

CITY PLANNING COMMISSION

April 5, 1999/ Calendar No. 2

C 930200 PCM

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IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 388/402 Hudson Street (Block 581, Lot 45), Borough of Manhattan, Community District 2, for construction of a water tunnel shaft (Shaft 28B) for City Water Tunnel No. 3.

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The application (C 930200 PCM) was filed on November 17, 1992, by the Department of Environmental Protection (DEP) and the Department of Citywide Administrative Services (DCAS) for site selection and acquisition of property located at 388/402 Hudson Street (Block 581, Lot 45), Borough of Manhattan, Community District 2, for construction of a water tunnel shaft (Shaft 28B) for City Water Tunnel No. 3.

BACKGROUND

Currently, the City receives water through two primary conduits: City Tunnel No. 1, which was completed in 1917 and supplies part of The Bronx, Manhattan and downtown Brooklyn; and City Tunnel No. 2, which began operating in 1936 and supplies the rest of The Bronx, Queens, the remainder of Brooklyn and Staten Island. Neither tunnel has ever been closed for repairs. To avert any major problems that could be caused by the failure of either one of the two existing water tunnels, as well as to insure that the City's future water needs are met, the Board of Water Supply, in 1966, proposed a new water-supply system consisting of four stages collectively referred to as City Tunnel No. 3.

Construction of Stage 1 is completed, Stage 2 is currently under construction, and Stages 3 and 4 are expected to begin in the early part of the 21st century. After the completion of City Tunnel No. 3, DEP plans to take Tunnel No. 1 off-line for a period of 10 years for inspection and rehabilitation, followed by Tunnel No. 2 and then alternating inspections and repairs among the three tunnels in 10-year intervals.

The Department of Environmental Protection is proposing to use property located at 388/402 Hudson Street (Block 581, Lot 45), Borough of Manhattan, Community District 2, for construction of a water tunnel shaft (Shaft 28B) for City Water Tunnel No. 3. Construction of Shaft 28B is part of Stage 2 of the four-stage City Water Tunnel No. 3 project.

The site is located on the easterly side of Hudson Street between West Houston Street and Clarkson Street. The site has an area of approximately 25,000 square feet and is zoned M1-5. It is privately owned and currently used as a public parking lot for approximately 96 cars.

Shaft 28B will require the construction of a 443 foot-deep vertical distribution shaft and a distribution chamber, approximately 3 feet below grade. The distribution shaft, when in operation, will be used to bring water from the tunnel via four supply pipes within the shaft to the subsurface distribution chamber, to be constructed on top of this vertical shaft, from where it will link to the existing water supply system.

During construction, the site will be enclosed with fencing and will also be used for storage of construction equipment and material and employee parking. Excavation of the shaft will be done through the 'Raised Boring' procedure which involves reaming the shaft from the bottom to the top through a pilot hole. This procedure would allow for most of the excavated material to be removed from the site via the existing tunnel to the Shaft 26B site at 10th Avenue and 30th Street and from there it will be trucked away. However, it would be necessary for some of the material to be removed by trucks. These trucks would enter and leave the site via readily accessible truck routes (Varick/Hudson streets to Canal Street to the Holland Tunnel). The construction of Shaft 28B is expected to take approximately 48 months beginning in 2003 and end by 2007.

After construction is completed, only two 3-foot by 5-foot hatchways at surface elevation and a 14-inch diameter airvent pipe, rising approximately 10 feet above grade will be visible. Jurisdiction of the site will revert to DCAS, however, DEP will retain a permanent easement of approximately 9,375 square feet for the area above the subsurface distribution chamber. The chamber will be unmanned except for monthly maintenance and inspection.

The area is generally characterized by mixed residential, offices, warehousing and light manufacturing uses. Immediately north of the site, across Clarkson Street, is James J. Walker Park and the Hudson Park Branch Library. Abutting the site to the east is the City-As-School High School. To the south and west across

West Houston Street and Hudson Street, respectively, are midrise office buildings.

**ENVIRONMENTAL REVIEW**

This application (C 930200 PCM) 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 New York City Environmental Quality Review (CEQR) procedures set forth in Executive Order No. 91 of 1977. The lead agency is the Department of Environmental Protection.

This application (C 930200 PCM) was determined to be an excluded action which requires no further environmental review.

**UNIFORM LAND USE REVIEW**

This application (C 930200 PCM) was certified as complete by the Department of City Planning on November 9, 1998, and was duly referred to Community Board 2 and the Manhattan Borough President in accordance with Article 3 of the Uniform Land Use Review Procedure (ULURP) rules.

**Community Board Public Hearing**

Community Board 2 held a public hearing on the application (C 930200 PCM) on December 10, 1998, and on December 17, 1998 by a vote of 30 to 0 with 0 abstentions adopted a resolution recommending approval of the application

### Borough President Recommendation

This application (C 930200 PCM) was considered by the Borough President of Manhattan, who issued a recommendation approving the application on February 2, 1999.

### City Planning Commission Public Hearing

On January 28, 1999 (Calendar No. 3), the City Planning Commission scheduled February 17, 1999 for a public hearing on the application (C 930200 PCM). On February 17, 1999 (Calendar No. 10), the hearing was continued to March 3, 1999. The continued hearing was duly held on March 3, 1999 (Calendar No. 11). There were 3 speakers in favor of the application, including two representatives of Community Board 2 and a representative of the Department of Parks and Recreation. One representative of Community Board 2 reiterated its approval of the application. The other representative of the Community Board and the representative of the Department of Parks indicated their support for the development of the site as a park after construction of the shaft is completed. The hearing was continued to March 17, 1999. The continued hearing was duly held on March 17, 1999 (Calendar No. 16). There were 2 speakers in opposition to the application and 8 speaking in favor.

The site's owner and his attorney spoke in opposition. They stated that they wish to retain ownership of the site and use it both during and after construction of the water tunnel shaft. They indicated that they have submitted a proposal to DCAS and DEP that involves moving the proposed subsurface chamber partially under the adjacent streets which they believe would accommodate the needs for

the construction of the shaft, minimize the amount of easement area that the city would need to permanently acquire and would be less disruptive to the site.

The speakers in favor of the application speaking on March 17, 1999 included a representative of DEP, a representative of DCAS, a representative of the Manhattan Borough President, two representatives of Community Board 2, and three members of the community.

The representative of DEP stated that DEP examined several sites for the shaft and determined that the proposed site best met its needs. DEP and DCAS stated that it is reviewing the property owner's proposal that would involve DEP leasing the site during construction and moving the subsurface chamber partially under the adjacent streets. They also indicated that it was possible that at least part of the site could be used by the site's owner as a public parking lot during construction.

The representative of the Manhattan Borough President reiterated her approval of the application and added that the property owner's latest proposal should be reviewed by Community Board 2.

The other speakers generally expressed the need for active open space in the area and stated that the proposed site, after construction of Shaft 28B is completed, provides an opportunity for development as a much needed active recreation space.

There were no other speakers and the hearing was closed.

**CONSIDERATION**

The City Planning Commission believes that the application of the Department of Environmental Protection and the Department of Citywide Administrative Services for site selection and acquisition of property located at 388/402 Hudson Street (Block 581, Lot 45), Borough of Manhattan, Community District 2, for construction of a water tunnel shaft (Shaft 28B) for City Water Tunnel No. 3. is appropriate.

City Tunnel No. 3 is as an integral part of New York City's water supply system that will improve water quality, help to alleviate serious pressure deficiencies during peak demand and ensure that the City's future water needs are met.

The site is the original site that was identified on a drawing entitled "Profile: City Tunnel No. 3, Stage 2" (accession No. NS 2099), and approved by the Board of Estimate on July 19, 1973 (Cal. No. 19), in a resolution which adopted the report, map and plan, and the profile for stage 2 of City Tunnel No. 3.

DEP has indicated that other sites were also considered as alternative locations for Shaft 28B, but were found to be unsuitable for various reasons including: inadequate size; located too close to the Shaft 29B site and/or an active public park or not located along the proposed tunnel route.

The site is located along the tunnel route which is proposed to run along Hudson Street in this area. Close proximity to the proposed tunnel would minimize the amount of tunneling, reduce cost and construction related impacts. Also, the type of soil, the depth to bedrock and the quality of the rock at this location have been found to be satisfactory for the construction of this project.

The site is approximately 25,000 square feet in area which is large enough to accommodate the necessary construction equipment, material and parking for workers. This will minimize disruption to surrounding land uses by eliminating the need for trucks coming to the site to use the local streets for parking and storage.

DEP has indicated that all trucks delivering equipment and concrete to the site or removing excavated materials from the site would use Varick/Hudson Streets and Canal Street to and from the Holland Tunnel. These streets are all readily accessible NYC Department of Transportation approved truck routes.

The City Planning Commission notes that this application is solely for the use of the site to facilitate the construction of a water tunnel shaft and distribution chamber. The Commission further notes that during the ULURP review of this application, the site's owner expressed his desire to retain ownership and use of the site both during and after construction of the shaft. The Commission is aware of on-going negotiations between the City and the site's owner. The Commission is also aware of communications between DEP and the Parks Department concerning the use of this



site and other similar sites for tunnel shafts as parks after completion of construction. The use of this site subsequent to construction will depend largely on the result of the negotiations between the City and the site's owner.

**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 Section 197-c of the New York City Charter, that based on the environmental determination and consideration described in this report, the application (C 930200 PCM) of the Department of Environmental Protection and the Department of Citywide Administrative Services for site selection and acquisition of property located at 388/402 Hudson Street (Block 581, Lot 45), Borough of Manhattan, Community District 2, for construction of a water tunnel shaft (Shaft 28B) for City Water Tunnel No. 3. is approved.

The above resolution, duly adopted by the City Planning Commission on April 5, 1999 (Calendar No. 2), is filed with the Office of the Speaker, City Council and the Borough President of the Manhattan, in accordance with the requirements of Section 197-d of the New York City Charter.

JOSEPH B. ROSE, Chairman  
VICTOR G. ALICEA, Vice-Chairman,  
ALBERT ABNEY, ANGELA M. BATTAGLIA, AMANDA M. BURDEN, A.I.C.P.,  
IRWIN G. CANTOR, P.E., ALEXANDER GARVIN, ANTHONY I. GIACOBBE,  
ESQ., WILLIAM J. GRINKER, BRENDA LEVIN, EDWARD T. ROGOWSKY, JACOB  
B. WARD, ESQ., Commissioners.

NOV 16 1998

Community/Borough Board Recommendation

CITY PLANNING COMMISSION 22 Rector Street, New York, NY 10007 FAX # (212) 720-3356

INSTRUCTIONS

- 1. Return this completed form with any attached notes to the Planning Information Office, City Planning Commission, Room 111 at the above address.
2. Send a copy of the completed form with any attachments to the applicant's representative as indicated on the Notice of Certification and one copy to the Borough President, and one copy to the Borough Board, when applicable.

APPLICATION # C 930200 PCM

DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site selection and acquisition of property located at 388-402 Hudson Street (Block 591, Lot 45), Borough of Manhattan, Community District 2, for construction of a water tunnel shaft (Shaft 288) for City Water Tunnel No. 3.

COMMUNITY BOARD NO. 1 BOROUGH Manhattan

BOROUGH BOARD

DATE OF PUBLIC HEARING 11/10/98 WAS QUORUM PRESENT? YES NO

LOCATION Ruffin Lane Gallery A public hearing shall be held on the 3rd day of the month of the year...

NOTE ADOPTING RECOMMENDATION TAKEN DATE 12/17/98

LOCATION St. Vincent's Hospital, 170 W. 12th St

RECOMMENDATION

- APPROVE APPROVE WITH MODIFICATIONS/CONDITIONS DISAPPROVE DISAPPROVE WITH MODIFICATIONS/CONDITIONS

EXPLANATION OF RECOMMENDATION-MODIFICATION/CONDITIONS (attach additional sheets if necessary)

See attached resolution.

VOTING IN FAVOR 30 AGAINST 0 ABSTAINING 0

TOTAL MEMBERS APPOINTED TO BOARD 49 COMMUNITY/BOROUGH BOARD OFFICER

DATE 12/31/98 TITLE Dist Mgr



*Palmer*  
*c.c. Manh. D.C.P.*  
*Status office*

**CITY OF NEW YORK  
COMMUNITY BOARD NO. 2, MANHATTAN**

3 Washington Square Village • New York, New York 10012-1699 • (212) 979-2272 • FAX (212) 254-5102  
Greenwich Village • Little Italy • SoHo • NoHo

December 31, 1998

Alan Jay Gerson  
Chair

James M. Smith  
Vice-Chair

Lora J. Tenenbaum  
Vice-Chair

Carol Yankey  
Secretary

Doris E. Nash  
Assistant Secretary

Carol S. Reichman  
Treasurer

Arthur W. Strickler  
District Manager

Joseph Rose, Chair  
City Planning Commission  
22 Reade Street  
New York, New York 10007

Randal Fong  
Assistant Commissioner  
Bureau of Planning  
NYC Dept. of Citywide  
Administrative Services  
1 Centre Street, 20th Floor So.  
New York, NY 10007

Joel A. Miele, Sr.  
P.E., Commissioner  
Dept. of Environmental  
Protection  
59-17 Junction Boulevard  
Elmhurst, N.Y. 11373-3640

*930200PCM*

Dear Chairman Rose, Commissioner Miele, and Assistant Commissioner Fong:

At its full Board meeting on December 17, 1998, Community Board #2-Manhattan (CB#2-Man.) adopted the following resolution:

DEP and DCAS application for site selection and acquisition of 388-402 Hudson Street (bet. S. Houston and Clarkson Streets) for water tunnel shaft.

WHEREAS, CB#2-Man. appreciates the participation of three representatives from the DEP, including Deputy Commissioner Robert Gaffogico, as well as Peter Pfeffer from City Planning, in the hearing process because they were able to discuss with us our concerns about the construction of a shaft right next to the City-As-School building occupying the remainder of the block, which houses four high schools that are largely attended by at-risk students; and


WHEREAS, after the approximately 100 feet of soil is removed in the conventional manner, there will be some controlled blasting, but it will be over 100 feet down and also the remaining 400 or so feet of bedrock will be removed from the bottom and taken out through a tunnel opening in Chelsea, and


WHEREAS, the soil will be tested for toxicity, the current parking lot will, when the project is completed be converted into a park as requested by CB#2-Man. (although CB#2-Man. notes that it intends to explore the possibility of a park design that could most benefit the students at City As School Building as well as the wider community) and the site will be eligible for a Percent for Art project;

THEREFORE BE IT RESOLVED that CB#2-Man. supports the application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services for site selection and acquisition of property located at 388-402 Hudson Street for construction of a water tunnel shaft.

Vote: Unanimous, with 30 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,  
  
Alan Jay Gerson, Chair  
Community Board #2, Manhattan

  
Lora Tenenbaum, Chair  
Zoning and Housing Committee  
Community Board #2, Manhattan

AJG/fa

cc: Hon. Catherine Abate, NYS Senator - via fax  
Hon. Deborah Glick, NYS Assemblymember - via fax  
Hon. Thomas Duane, Councilmember - via fax  
Hon. Kathryn Freed, Councilmember - via fax  
Hon. Margarita Lopez, Councilmember  
Hon. C. Virginia Fields, Man. Borough President - via fax  
Commissioner Rosemarie O'Keefe, CAU - via fax  
Dirk McCall, Community Liaison, MPBO - via fax  
Mr. John Young, Deputy Director, Dept. of City Planning  
Vivian Awner, Community Board Liaison, Dept. of City Planning

PARNES

# Borough President Recommendation

**CITY PLANNING COMMISSION**  
22 Reade Street, New York, NY 10007  
FAX# (212) 720-3388

### INSTRUCTIONS

1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address
2. Send one copy with any attachments to the applicant's representative as indicated on the Notice of Certification.

APPLICATION # C 930200 PCM

### DOCKET DESCRIPTION

IN THE MATTER OF an application submitted by the Department of Environmental Protection and the Department of Citywide Administrative Services pursuant to Section 197-c of the New York City Charter for site Selection and acquisition of property located at 388-482 Hudson Street (Block 981, Lot 45), Borough of Manhattan, Community District 2, for construction of a water tunnel shaft (Shaft 28B) for City Water Tunnel No. 1.

COMMUNITY BOARD NO. 2

BOROUGH Manhattan

### RECOMMENDATION

- APPROVE  
 APPROVE WITH MODIFICATIONS/CONDITIONS (List below)  
 DISAPPROVE

EXPLANATION OF RECOMMENDATION - MODIFICATION/CONDITIONS (Attach additional sheets if necessary)

CITY PLANNING COMMISSION  
99 FEB -3 PM 3:20  
DEPT. OF CITY PLANNING

  
BOROUGH PRESIDENT

2/2/99  
DATE



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

MUNICIPAL BUILDING  
NEW YORK, N.Y. 10007  
(212) 669-8300

C VIRGINIA FIELDS  
BOROUGH PRESIDENT

CITY CLERKING  
99 FEB -3 PM 3:20  
DEPT. OF CITY PLANNING

February 3, 1999

ULURP NO.:

C 930200 PCM

APPLICANT:

New York City Department of Environmental Protection (DEP)  
New York City Department of Citywide Administrative Services (DCAS)

REQUEST:

The application is submitted pursuant to Sections 197-C of the New York City Charter for site selection and acquisition of property located at 388-402 Hudson Street (Block 581, Lot 45), Borough of Manhattan, Community District 2, for construction of water tunnel shaft 28-B for City Water Tunnel Number-3.

In addition, the proposed project would require a Tunneling Permit in compliance with the New York City Noise Code. DEP also requires a public easement for construction and access to the distribution chamber periodically after it is built

PROJECT BACKGROUND/DESCRIPTION:

DEP seeks to acquire the property located at Block 581, Lot 45 for construction of Shaft 28-B of the Third Water Tunnel, Stage Two. The site is privately-owned property used as a parking lot and is bounded on the west by Hudson Street, on the north by Clarkson Street, on the south by Houston Street and to the east on the same block by the City-as-School High School (Lot 54). The site is located in an M1-5 zone

After construction of the shaft, the site will be under the jurisdiction of DCAS, except that DEP will require a permanent easement for access to the service hatchways above the completed shaft. Due to the significant interest by the community and the Department of Parks and Recreation in having the site become open space/parkland after construction, the applicants have committed to

converting the site into a public park after completion of the shaft project.

The Third Water Tunnel is designed to increase the system's capacity, enhance peak flow capacity, improve water pressure in outlying areas, permit inspection and repair of the existing Water Tunnels 1 and 2, and provide backup service in the event of a system failure.

Shaft 28-B will be approximately 445 feet deep. The upper portion will be through approximately 100 feet of overburden soil and the lower 345 feet will be through solid rock. At depth, upon completion, shaft 28-B will connect with the Third Water Tunnel's Manhattan stage.

Upon completion of the shaft, a subsurface distribution chamber (approximately 2,500 square feet in size) would be built on top of the shaft at approximately three feet below grade. The distribution chamber would contain water supply pipes which would be connected to the existing surface water mains. Access to the chamber would be allowed through two hatchways (approximately 15 square feet each) at ground elevation. A vent of 14-inches in diameter approximately 10 feet high will provide air to the chamber.

Construction of Shaft 28-B will commence after the site is enclosed with tight fencing, which will be removed after construction is completed. 24-hour security will be provided at the construction site by DEP. Soil will be excavated using two basic methods: overburden material will be dug out and removed from the site by truck, after any subsurface facilities are first relocated. Solid rock will be excavated using the "raised bore" method. This method involves drilling a pilot hole to the previously excavated water tunnel. At this point, a reaming head is placed below the hole and the shaft is excavated to the required diameter by reaming. The upper diameter shaft in rock will be enlarged to the required dimension by blasting and trimming. Excavated rock material will be removed through the tunnel to the Shaft 26-B site at 10th Avenue and West 30th Street. The shaft will then be lined with concrete.

Shaft excavation work and concreting is to be done by working one or two 8-hour shifts, 5 days per week. Construction activities are proposed between the hours of 7:00 a.m. and 11:00 p.m. However, DEP is proposing also to limit excavation of overburden, trucking that material, blasting and trimming of rock to the hours of 7:00 a.m. and 7:00 p.m. An exception to this schedule allowing work to continue to 10:00 p.m. may be approved by the Fire Department on a case-by-case basis.

The construction will be phased as follows:

- |   |           |
|---|-----------|
| • site prep. and clean up:  | 2 months  |
| • construction of shaft in overburden:                            | 12 months |
| • rock excavation and shaft lining:                               | 11 months |
| • excavation and construction of distribution chamber and risers: | 21 months |
| • clean up:   | 2 months. |

#### SUMMARY OF COMMUNITY BOARD 2's ACTION

Community Board 2 approved the application by a vote of 30 in favor and none opposed.



Community Board 2's supporting resolution for the acquisition and construction of shaft 28-B at the selected site noted that DEP addressed concerns about construction adjacent to the neighboring City-as-School facility and committed to converting the site to a park subsequent to completion of the project.

BOROUGH PRESIDENT ACTION:

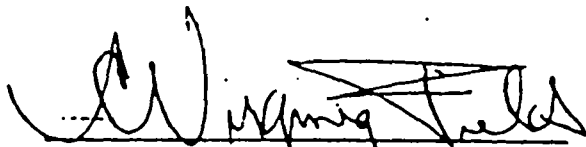
- The Manhattan Borough President recommends approval
- The Manhattan Borough President recommends disapproval.
- The Manhattan Borough President recommends approval, subject to the condition detailed below.
- The Manhattan Borough President recommends disapproval, unless the condition detailed below is addressed as described.

COMMENTS:

The Borough President understands the need for the project and recognizes the opportunity for the creation of open space at the site subsequent to the project's completion. The Borough President approves the project and urges DEP to conduct its work in a fashion sensitive to community concerns, especially as it relates to avoiding noise and other disruption at the four schools using the City-as-School facility.

Due to the significant interest by the community and the Department of Parks and Recreation in having the site become open space/parkland after construction, the Borough President supports the conversion of the site into a public park after completion of the shaft project. The Borough President recommends that the park be designed in cooperation with the community and its elected representatives.

Report and Recommendation Accepted:



C. Virginia Fields  
Borough President