

GWAPP

Position Paper No. 3

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The Proposed Clean Point Energy, LLC Power Plant: An Incompatible Land Use for a Scenic and Historic Waterfront Area¹

Preliminary Statement

This position paper evaluates the land use issues related to the proposed siting of the Clean Point Energy, LLC 1000-1500 megawatt (“MW”) power plant at the Bayside site on the Brooklyn East River waterfront. It reviews all recent and current planning studies for this site, including the New York City Comprehensive Waterfront Plan (the State’s Coastal Management Plan for New York City), the New York City Planning Department’s Plan for the Brooklyn Waterfront and the Brooklyn Community Board One 197a Plan for Williamsburg. All of these plans recommend, at a minimum, rezoning this area to M-1, light industry. The most recent document, the Williamsburg 197a plan, recommends a new residential/light manufacturing mixed use. This paper evaluates how the proposed project defies fundamental principals of urban planning by proposing to locate a power plant adjacent to existing residential dwellings, next to an important historic site (the construction and launch site of the Civil War ironclad U.S.S. Monitor) and within two blocks of two schools, the area’s main regional park, a church, a

¹ The Policy & Planning Group of Greenpoint Waterfront Association for Parks and Planning, Inc. (“GWAPP”) is issuing this policy paper as part of a series to express the community’s studied opposition to the Clean Point Energy company’s project to develop a power plant at the Bayside site in Brooklyn. This paper is based upon the following sources: Stipulation Pursuant to Section 17-0303 of the Environmental Conservation Law and Section 176 of the Navigation Law by: Texaco Refining & Marketing, Inc. Spill #9804544 dated July, 1998; The New York City Comprehensive Waterfront Plan - 1992 (NYCDPC 92-27); Brooklyn Community Board One’s 197a Plan for Williamsburg, Brooklyn (January 1999), The New Waterfront Revitalization Program, A Proposed 197a Plan for Restructuring New York City’s Waterfront Policies and Consistency Review Process (NYCDPC 1999)

landmarked historic district and a new New York State/New York University (“NYU”) waterfront recreational park. This paper further reviews each significant planning document as it relates to the Bayside site, along with recommendations included in the planning studies. The paper concludes that the location for the proposed Clean Point Energy power plant is wholly incongruous to any proposed land use plans for the site.

Background

Once lined with thriving maritime industry, Greenpoint/Williamsburg’s East River waterfront now consists primarily of decaying piers and abandoned or under-utilized buildings. Even in the face of the longest period of sustained economic growth in U.S. history, owners of these properties have been unable to attract sustained industrial or manufacturing use. We are no longer in an industrial/heavy manufacturing economy. As a result, many of the industrial properties in this area have become utilized for residential purposes allowing owners to generate revenue from what would otherwise be empty, dormant spaces. From below the Williamsburg Bridge up to the Newtown Creek, property is being rezoned for residential use, and swaths of land are being cleared for a proposed park and other non-industrial waterfront developments. In fact, Dun & Bradstreet has reported that the waterfront from the Bushwick Creek Inlet to Newtown Creek, while still zoned M-3 for heavy industry, is home to fewer than 500 jobs in businesses that require manufacturing zoning.

One of the ironies of this process is that although the waterfront industry has disappeared, the Greenpoint/Williamsburg community is still almost completely cut-off from any access to the East River, including its spectacular views of the Manhattan skyline. Other world class cities like London, Paris, and

Amsterdam cherish and preserve their waterfronts. Yet, in what many people would consider the capital of the world, New York City, the community of North Brooklyn has been denied the pleasure of open-space activities necessary to ensure a basic quality of life in a large urban metropolitan area. The only exception to this situation is a less than a one-quarter acre park at Grand Street, intended to serve the waterfront access needs of a community of over 140,000 people. Indeed, this park has been recently marred by the construction of a 44 MW NYPA power plant directly next to it.

The Bayside Site

The Bayside Site is an 8.4-acre riverfront parcel, fronting both on the East River and the Bushwick Creek Inlet. Once a part of the Astral Oil Company, it has long been occupied by fuel oil storage tanks. While the site does have some subsurface contamination from petroleum products, a consent stipulation between the New York State Department of Environmental Conservation and the former owner, Texaco Refining & Marketing, requires Texaco to pay for remediation of the site. As such, a unique opportunity exists to clean up the only contaminated site on the East River from the proposed New York State/NYU waterfront recreational park to the Newtown Creek and upgrade it to a use more compatible with the surrounding area. The proposed power plant would not be utilizing water from the East River. Thus, it cannot be considered a “water-dependent” use, further indicating its incompatibility with current and future land use.

The surrounding area also demonstrates the site is inappropriate for the use being proposed by Clean Point Energy. Specifically, the property is directly adjacent to residences and within two blocks of two schools, the area’s main regional park, a new NYS/NYU waterfront park and a landmarked historic district. In

addition, there are plans to designate the adjacent property to the north as a National Park Service site to honor the construction and launching of the Civil War ironclad U.S.S. Monitor. This ship occupies a very significant a place in U.S. maritime history. In fact, even the Lake Erie site where the ore used to build the Monitor was mined has been designated as a historically significant area. There are congressional efforts to secure designation as a National Park site of this location, with a museum and adjacent recreational marine-based uses. A power plant is inappropriate for the adjacent site.

Past and Present Waterfront Planning Studies

Over the past two-decades numerous planning efforts have been undertaken to analyze and recommend future development for this area of Brooklyn East River Waterfront, including the Bayside site. These studies include the following:

- New York City Department of City Planning - Comprehensive Waterfront Plan (NYCDPC 92-27);
- New York City Department of City Planning Report on Investing in the Waterfront: The New York City Revitalization Plan - 1997 (NYCDPC 97-01);
- The New Waterfront Revitalization Program: A Proposed 197a Plan for Restructuring New York City's Waterfront Policies and Consistency Review Process (NYCDPC 1999);
- Brooklyn Community Board One's 197a Plan for Williamsburg, Brooklyn (January 1999).

Each of these plans recommends the conversion of this area to light manufacturing, medium density commercial/residential and mixed use with waterfront open space,

medium density commercial/residential and mixed use with waterfront open space, as opposed to the proposal by Clean Point Energy, which would add what is perhaps the most dominating heavy industrial use possible.

For example, the New York City Department of City Planning's Comprehensive Waterfront Plan from 1992, which has been adopted as the New York State Coastal Management Plan for New York City, calls for the site to be rezoned from M3 (heavy industry) to an M1(light industry) buffer zone.

Local community planning documents have also reiterated the City Planning Commission's recommendations for the Bayside site. Thus, the Brooklyn Community Board One's 197a Plan for Williamsburg, Brooklyn calls for converting the property to mixed commercial and residential use. In addition, The New Waterfront Revitalization Program reiterates earlier plans for upgrading the zoning out of M-3 while recommending "Significant Maritime Industrial Use" areas, including the area around the Newtown Creek and the Brooklyn Navy Yard, as locations for continued heavy industry.

Conclusion

The Bayside Site is inappropriate for the construction of a power plant. From the NYS/NYU waterfront park to Newtown Creek, the Bayside site is the only parcel that currently requires an M-3, designation. With the DEC/Texaco Stipulation, can be converted to a higher and more contextual use. This site sits adjacent to residences and an area being designated as a national landmark. In addition, the proposed plant abuts residences and is within 2 blocks of two schools, a Catholic church, the area's main regional park, the NYS/NYU park and a landmarked historic district. Further, every planning report studying the area has called for upgrading out of M-3 heavy industry. As a result, the Clean Point Energy plan to locate a power

plant on at the Bayside site will destroy a one-time opportunity to clean up the site for uses other than heavy industry, and will create a serious impediment to an otherwise rapid movement toward the conversion of the community's waterfront to parks and housing.