



**New York City Department of City Planning
Land Use Public Hearing Regarding DEIS for Lower Concourse North/Pier 5
August 11, 2017
Lynn Kelly, Executive Director**

New Yorkers for Parks is the city's independent research-based advocacy organization championing quality parks for all New Yorkers. I write to you today in reference to the Draft Environmental Impact Statement regarding the Lower Concourse North/Pier 5 development proposal.

The Pier 5 site has a complicated, over 10 year history that we believe compels the City to provide a full and public re-accounting of the land use and zoning changes surrounding this parcel, as well as the larger context for Mill Pond Park, the Yankee Stadium replacement parkland, and the Gateway Mall open space development. We urge the City to take the lead on asking NYC Parks and the NYC Economic Development Corporation to make this information public, transparent, and easy for the public-at-large to understand. It is our understanding that approximately 5.51 acres of Mill Pond Park were mapped and constructed as part of the Yankee Stadium parkland replacement, and that the remaining 2.88 acres of Mill Pond Park, which are unmapped, were created through the Waterfront Access Plan as part of the Bronx Terminal Market/Gateway Mall development. Despite this, there is still a lingering public perception that the City has not made good on its promise to provide this open space to the community, and we believe a full, public accounting of the land use would go a long way toward clarifying whether the City has met its pre-existing obligations.

As recently as January of this year, the Pier 5 parcel (Block 2356, Lot 2) has been held in the jurisdiction of NYC Parks. We understand that this does not mean the site has been formally mapped as parkland, but we do believe that this has added to the perception that the Pier 5 space was intended to become an extension of Mill Pond Park, particularly in the absence of a full public accounting of the replacement parkland for Yankee Stadium, and the Bronx Terminal Market/Gateway open space.

Because there is no evidence that the site has been formally mapped as parkland, New Yorkers for Parks does not support a parkland alienation claim for the Pier 5 site, but we do have additional concerns that the City has mismanaged the narrative around the parcel for many years. As recently as June 21st, 2017, there is still signage at the entrances of Mill Pond Park that reference the Pier 5 parcel as "Future Park Extension/Futura Expansi3n del Parque". Long-term planning reports done with the participation of NYC Parks and local elected officials (including the Bronx Borough

President's office) identified Pier 5 as a site for future public open space and an extension of Mill Pond Park. While many reports and visioning conversations about what could happen with the space were aspirational and contingent upon funding being secured for the development of the site, we reiterate that the City helped create a public narrative around the Pier 5 site that is in many ways at odds with the current proposal to develop affordable housing on the parcel.

As New York City sinks further into an affordable housing crisis, we recognize the need to balance development opportunities for housing that is attainable for lower-income New Yorkers with meaningful open space provision. However, as the City moves forward with the larger Lower Concourse North Rezoning, which includes the proposal to develop the Pier 5 parcel as a mixed-use housing and public open space along the Harlem River, we believe that the City must be compelled to maximize public access at this location. We believe fundamentally that housing and open space must not be at odds, and that equitable and proper city planning will strike a balance between new residential units and meaningful open space for increased neighborhood density.

One of the major existing challenges for Mill Pond Park is the poor streetscape connectivity to the space, particularly at the confluence of 149th Street, River Avenue, and Exterior Street. This intersection is large and poorly planned for current pedestrian access, creating an existing barrier to more robust use of Mill Pond Park. As the City contemplates developing Pier 5 into housing and additional public open space, we urge the City to rethink the streetscape to encourage pedestrian safety, and provide safe access to the Pier 5 and Mill Pond Park sites. Without meaningful improvements to access, any housing built at the Pier 5 location will ultimately be marginalized and cut-off from the larger neighborhood, and park use will ultimately suffer. Parks that struggle to attract regular usership tend to also struggle with maintenance and safety challenges in the long term.

In the event that the City moves forward with developing the site, we urge the City to create an ironclad maintenance agreement with any future developer selected to build out the site. NYC Parks, while managing over 14% of New York City's land, still receives only one half of a percent of the overall City budget, meaning resources for maintenance and state-of-good-repair in our parks are already stretched to the limit. A maintenance agreement with the developer would ensure that the public open space included in the redevelopment of the Pier 5 site would remain at a high standard of care for years to come. This maintenance agreement should be included in the long-term lease with the City, and made publicly available.

Although the Bronx is considered "the borough of parks", the South Bronx in particular still suffers from an acute lack of open space relative to neighborhood density. Waterfront access in the South Bronx is especially lacking, and Mill Pond Park represents the only current public waterfront access in the entire South Bronx along the Harlem River and the confluence of the East River. As other boroughs have created expanded opportunities for waterfront access, we believe that the City should maximize public waterfront access at Pier 5 beyond a 20 foot esplanade. Advocates have long called for a kayak launch at Pier 5, and we believe there could still be an opportunity to integrate such active waterfront access and use at the site. Additionally, we have concerns that the waterfront greenway access constructed at Pier 1 just north of Mill Pond Park, which would allow for more

robust connectivity to Mill Pond and the Pier 5 site, is not currently publicly accessible as promised. The City should ensure that it is meeting its existing obligations to the community, and should maximize the public open space and waterfront access opportunities at the Pier 5 site.

Additional consideration should be given to integrating green infrastructure at the site that can help mitigate pollutants in runoff from the Major Deegan Expressway, while also providing protection of the site in the event of another Superstorm Sandy-type flooding event. There is already a pop-up wetland at the Pier 5 location that was built in partnership between the Bronx Council for Environmental Quality (BCEQ) and the United States Geological Survey (USGS), which demonstrates the importance of greywater management through relatively passive means. This kind of infrastructure will become even more important in the event that residential housing is constructed on part of the Pier 5 parcel.

Given the recent history of parkland in this section of the borough, the recent history of visioning the entirety of Pier 5 as complete public open space, and the almost complete lack of meaningful waterfront access in this part of the Bronx, we urge the City to move forward with the open space planning for this site with robust and meaningful public input and participation. We recognize that the City has the right to move forward with the development of this site as a mixture of affordable housing and public open space, but we also believe that the South Bronx has long lacked the kind of open space and waterfront access that other neighborhoods in the city have benefitted from. The Pier 5 development presents an opportunity to help create new public waterfront access and open space where it doesn't currently exist, and we believe the Lower Concourse North rezoning will be stronger for it. Thank you.

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