay. Thank you.



MS. VANEK: I'm not going to repeat what everyone else has said. I just want to bring out a new point. That is that all this reporting talks about is the construction of this, not the operation. And I think that is really something that has to be looked at seriously in the environmental impact studies. The East Side access that everyone has talked about is clearly going to affect our neighborhood, and now you're putting in the -- and I'm talking about the operation of it.

If you walk past the Union League Club, smell that air coming out of that vent, of that shaft that they use for entrance into it. It smells awful. It smells of all kinds of mechanical fuels.

UNIDENTIFIED MALE 9: Chemical.

MS. VANEK: Chemical fumes, thank you. Yeah. So I think that any environmental impact statement has to talk about the operation and what it's going to be like when that vent -- if, if that ventilation system is turned on, and the ventilation system will be turned on for maintenance, if for nothing else. And we already have a problem with that in the neighborhood.

There is a vent at 38th and Park. I assume that's the vent for the tunnel that goes underground. Every once and a while, how many of you know this, somebody forgets to turn it off. And so you have to live with a high pitched drone for, often, 48

hours. You cannot sleep with this drone, and you cannot hear the full impact of this drone from street level. In fact, it ricochets on buildings so that the higher you go the louder it gets.

I have, I have a whole list of people I try to call at the Department of Transportation. Last year they were very supportive. This year they haven't been as good. It took, it took over 24 hours to turn it off last time. So I think that, that what really has to look more than what it's going to do to construct, but what the operation is going to be like, and the neighborhood already is suffering a lot.

MR. BOOK: Our next speaker is Gerard Schriffen, Schriffen?

MR. GERARD SCHRIFFEN: Schriffen.

MR. BOOK: Schriffen.

MR. SCHRIFFEN: Okay. Good evening. My name is Gerard Schriffen and I'm President of the Roseville Community Association. I served on Community Board 6, numerous chairs of committees for about 12 years, and I have standing this evening as a longtime, active member of the Union League Club.

First of all, I would like to take issue at, for the record, which would have already been stated by Mr. Dul that the federal government -- federal law, you mentioned NEPA specifically, has no -- is not qualification -- not qualified to

be answered here. In fact, it does, and so I'm directing that in the answer to the scoping comments made this evening, the MTA specifically address why this project is not subject to the Federal Clean Air Act, and NEPA, and be very specific to the rules, and to why it's his opinion that it does not do so.

Secondly, this is a scoping session. Now, it was mentioned that it was an optional scoping session and that the MTA did this in deference to the community. I would submit that is very, very misleading. The fact of the matter is, ladies and gentlemen, my neighbors, if issues are not raised tonight at this scoping session they can never again be legally raised by any of us.

The draft environmental impact statement will address the issues raised tonight. If two months from now we come up with another issue that was not raised tonight we're out of luck, and the community is out of luck. Therefore, I'm objecting to this hearing, pardon me, this public hearing, because it is not a public hearing. It has not been conducted as a public hearing.

Approximately one hour of this meeting was used for the MTA to repeat information which it specifically stated to us at least six times we already have. It's already in print. There was no need for it. Therefore, I am respectfully requesting that the public comment period for the scoping be extended by 90

days, not be shut off by July 1st.

The public needs access to the MTA's plans and this is insufficient. Interestingly enough, this project will impact Midtown Manhattan in the Murray Hill area, and yet the public hearing is held in the Lower East Side. I will leave other people to reach their own conclusions.

I would suggest that an additional public scoping session be scheduled within the next 90 days, as requested, in a more appropriate area where it would be easier for the affected population to make its comments.

It was also stated here incorrectly this evening, I hope not misleading, but I'll give you the benefit of the doubt, that New York City local law does not apply to this project, and that is totally incorrect. I would, therefore, request that the MTA and its -- in a preliminary environmental impact statement be very specific as to why the idling engine laws and other relevant laws dealing with the air and diesel exhaust of New York City's Department of Environmental Protection do not apply here.

For the record, you know that the Union League Club has been, and continues to be, abused by the MTA. Deliberately and blatantly. There was a law suit brought by the Union League Club against the MTA in 2012. The MTA signed a consent decree

order agreeing to stop the outrageous, illegal pollution from its diesel generators located some three, four stories below Park Avenue and 37th Street that endangered the safety, health, and welfare of the employees, the members, visitors of the Union League Club, and the people who live in the surrounding area.

It cost the MTA to pay for that decision. To date, the MTA continues to be in violation of that ruling. Continues to operate illegally their diesel exhaust generators spewing out what have been identified since the late 1980s as a major cause of particulate matter which has been identified as the major cause of upper respiratory diseases and heart disease, and diesel exhaust which has also been identified since the last 1980s as a major cause of cancer. That's very well documented. The MTA, I suggest, knows this better than most.

Interestingly enough, the comment was made early on in the presentation by the MTA that the further away the exhaust vents are from the area affected the larger they're going to have to be. That raised a very interesting issue.

MR. BOOK: I'll have to ask you to wrap things up.

MR. SCHRIFFEN: I'm sure you will. The tracks underneath Park Avenue are for holding trains. They are storage yards. There will be no passengers underground at 34th, 35th, 36th, 37th, 38th, 39th, 40th Street. They've going to be in Grand

Central terminal. So why aren't the exhaust stacks there rather than at 37th, 38th, 39th or lower?

This should have been planned for a long time ago, not now. And I suggest that the MTA is misleading the public by stating that this is to protect just passengers when, in fact, there will be no passengers here. These are storage yards. It makes more sense to have the exhaust stacks where the passengers will be in danger, and they would have to be much smaller than the ones which we are being told have to be built now.

There are a number of other issues which time does not allow me to make. Therefore, I will submit them in writing from the --

UNIDENTIFIED MALE 9: No, go ahead and speak.

UNIDENTIFIED FEMALE 2: No say it. It's not 8:30 yet.

UNIDENTIFIED MALE 9: Say whatever you need to say.

MR. BOOK: Actually, no. There are other people that are speakers. It's just --

UNIDENTIFIED MALE 10: I will yield my time. Let him speak.

MR. BOOK: What's your name, what's your name, sir?

UNIDENTIFIED MALE 10: Number 13 on the roster. I will yield my time. Let this gentleman speak.

MR. SCHRIFFEN: Thank you, sir. I appreciate that.

I would say that the MTA has provided insufficient notice to the community to provide educated and detailed comment on this proposed project. And that the meeting that is -- has been identified as a public scope -- scoping session is insufficient to provide time for all of the people who wish to make comments. And therefore, respectfully request, again, a 90 day extension for the comment period.

I would remind my neighbors that the MTA is an agency, and therefore, is only answerable to one person, the government of the State of New York. They don't have to respond to the public ever, and they usually don't. And therefore, it's incumbent upon us, as the ones who will bear the brunt of all the negative situation created by this proposed project that we demand that Senator Krueger and Assembly Member Gottfried, which are the -- put the pressure on the governor to do the right thing as far as the voters are concerned. The governor is the only one that this agency is answerable to, no one else, not even to the State Legislature.

Therefore, it's up to our -- it's up to us to get our state legislatures active to put pressure upon the government of the State of New York to make these changes. Well, not to make changes, but in order to get the government to understand that we're not going to accept this.

There has been a lawsuit already. You can be certain there will be more. Alright. I will stop my comments here, as I said, thank you again for conceding the time to me. And, and, again, for the third time, I'm respectfully requesting that the public's comment period be extended 90 days.

MR. BOOK: Thank you, sir. Mr. Podwal are you still interested in speaking? Alright. The next speaker is Aimee Ball.

MS. AIMEE BALL: I'm Aimee Ball. I'm a journalist and a longtime resident of Murray Hill. I live in a beautiful, almost 100 year old building. I'd like to say that my neighbors and I, many of my neighbors and I felt absolutely ambushed by the MTA. First we learned that your scoping document, your plan, and this meeting was a few days ago through a newsletter from the Murray Hill Neighborhood Association. They only learned about your scoping document, your plan, and this meeting a few days ago.

We do not understand how you could possibly contemplate that your plan will have a reasonable and acceptable impact on our neighborhood. It's a historic neighborhood with many historic buildings, two hotels. Who's going to stay in those hotels if there's a construction project going on for years to come? Two consulates, embassies, church, medical and dental offices, and, of course, many residential buildings.



We already know that there are foul, probably toxic fumes coming out of the construction that's already going on in our neighborhood between 36th and 37th Street. As been stated, we have absolutely no reason to believe that the schedule you present to us will be followed. What was proposed as an eight month plan has turned in to an eight year plan.

We've heard nothing from you about what maintenance would be required for any ventilation system in perpetuity. You're not going to just build it and then leave it alone. I guess I just want to make my comments brief and state that we have spoken to lawyers already. We know that this -- what we feel is an ambush is typical M.O. for the MTA.

Also, holding this kind of session in summer months when fewer people are in attendance, as you can see, and we will be fighting you.

MR. BOOK: The time is 8:12. We do not have any other registered speakers at this time. And we will recess until -- or if anyone is interested in speaking you just register at the desk outside the auditorium, but we will be here until 8:30. So we'll recess.

[Hearing Adjourned, June 16, 2016 at 8:30 PM]

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# CERTIFICATE OF ACCURACY

STATE OF NEW YORK

SS:

COUNTY OF NEW YORK

I, Lea Simmons, Project Manager at Geneva Worldwide, Inc., certify that the foregoing transcript of proceedings for the New York City Transit Scoping Meeting on the Lexington Avenue Subway Line, was prepared using the required transcription equipment and is a true and accurate record of the proceedings to the best of my abilities and belief.

This certificate is issued by Geneva Worldwide, Inc.

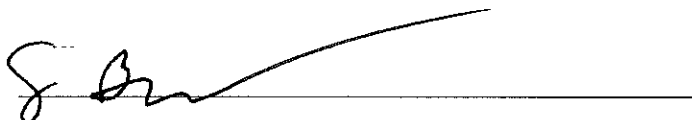
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This 7 day of July 2016



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