

PRE-APPLICATION MEMORANDUM

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From: Stephan Solzhenitsyn, Ingrid Young

Date: June 11, 2002

**Subject: Trans Gas Energy Facility
Land Use, Cultural and Visual Analyses; Pre-Application Consultation;
Response comments are required by June 24, 2002**

This memo is being sent electronically with the exception of the graphics and photographs. A hard copy complete with graphics will be forwarded via FedEx for morning delivery.

This memorandum addresses several inter-related pre-application consultations required pursuant to the Study Stipulations executed for the Trans Gas Energy Facility ("Project"). The consultations relate to the identification of specific areas or locations warranted for cultural resource, visual resource and land use studies. The memorandum summarizes work conducted to date, proposes such specific areas and locations, and invites comment.

I. Background – Study Stipulations

The relevant stipulations are as follows:

Cultural Resources (Stipulation 2), Clause 4(b): consultation with appropriate state and local agencies, including DPS Staff, DEC Staff, OPRHP, NYC Landmarks Preservation Commission and Brooklyn Borough Historian regarding the appropriateness of the scope of work for the architectural/visual survey prior to the commencement of the survey, so as to identify designated landmarks and National Register listed or eligible properties within the "Area of Potential Effect" (APE), based on a viewshed map within the study area identified in Stipulation 10 (Aesthetics and Visual Resources);

Land Use (Stipulation 5), Clause 2(e)(ii): In consultation with the Task Force, DPS, NYC and DEC, which consultation is subject to timely responses by the aforementioned parties, TGE will

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identify key neighborhood and community resources, including open space resources beyond adjacent surface waters and recreation resources likely to be affected by multiple impacts (traffic, air quality, noise, visual impacts, etc.) due to facility construction and operation, with appropriate cross-references to studies conducted for the purpose of this Project; written input from the parties will be due within 10 days of receipt of an e-mailed list of proposed resources. Pursuant to *Stipulation 10, Clause 4(b)* the key neighborhood and community resources identified pursuant to Stipulation 5, Clause 2(e)(ii) will be shown on the viewshed map and evaluated in the field. Photographs will be taken from these locations to document existing views towards the Project.

Aesthetics and Visual Resources (Stipulation 10), Clause 5(a): To select viewpoints for the use in preparation of visual simulation locations, the Applicant will compile an initial inventory of views from recognized scenic and historic resources, areas of local interest, streetscapes, waterfront and recreational resources, with an initial indication of project visibility from such locations. Elements of urban design will also be addressed. On the basis of the initial inventory, TGE will confer with its cultural and historic resources consultants and as many of the following agencies/organizations that choose to participate on a timely basis: NYSDPS, NYSDEC, Office of Parks Recreation and Historic Preservation (OPRHP), New York City Landmarks Preservation Commission, Borough Historian, New York City Department of City Planning, New York State Department of State's Division of Coastal Resources (DOS) and the Task Force. Said initial inventory shall be provided to the aforementioned agencies/organizations by TGE and comments will be due within 10 days thereafter.

II. Development of Viewshed Map

TRC has agreed to an approach whereby a viewshed map would be developed as a screening tool to identify areas of potential visual impact. Viewshed mapping typically relies on topography and vegetation to identify lines-of-sight between an object and any given viewpoint. In the relatively flat and heavily developed urban environment of New York City, this approach is not satisfactory, because buildings act as the primary obstruction to view, as well as offering views from rooftops or upper floors. Therefore, TRC conducted its visual analysis on the basis of topography and a comprehensive database of buildings in the nearby study area. The buildings database includes structures above 30 feet. In near field locations, TRC supplemented this database with a field survey. Other changes to the database included the City Lights and Avalon buildings in Queens, and accounting for the dismantling in 2001 of the old Brooklyn Union (KeySpan) gas tanks at its Greenpoint energy complex. The study area has been increased substantially toward the north and south to capture East River views; west into Midtown and Lower Manhattan, in order to ensure that visual modeling accurately accounts for Manhattan buildings visible from Greenpoint and Williamsburg; and east-northeast to account for areas of higher terrain across the Newtown Creek in Queens.

The viewshed map is not a tool that establishes the certainty of visibility from any given location. Rather, it is a conservative tool meant to highlight areas where views are likely, and that should be studied further. In order to help differentiate between views of only the Project stack and views of the primary buildings, the viewshed map was conducted on the basis of several points within the building complex: the 325-foot tall stack, and three additional set-points at a 130-foot tall elevation in the west, middle and east of the Facility. Any ground-level or sea-level location with a view of one of the three points (not counting the stack), is designated on the viewshed map

as having visibility of some portion of the Facility buildings other than just the stack. Generally, the viewshed map confirms that the most prominent area of visibility for the proposed Project will be the East River, including views along and across this water body. Areas with views of only the stack are also identified. Finally, buildings are identified by footprint as well as rooftop areas affording views.

III. Cultural Resources Within the Viewshed (Stipulation 2, Clause 4(b))

Simultaneous with the development of the viewshed map, TRC examined the National/State Register of Historic Places and New York City Landmarks databases¹. Several hundred properties have been identified. Each property location was placed onto the viewshed map with the assistance of Geographic Information Systems (GIS) software. The viewshed area, as described above, was relied upon as the “Area of Potential Effect” (APE). This is especially appropriate because any individual historic properties with potential upper-floor or rooftop views are accounted for in the viewshed modeling. Historic (or Landmark) districts with any point showing potential visibility of the Project stack or other structures are being considered overlapping the APE and requiring further study. Similarly, individual properties within or immediately adjacent to the APE are being considered for further study as well.

On the basis of its examination of historic properties, overlaid onto the APE shown on the viewshed map, TRC has identified approximately 50 properties or districts for its architectural/visual survey. These properties/districts are listed in Table 1. The status of each as a National Register and/or City Landmark property is identified. The proposed scope of further work is to field visit each historic property (except those already visited in the initial visual resource survey in April 2002), and to conduct a location-specific assessment of the likelihood for visibility of the Project from this location, including photographic documentation. If there are any properties from which views are obstructed due primarily to summer vegetation, such properties will be field inspected a second time during leaf-off conditions. For districts, points within the APE will be visited. Within districts, the point(s) with the most open views toward the Project site will be examined.

Pursuant to Stipulation 2, Clause 4(b), we are soliciting the input of OPRHP, DPS Staff, DEC Staff, NYC Landmarks Preservation Commission and Brooklyn Borough Historian regarding the appropriateness of the aforementioned scope of work for the architectural/visual survey.

IV. Neighborhood, Open Space & Recreation Resources, including Urban Design Considerations (Land Uses and Local Laws, Stipulation 5, Clause 2(e)(ii))

The study stipulations expressly recognize the nexus between the land use and visual studies, among others, specifying that key neighborhood and community resources, including open space resources beyond adjacent surface waters and recreation resources likely to be affected by multiple impacts, be shown on the viewshed map and included in the visual analysis. On the basis of field surveys (weekday and weekend), as well as available literature, including the Williamsburg Waterfront and Greenpoint 197-a Plans, TRC proposes the following list of

¹ Note that other resources such as state parks and heritage areas are identified pursuant to the DEC’s visual resources policy, also described in this memorandum. However, only National/State Register and City Landmark properties are considered for the limited purposes of the cultural resources study, which is an analysis that typically supports specific determinations under either Section 106 of the National Historic Preservation Act or Section 14.09 of the NYS Parks, Recreation and Historic Preservation Law.

resources as a framework for analysis. Pursuant to Stipulation 10, Clause 4(b), these areas are proposed to be shown on the viewshed map.

1. McCarren Park, including the Automotive High School and JHS 126. This area includes tennis courts, softball fields, a running track and the architecturally prominent, and presently closed, McCarren Park pool. McCarren Park is a focal point of recreational activity (both active and passive). Its geographic situation is also important in that it has frontage onto three disparate (odd-angle) grids, thus accentuating its centrality from an urban design standpoint. By extension, analysis of this resource will include its connection to the waterfront along North 14th Street, as described in the Greenpoint 197-a Plan. Although located at North 15th Street, the Holy Family Church also faces this departure point from McCarren Park, and can be grouped in this resource area. The initial viewpoint analysis includes 10 viewpoints along or within the park area. This includes four views along North 12th Street (toward the Project site), one of which is adjacent to the Russian Orthodox Cathedral of the Transfiguration. Other impacts to be studied at McCarren Park will include traffic and noise.
2. Greenpoint Commercial Core and Eastern Portion of Historic District. Primarily centered around Manhattan Avenue, Greenpoint's commercial core is characterized by a strong presence of streetwalls and active shopping and other commercial activities. North-south streets predominate in terms of pedestrian traffic and activity. However, cross streets (Norman, Meserole, Calyer) provide certain visual corridors toward the waterfront that are proposed for examination. Eight different viewpoints have been included in the initial viewpoint analysis – four along Meserole Avenue and four along Norman Avenue. An additional viewpoint representing the eastern portion of the Greenpoint Historic District is proposed at or around the Manhattan Avenue/Greenpoint Avenue intersection, near St. Anthony and St. Alphonsus churches. Other impacts to be studied here will be traffic patterns at major intersections (for examples, levels of service at McGuinness Boulevard / Nassau Street).
3. Greenpoint Waterfront and Western Portion of Historic District. The western portion of the Greenpoint Historic District faces a two-block deep waterfront zone characterized by large industrial buildings (both former and active) including the Greenpoint Terminal Market complex. At the center of this interface is Franklin Street. Here, the American Playground is a specific recreational resource that will be considered in the land use and visual studies. Viewpoints have been identified both along Franklin Street and along West Street. Critical attention will also be paid to the Noble Street view of the East River and visibility from the WNYC transmitter and park site. The Franklin Street/Greenpoint Avenue intersection will be studied from a traffic impact perspective.
4. The Bushwick Inlet Area. Because of its immediate proximity to the Project site, the Bushwick Inlet area (including MTA and Consolidated Freightways parcels) will be studied. The study will focus on present conditions, adjacent land uses and the various planning proposals for the area, including habitat preservation/enhancement, Monitor site, and boating uses. Proposed viewpoints immediately on the Bushwick Inlet shorefront are not designated on the viewshed map because the better vehicle for visual analysis at close proximity will be the Project's architectural renderings.
5. Northside Waterfront and Kent Avenue. Anchored by the former Eastern District Terminal site, this area is generally characterized by relatively open views and little

uniformity. Two blocks of this waterfront are under New York State control for conversion into parkland and active recreation under a partnership with NYU. Land use and visual analysis of this area will consider present conditions and community plans. Several viewpoints along Kent Avenue, near the 184 Kent Avenue redevelopment, and at Grand Ferry Park are included in the initial viewpoint analysis.

6. Northside Commercial Core. Unlike the Northside waterfront, the commercial core of the Northside, along Bedford Avenue, is highly developed and growing, with nearby subway access at North 7th Street. Industrial building conversions have enabled a diversification of economic activity in the area. Views of the Project are generally not expected in this area.
7. Manhattan East River Waterfront Below 23rd Street. Land along FDR Drive and toward the east, including the East River Park is characterized by open views toward Brooklyn. FDR Drive itself helps to create more open views, and is also the dominant noise source in the area. The area's land use is well defined, and Project impacts will be limited to visibility.

In addition to the areas described above, open space or recreation resources in more distant areas of Greenpoint and Williamsburg may be identified pursuant to the visual resources analysis described below.

Pursuant to Stipulation 5, Clause 2(e)(ii), we are soliciting input from the Task Force, DPS, NYC and DEC regarding the foregoing proposed identification of key neighborhoods and community resources, including open space resources and recreational resources *likely to be affected by multiple impacts.

V. City and State Criteria for Viewpoint Selection (Stipulation No. 10: Aesthetics and Visual Resources, Clause 5(a))

In addition to the historic, recreational, waterfront and urban design-based criteria described above, New York City and New York State have both set forth as policy certain criteria for selecting viewpoints. Thus, viewpoints represented as part of this initial consultation have been selected from the following CEQR criteria:

- public view corridor or vista
- views of the waterfront (including view of water, across water and along water)
- views from public parks
- views from landmark structures or districts

Additional criteria, in the consideration of viewpoints include the proximity of the viewpoint to the Project, and the representative nature of a view, especially from unobstructed areas, such as the East River.

The NYS Department of Environmental Conservation has also issued a policy that provides for an inventory of various specific types of aesthetic resources which have scenic value and in which the state therefore has an interest. The NYSDEC inventory criteria were applied in order to obtain a more complete list of proposed viewpoints. As with historic resources, these were overlaid onto the Viewshed Map.

The NYSDEC Policy includes National and State Register historic properties. These were discussed above. Also, numerous NYSDEC Policy scenic categories are not found in the study area: State Forest Preserve,

National Wildlife Refuges, National Natural Landmarks, Wild and Scenic Rivers, Article 49 or Environmental Bond Act scenic highways or properties, etc. However, there are state parks, urban cultural parks, and several properties that are part of the National Park System:

1. Empire-Fulton Ferry State Park, located 2 miles southwest of the Project site (adjacent to Brooklyn Bridge)
2. Gantry Plaza State Park, a part of the Queens West development
3. East River State Park (currently not available for public use)
4. "Harbor Park" State Heritage Area (located primarily in Lower Manhattan, but coincides with Empire-Fulton Ferry State Park)
5. Theodore Roosevelt Birthplace National Monument, located at 28 E. 20th Street
6. Gateway National Recreation Area is located approximately 7 miles southeast of the Project, entirely outside the study area
7. Castle Clinton National Monument, Battery Park
8. Federal Hall, Financial District, Manhattan
9. Lower East Side Tenement Museum

VI. Candidate Viewpoint Locations

On the basis of the foregoing historic, land use, waterfront, urban design and scenic considerations, a list of 66 candidate viewpoints has been compiled. The candidate viewpoint locations are concentrated mostly in Greenpoint and Williamsburg, but include areas in Manhattan and Queens, as well as on bridges over the East River. It is the goal of a viewpoint selection process to amass viewpoints representing a wide range of locations within the Project area. Photographs of many of these locations were taken during field visits on April 4th and 6th, 2002. Other locations have been identified on the basis of more recent viewshed mapping, and have not yet been photographed. Table 2 lists all the initially identified photographs. On subsequent pages, the existing leaf-off photographs are presented.

VII. Initial Indication of Project Visibility

The Project is generally expected to be visible at waterfront locations and along specific view corridors. The East River affords distant unobstructed views requiring further study. The photographs shows that views of the Bayside Oil tanks are presently available along Meserole Avenue, Norman Avenue and North 13th Street. Therefore, attention will be paid to impacts along these streets and similar adjacent streets.

On the basis of field investigations and viewshed mapping, we conclude that a broad list of potential viewpoints has been presented. Pursuant to Stipulation No. 10, Clause 5(a) we are soliciting input from NYSDDS, NYSDEC, Brooklyn Borough Historian, NYC Department of City Planning, NYSDOS and the Task Force concerning this initial inventory of viewpoints as to which of these (and/or which other) viewpoints should be chosen for the visual impact analysis to be presented in the Article X application.