

**South Bronx Waterfront Brownfields Opportunity  
Area  
Nomination Study**

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Prepared by the Pratt Center for Community Development  
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# South Bronx Waterfront Brownfields Opportunity Area Nomination Study

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## *Executive Summary*

### **Members of the South Bronx Waterfront BOA**

The Point CDC

~~Sustainable South Bronx~~

Youth Ministries for Peace and Justice

Bronx Overall Economic Development Corporation

Pratt Center for Community Development ?

### **Introduction**

The area proposed for designation as the South Bronx Waterfront Brownfield Opportunity Area encompasses the densely-built up and closely-mixed neighborhoods on the east and west banks of the lower Bronx River, from the Cross-Bronx Expressway to the East River. The included maps shows the boundaries of the proposed SBWBOA, the major natural and man-made features that define it, and the three sub-areas proposed within the BOA.

The intent of including a large and diverse area within the BOA is to coordinate the many local planning efforts that are already underway, and to address brownfield redevelopment issues specific to the lower Bronx River corridor.





The SBWBOA partners view the Brownfields Opportunity Area planning and nomination process as a way to coordinate and consolidate planning ~~and~~ projects that are currently being undertaken by many city and state agencies within and impacting the proposed BOA, and to ensure that local stakeholders have a seat at the tables where decisions are being made. While the efforts of the public agencies are in many cases consistent with the goals of the BOA, their individual agency missions and mandates tend to reinforce a fragmented approach. The community-based organizations live with the totality of environmental and economic issues arising from brownfields on a daily basis, and have a history of seeking solutions that are integrative and which cross the boundaries of traditional agency turf. The BOA partners are well-positioned, and highly motivated, to bring the multiple levels and department<sup>s</sup> of government together with diverse local stakeholders (including businesses and institutions, as well as residents) to delineate a shared vision for the social, economic, and environmental regeneration of the lower Bronx River watershed.

*(response to DOS comment)*

The SBWBOA has focused on large-scale infrastructure and natural resources for several reasons. The sponsors are aware that this approach may differ from that taken by other BOA sponsors undertaking Step 2 studies.

- While there are numerous sites in the proposed BOA whose past or ongoing uses suggests that they are likely to be contaminated, *no* sites in the area are literally abandoned, and few are fully vacant. ~~Even in the current economic downturn,~~ there has been almost no increase in the number of properties taken *in rem* by the New York City Department of Finance for unpaid taxes. Sites identified as potential brownfields by the SBWBOA sponsors in their Step 1 study (attached) are in fact owned by private entities, who have been unwilling to negotiate either with the BOA sponsors or with private developers who have approached them.

Additional detail on the current status of these sites is provided in the body of the report.

- BOA sponsors who are municipalities have the ability to act directly to implement BOA plan recommendations, such as rezonings and infrastructure projects. Local governments may also own brownfield sites; this enables them to negotiate directly with potential developers, as well as to undertake site investigations to determine the nature and extent of contamination. The SBWBOA has achieved many of the objectives described in our Step 1 Report and Step 2 proposal through advocacy with city, state, and local agencies and officials; relevant outcomes are described in the report.
- The SBWBOA and its sponsors are not developers. Unlike BOAs initiated by non-profit developers, it is not the intent, nor within the capacity of the BOA sponsors, to acquire brownfield sites, assemble financing for pre-development and development expenses, and proceed with site investigations and negotiation of cleanup plans. We have instead focused upon developing local vision and parameters for the redevelopment of potential brownfield sites, advocating with city agencies, including the Department of City Planning, and engaging private developers who control significant parcels of land, including likely brownfields.
- Advocacy by the SBWBOA sponsors has already resulted in public actions – changes to infrastructure and policy – that have created significant environmental benefits within the BOA area. These include the termination of New York City’s  contract with NYOFCO, the scaling back of plans to expand the Hunts Point Water Pollution Control Plant, withdrawal of plans to construct a new prison in Hunts Point, and the development of the Bronx River and South Bronx Greenways. **The Greenway projects in particular have already catalyzed the  redevelopment of privately-owned brownfield sites in the area, as the proposed West Farms rezoning clearly demonstrates.** This dynamic – the purchase of industrially-zoned land by investors, who then pursue rezoning for higher-value residential use, as well as city and state subsidy for redevelopment, is likely to recur in other parts of the BOA, particularly in the Bronx River sub-area.

While both the infrastructure improvements and the remediation of contaminated sites are desirable outcomes, the BOA partners are wary of the potential for displacement of longtime low-income residents, and of industrial businesses that provide living wage employment and opportunities for economic mobility. Their goal is not to de-industrialize the area, which is one of the few places in New York City where land and building space is affordable to small manufacturers. Rather, their goal is to upgrade the environmental and economic performance of local industries, and where possible, increase job density and value-added production. The report prepared by the New York Industrial Retention Network (attached) identifies opportunities and challenges to growing the BOA area’s industrial job base outside of Hunts Point. (The Hunts Point Vision Plan, led by NYC EDC, articulates the City’s goals and implementation strategy for retaining and expanding industry in Hunts Point.)

## **Summary of BOA-wide and sub-area recommendations**

Three sub-areas are identified within the BOA, each with different characteristics and issues (see Figure 2 for boundaries):

Hunts Point  
Bronx River  
Soundview

This report summarizes recommendations on land use, environmental restoration, and infrastructure. While there are some overarching land use patterns and trends common to the entire BOA area, each sub-area has its own distinct issues, and its own specific set of recommendations developed through dialogue with local stakeholders. These recommendations are presented in detail under the respective areas to which they apply.

Issues of infrastructure and environmental restoration are more cross-cutting. They arise from assets (and liabilities) that are shared across the entire BOA – the Bronx River as a resource, the Sheridan Expressway as both a liability and an opportunity.

Recommendations in these areas, therefore, are presented in the area-wide summary.

### **Land Use and Ownership: Analysis of BOA-wide issues**

Each of the three sub-areas contains both active industry and some vacant/underutilized industrial land, but the nature of the uses varies among the areas.

Few or no ‘abandoned’ sites exist in the South Bronx Waterfront BOA – the many industrial and commercial sites that are underutilized are privately owned by entities that are reluctant to either develop them for more productive use, or to engage with the BOA process to have their sites assessed and to formulate strategies for their remediation and redevelopment.

Many small sites have been under the same ownership for many years, are unencumbered by debt, and generate positive cash flow for their owners “as is.” That is, they are occupied by uses that do not require either regulatory approvals or formal financing by banks or other investors concerned with environmental liability. These owners thus have little motivation to investigate potential contamination on their sites; indeed, they view any investigation as exposing them to some risk, with no corresponding upside potential for a return.

Many of the larger and more significant sites are owned by speculators who have acquired them within the past 5 years. In some cases (notably the Loral site) the sites were purchased at prices that are not supported by their current use, or by any use allowed under the current zoning. These owners have also been unwilling to engage with the BOA about any plans to seek a rezoning that would enable them to redevelop their sites; it is likely that they intend either to seek special permits (which would allow, for example, big box retail development, and which would involve a much lower level of public participation than a zoning change), or to rely upon their political connections to prevail in the ULURP process that a rezoning would require.

Apart from these broad trends, land use issues vary greatly across the three BOA sub-areas. The three sub-areas also differ greatly in the level of planning and policy attention they have received to date. Site-specific recommendations are therefore discussed under the individual sub-areas, following this section.

## **Natural resources, environmental restoration and infrastructure**

### **Environmental restoration / infrastructure: The Bronx River / Bronx River Greenway**

The South Bronx BOA encompasses much of the tidal portion of the Bronx River. The Bronx River is the only true river in New York City; it rises from sources in Westchester County, and runs a total of 20 miles to its confluence with the East River, where the Soundview and Hunts Point sub-areas of the BOA lie along its east and west banks. The Bronx River sub-area is situated directly north of these sub-areas along the river's east and west banks; within that area, the weir at Soundview Park marks the transition from the river's freshwater to estuarine zones.

The BOA community-based partner organizations have been active since the mid-1990s in the effort to restore the lower Bronx River, and to develop an eight-mile greenway along its banks. Members and staff of The Point, Sustainable South Bronx, and Youth Ministries for Peace and Justice led efforts to physically clean up the River, removing invasive plants and junk automobiles, and to secure over \$120 million in City, State, and Federal funding to restore the River and build the Greenway. They were also partners in the establishment of the Bronx River Alliance, the public-private partnership which coordinates the development of the Greenway and the ongoing restoration of the River.

When the Bronx River Greenway is complete, it will incorporate 80 acres of new and renewed parkland, opening up green space in neighborhoods that are now severely deficient in parkland.

The scale and continuity of the Greenway make it far more valuable than scattered small parks would be, even if vacant upland sites could be obtained. It will be much more than a bicycle and pedestrian path, though its transportation function will be very important in reweaving neighborhoods between which it is now nearly impossible to move by foot or by bike. The Greenway is being constructed via some 24 discrete capital projects, most of which are being undertaken by the New York City Department of Parks and Recreation. A major project, key to linking the northern and southern portions of the Greenway from East Tremont Avenue to Westchester Avenue, is being constructed by the New York State Department of Transportation. The intersection of the Greenway with East Tremont Avenue is being rebuilt by the New York City Department of Transportation. (This project includes Starlight Park, a former manufactured gas plant site, whose cleanup is the result of sustained advocacy by community organizations, led by Youth Ministries for Peace and Justice. Starlight Park appears as a case study in a new report on brownfields by the American Planning Association – see p. 76: <http://www.planning.org/research/brownfields/pdf/brownfieldsguide.pdf>)

The Bronx River Greenway, and the River itself, represent environmental, social, and economic assets that are unparalleled in New York City. However, existing infrastructure (highway and rail lines) and land uses (industrial sites that are occupied by uses that are land-intensive but often generate few jobs and little economic value) isolate residents and workers from the River, compromise their health and quality of life, and make it difficult for the River and the Greenway to fulfill their potential.

The existing mix of residential and industrial uses creates ongoing environmental, health, safety, and quality of life issues. Active industries (and the truck traffic they generate) are a far more immediate threat to the health and safety of residents than soil contamination on inactive sites.

### **Water quality**

The entire BOA is served by New York City's combined sewer system. Most sites throughout the BOA are paved or roofed, and discharge 100% of their stormwater into the system. The high proportion of impervious surfaces in the area results in frequent discharges of untreated sewage from several Combined Sewer Overflow outlets within the BOA area; as little as 1/10 inch of rain can result in a CSO discharge. The types of uses that have currently and historically occupied many sites, especially auto repair and salvage, suggest that soil contamination is also affecting water quality in the River. While groundwater is not currently used to supply drinking water in the area (and such use is not anticipated in any planning scenario for New York City), such contamination may compromise the River's ecosystems, and jeopardize the health of people who (official classifications and posted warnings notwithstanding) swim and fish in the River.

A key BOA recommendation in the area of ecological restoration is already being advanced by Youth Ministries for Peace and Justice, Sustainable South Bronx, and The Point, in partnership with the Bronx River Alliance and other local stakeholders. Through a coalition called SWIM (Stormwater Infrastructure Matters) these organizations are advocating with the New York City Department of Environmental Protection for the articulation and implementation of Best Management Practices (BMPs) for stormwater management in the lower Bronx River watershed, with the goal of eliminating Combined Sewer Overflow (CSO) discharge on the lower reaches of the River. Pilot projects on private land include installation of greenroofs, rain barrels, and rain gardens, by YMPJ in the Bronx River sub-area, and by Sustainable South Bronx in Hunts Point. Proposals are also being advanced to reduce paved area of excessively wide streets in the Bronx River neighborhood. The BOA endorses SWIM's platform, which calls for coordination among public agencies, and for policies to incentivize the capture of stormwater on private property: [http://swimmablenyc.info/?page\\_id=4](http://swimmablenyc.info/?page_id=4)

### **Environmental restoration / infrastructure: South Bronx Greenway**

In 1997, community planning charrettes held at The Point first identified the development of a waterfront greenway in Hunts Point as a community goal. In 1999, a proposal drafted at The Point was awarded \$1.2 million in federal Congestion Mitigation and Air Quality funds for the planning and first-phase construction of the South Bronx Greenway. New York City EDC became the local sponsor for the project, and worked in close collaboration with Sustainable South Bronx and The Point to develop the South Bronx Greenway Master Plan. That plan, in turn, became an element of the Bloomberg Administration's Hunts Point Vision Plan. The plan includes a waterfront pathway,



extending from the southern terminus of the Bronx River Greenway at Hunts Point Riverside Park, connecting a series of new waterfront parks, to a planned connection from Port Morris to Randalls Island, that will run below Amtrak's spectacular Hell Gate trestle. Equally important, the South Bronx Greenway Plan includes a network of on-street connections to the upland residential community, whose residents now have great difficulty accessing the completed waterfront parks of Hunts Point Riverside and Barretto Point, each located at Lafayette Avenue and at Barretto Point respectively. Three first phase South Bronx Greenway projects – waterfront access at Hunts Point Landing (Farragut Street end), and on-street connectors on Hunts Point Avenue and Lafayette Avenue – are in construction as of Fall 2010. Another key link, a new ground-level bridge connecting Port Morris to Randalls Island, via a pathway below the Hell Gate rail viaduct, is expected to begin construction in 2011.

The BOA strongly supports the implementation of the South Bronx Greenway, and urges EDC to commit to an aggressive timeline for its construction. The BOA also supports the efforts of The Point and Sustainable South Bronx to develop a plan for a maintenance entity capable of stewarding the South Bronx Greenway and ensuring that it generates living-wage jobs for local residents.

#### **Infrastructure: Hunts Point Water Pollution Control Plant**

The upgrading of the Hunts Point Water Pollution Control Plant has been significantly scaled back from the \$900 million expansion NYC DEP originally proposed. DEP had originally planned to construct a cluster of 200-foot tall egg-shaped digesters on the Hunts Point waterfront; instead it will retrofit the existing digesters and make other improvements to the plant that will enable DEP to meet its goals for the reduction of nitrogen discharges into the East River at a much lower cost. The construction and permanent impacts of the massive original project will be averted, though concerns about odor control remain. Funding for mitigation projects identified in the community charrettes that DEP conducted will not be forthcoming. The Hunts Point Monitoring Committee, in which two of the BOA partners (Sustainable South Bronx and The Point) participate, continues to meet, and provides a forum where concerns about odors and other construction and operational impacts can be addressed.

The BOA recommends a more aggressive adoption of stormwater BMPs by DEP in planning the expansion and upgrade of the plan. This will enable DEP to realize the cost saving potential of the BMPs, rather than creating redundant capacity that would make the BMPs less relevant.

#### **Infrastructure / Land Use: Hunts Point Produce Market Upgrade**

The Hunts Point Produce Market occupies nearly 100 acres. It is owned by NYC EDC and leased to a co-operative whose members are the produce wholesalers who operate from the market. With the Hunts Point Co-Operative Market and the Fulton Fish Market at Hunts Point, the produce market is an essential link in the food distribution network serving the New York City region and much of the northeastern US; taken together, the markets occupy nearly 40% of the peninsula's land area, and are the second-largest such agglomeration in the world.

Yet the Produce Market's physical plant is dilapidated, obsolete, and grossly inefficient. There is no refrigeration and inadequate electric power in its 20 acres of buildings. Produce is kept cool in approximately 80 trailers on the northern end of the site, whose diesel-powered refrigeration units operate 24/7, adding to the air pollution burden created by trucks on the move. Though EDC has spent several million dollars in upgrading the rail connection to the market, and rail service has become much more reliable since the completion in 2000 of the Harlem River / Oak Point link, rail sidings, the terminal branches of railroad track where railcars can be parked for loading and unloading, within the market are laid out in a way that conflicts with truck loading and makes almost all of the trackage unusable. The current market buildings are essentially open sheds, built in the late 1960s with no attention to energy efficiency in their layout, exterior shells, or systems.

These deficits not only exacerbate the negative environmental impacts of the market's operation, they also put its tenants at a competitive disadvantage with wholesale facilities located elsewhere in the region. Whether the often-reported threats by the market's management to relocate to Newark actually have broad support among member companies or not, upgrading the market so that it can operate in a way that makes sense in a 21<sup>st</sup> century environment is a high priority to the BOA, on both environmental and economic grounds.

The BOA therefore strongly supports a redevelopment of the Produce Market that will incorporate:

- Site planning that will enable efficient use of rail, and connections to waterborne freight transport (whether the latter is located on-site, or nearby, at the former Marine Transfer Station)
- State-of-the-art site and building design, including best practices for energy, water, and waste management. The nature of the market building program lends itself to stormwater and greywater capture, planted or photovoltaic panels on the vast roofscape, Combined Heat and Power to meet refrigeration requirements, and other widely-used technologies.
- Public access to the waterfront per the South Bronx Greenway Plan
- A public presence, at the site's perimeter or at a nearby location, where food from the market will be available to the general public at affordable prices. This venue would also strengthen the identity of Hunts Point as a local and regional destination for recreation and experience of the natural environment via the River and the Greenways.
- an onsite labor recruiting and training center, able to connect local residents with food center firms, and to track progress toward achieving substantive local hiring commitments.

### **Infrastructure: Sheridan Expressway**

The BOA believes that the Sheridan Expressway is a significant barrier to the development of environmentally and economically productive land uses in the Bronx River corridor. Private land along the Expressway is occupied by businesses that provide few jobs, invest little in their properties, and appear to value their locations primarily

because of the ease of access for trucking. The Sheridan continues to attract negative uses, exemplified by the construction in 2007 of a motel, adjacent to the Westchester Avenue entrance ramp. Along with the highway itself, these uses create a barrier between the River and the densely-populated neighborhoods of West Farms and Bronx River.

As part of the Bruckner-Sheridan Interchange EIS, the New York State Department of Transportation is now examining alternatives that include the removal of the Sheridan, and the redevelopment of its 28-acre footprint according to a community-led plan. The Sheridan footprint represents a rare opportunity for Smart Growth, transit-oriented major development in this area that would not require the displacement of existing residents or businesses. The Community Plan (presented in the November 2009 Spotlight; see Appendix 5) would create approximately 1500 units of housing, over 500,000 square feet of commercial and community space, and open space that would connect existing residential neighborhoods to the new parkland along the Bronx River. The full build-out of the Sheridan footprint according to this plan would create approximately 700 permanent full-time jobs. It would also create several thousand more construction jobs than the alternatives that retain the Sheridan, and these jobs would be in trades (i.e. building construction) more likely to employ Bronx residents.

Removing the Sheridan would also spur redevelopment of underutilized private land directly to the west of the highway. In 2009, a private developer acquired a number of sites in the 12-block area between West Farms Road and Boone Avenue, from 173 Street to the block just north of East Tremont Avenue. That developer is now applying for that entire area to be rezoned from M-1 (manufacturing) to R-7 or R-8 (dense residential, with buildings up to 15 stories allowed.) As of December 2010, the developer's application has not been certified by the Department of City Planning (the step that would mark the beginning of the official Uniform Land Use Review Process.) The Sheridan now separates this privately-owned land from the public parkland being developed along the Bronx River for the Greenway. Removing the Sheridan would make the area proposed for rezoning far more economically attractive for private development. At the same time, it would make a large parcel of publicly-owned land (the highway footprint itself) available for housing affordable to local residents.

NYSDOT recently announced that it is no longer considering placing an interchange between the Bruckner and Sheridan Expressways at the waterfront location that has long been under study, because it has determined that an expanded interchange there is not physically feasible. It is instead proposing the construction of a set of access and exit ramps above the Oak Point site, which would connect the industrial area of Hunts Point directly to the Bruckner Expressway. This is very similar to the proposal originally advanced by community organizations. It greatly diminishes the value of the Sheridan for the majority of car and truck traffic to and from Hunts Point, and thus makes it more likely, though by no means certain, that the EIS will identify one of the options that removes the Sheridan as the preferred alternative.

The development of an interchange at Oak Point, the removal of the Sheridan and redevelopment of its footprint as described above, best serve the goals of the BOA for the reclamation of brownfields and revitalization of the Bronx River corridor. If the Sheridan remains, land along the Bronx River will continue to attract unproductive and polluting uses. The BOA therefore recommends the adoption of "Enhanced Alternative 1E" as the

preferred alternative in the Bruckner-Sheridan Interchange EIS. Until now, NYSDOT has refused to attribute any economic value to the land now occupied by the Sheridan, for the purposes of assessing the economic impact of the highway's removal. The SBWBOA sponsors have worked with state and city agencies to address this issue, and this year, an important milestone was achieved.

In October 2010, HUD and the US Department of Transportation announced the award of \$1.5 million in federal TIGER 2 planning funds to New York City, to conduct a holistic, interagency examination of the land use and transportation implications of alternative scenarios for the Sheridan. This study, led by the New York City Departments of City Planning and Transportation, will address the question raised by the New York State Department of Transportation, by delivering an official answer to the question of what kind of development would happen on the Sheridan's footprint, for the purposes of assessing the economic impact of the highway's removal. The TIGER study is now in its early stages, and is expected to be completed in 2012.

### **Sub-area specific issues and recommendations**

#### **Hunts Point**

Hunts Point is a designated Industrial Business Zone, in which the City of New York is a major industrial landowner. The Hunts Point Vision Plan, developed in 2003-2006 by a broad group of business and community stakeholders, and facilitated by EDC and the office of the Deputy Mayor, codifies a set of city policies focused on strengthening the industrial and wholesale distribution sectors, while mitigating some of industry's negative impacts upon residents. The translation of the Vision Plan's goals into actual regulations and projects is proving to be somewhat challenging. One of the elements of the Vision Plan, a rezoning to create an M-1 "buffer" around the peninsula's residential core, was enacted in 2008. But, as detailed below, the final version of the rezoning is more permissive of retail development than anticipated, and may undermine the Vision Plan's intent of protecting manufacturing in one of the few areas where it now thrives. The implementation of another Vision Plan component, the South Bronx Greenway, is also proceeding more slowly, and with more significant design compromises, than the plan as originally published.

Outside of the food markets and the Hunts Point Water Pollution Control Plant, most industrial land is privately owned, small to mid-sized parcels. Very little vacant land exists in Hunts Point; business owners cite high cost and lack of availability as barriers to expansion within the area.

Additional issues (identified in local stakeholder meetings conducted by The Point and SSBx):

- poor condition of existing housing stock;
- lack of diverse and good-quality retail;
- ongoing air quality problems caused by NYOFCO and by the HP Water Pollution Control Plant,

- trucking and other construction-related impacts from the reconstruction of the HPWPCP,
- ongoing impacts of the “normal” 11,000+ truck trips per day generated by existing land uses;
- isolation of residential community from the waterfront, illustrated vividly this summer by the challenges facing local residents in getting to Baretto Point Park and the floating pool;
- poor transit access both onto and within the peninsula
- lack of quality jobs.

### **Hunts Point Land Use recommendations: key sites**

**Garrison Avenue corridor:** the BOA has identified Garrison Avenue between Lafayette and Hunts Point Avenues as a site for small, locally-serving and locally-owned retail. But 2008 rezoning will allow retail up to 40,000 SF without a special permit. Given the current economy, and especially the downturn in retail citywide, it is unclear whether and when new retail is likely to develop. If assistance and incentives are necessary to attract retailers, the BOA recommends that such assistance be targeted to locally-desired uses, including affordable and high-quality food stores.

Garrison Avenue has also long been identified in community planning processes as a desired location for a Cultural Corridor, where affordable artist space and complementary uses (bookstores, music stores, cafes, etc.) to support the area’s vibrant cluster of visual and performing artists could be located.

**Oak Point:** The New York State Department of Transportation’s current plan to provide truck access to Hunts Point (i.e. the Bruckner-Sheridan Interchange Environmental Impact Study) proposes locating an interchange on and above this site. At the same time, CSX railroad has expressed interest in acquiring the site for an intermodal freight facility. These two uses most likely would be able to co-exist on the site, and would complement each other, since the new interchange would keep intermodal truck traffic completely away from local streets. If the site is developed for these uses, the BOA organizations would have the opportunity to negotiate for the inclusion of public access to the waterfront for the South Bronx Greenway, to enable a connection to Port Morris and Randalls Island, as well as for the development of the intermodal facility in a way that will maximize living-wage jobs for local residents.

However, the status of the current owner’s control of the site is unclear. The community had been informed that he faced a federal bankruptcy deadline of December 31 2008, but cleanup operations appear to be continuing at the site as of March 2009. If the court takes control of the site, it will most likely attempt to sell it at auction. The outcome in that case is difficult to predict, except to say that public and community interest are unlikely to be of great concern to the court, or to the next buyer.

### **Additional Hunts Point land use recommendations:**

Capitalize on opportunities created by recent and ongoing initiatives.

The July 2008 rezoning allows retail uses up to 40,000 square feet as of right along Garrison Avenue. New big-box stores in the outer boroughs are typically much larger, but some retailers might still be attracted by a combination of demonstrable community support and financial incentives (assuming that the sites and market area meet the retailers' basic economic criteria.)

This provision differs from NYC's standard M-1 zoning, under which retail uses over 10,000 SF cannot be developed without a special permit. The BOA is concerned that allowing retail up to 40,000 SF without a special permit will undermine legitimate industrial uses in the area, since retailers can pay higher land prices than manufacturers. There is also concern that this provision will attract mid-sized and large retailers who serve a geographically larger market than the surrounding community, and who will therefore generate additional car and truck traffic in an area whose streets are already overburdened.

**Recommendation:** work with EDC to identify high-priority uses, especially grocery and other food-related. Work with DOS, EDC, and BOEDC to develop incentive packages and reach out to desired retailers.

### **Bronx River**

The area encompasses many dense residential blocks including the Bronx River Houses, as well as industrial strips east and west of the River. Much less data is available from secondary sources about the size and nature of businesses in this corridor than about Hunts Point. Research carried out for the BOA by the NY Industrial Retention Network suggests that most of the existing industries along Bronx River Avenue employ relatively few people, and that there is not a notable concentration of employment of local residents.

Even among South Bronx neighborhoods, the Bronx River sub-area stands out for the high ratio of paved or roofed to planted area. Many streets are excessively wide, encouraging speeding by vehicles and discouraging people from walking or biking. Highways (as well as topography) physically isolate the area and make it very difficult for people to walk to locations, such as retail and transit hubs, that are nominally close by. Runoff contributes to CSO discharges at CSO location HP 009 (See Appendix 6, Figure 12). The MTA Bus Depot is subject to frequent flooding.

Other key issues (identified by local stakeholders in meetings conducted by YMPJ): The Jenna Concrete Plant directly impacts the health of Bronx River Houses residents; airborne dust levels are extreme; truck traffic is also an issue. Land along the River is occupied by low-intensity uses that physically and visually barricade the River from the neighborhood.

Residents also cited lack of access to jobs (locally and by transit); need for job training and job readiness opportunities at a scale adequate to meet the needs of a large, young population; lack of access to quality retail (the Pathmark supermarket in MBD's shopping center on 174<sup>th</sup> Street is not viewed as a local resource, probably because the steep hill makes it difficult to walk to.)

### **Bronx River key sites:**

- Jenna Concrete plant (Bronx River Avenue from 174 Street to the Cross Bronx Expressway);
- the land between the Sheridan Expressway and the River, north of Westchester Avenue;
- the land between Bronx River Avenue and the River, from Bruckner Boulevard to 172 Street;
- land included in the proposed West Farms / Crotona Park East rezoning, located along West Farms Road, directly west of the Sheridan Expressway

**Recommendations:** a comprehensive program of street greening (with the goals of improving access to the Greenway and the River, health, pedestrian safety, and local microclimate, as well as stormwater management); development of a public plaza on Westchester Avenue between Morrison and Soundview Avenues; implementation of “better bus” improvements on routes serving the corridor.

Work with NYC DEP and NYPD to ensure enforcement of air quality, noise, and truck regulations on Bronx River Avenue adjacent to the Jenna Concrete Plant

Develop a rezoning proposal that protects active industrial uses, but enables the redevelopment of sites now occupied by unproductive uses such as parking and storage. The proposal should encourage the development of job-dense and higher value-added industries, and discourage conversion of industrial land to residential use. Where manufacturing-to-residential conversions do occur, zoning changes should incorporate a mechanism for capturing a portion of the increase in land value created by the rezoning to preserve existing affordable housing and develop additional affordable units, and to ensure the maintenance of the Bronx River Greenway. (That such a mechanism would reduce the economic incentive for manufacturing-to-residential conversions is an intentional consequence of its enactment.)

### **Soundview**

There are a few active industrial uses along Bronx River Avenue and the adjoining blocks that are land-intensive but employ few people (scaffolding company, open storage for other construction companies.)

Key issues (identified by local stakeholders in meetings conducted by YMPJ): extreme lack of access to transit; physical isolation created by Bruckner Boulevard and Bruckner Expressway; pedestrian safety within the area; poor condition of streets and sidewalks in the industrial area (some industrial users now block off streets and use them as private property); conflict between local sense of ownership of Soundview Park and its planned development (under PlaNYC 2030) as a regional resource; low-lying topography - vulnerability to sea level rise and flooding from storms.

### **Soundview key site:**

**Loral:** sold in 2007 for \$16.2 million; several prospective developers have approached the Bronx office of City Planning to discuss residential projects that would require

rezoning. Redevelopment of the site is also inhibited by an agreement with residents of the Lafayette Morrison and Lafayette Boynton Co-Ops that Loral cannot be developed for residential use; that agreement was probably facilitated by Apollo Real Estate Advisors, who bought the apartment complex in 2006 and financed their conversion to co-ops.

While the site is being marketed for industrial use, it is unlikely that an industrial user could afford to buy or lease the site at a price that would cover both the owner's debt service, and the cost of addressing both soil contamination and subsidence. The most likely scenarios for re-use of Loral are:

- In the short term, the site will continue to be occupied by trucking or other open-air uses that require little or no investment in the site.
- In the longer term, big-box retail is not allowed as-of-right, but if a developer applied for a special permit, it would probably be granted. A big box user would probably do a minimal remediation, and would not be required to provide waterfront access, though the latter might be negotiated as a condition of granting the special permit.

The BOA views this as an undesirable outcome on all of the obvious grounds (traffic, increase in the area of paved and roofed surface area, lack of assured River access, and foreclosure of the possibilities of more desirable uses, including River-related commercial and residential development.)

**Recommendation:** work with city agencies to develop a plan for mixed-income residential and commercial development at densities that take advantage of the site's unique location, and that justify the level of public investment in cleanup and infrastructure that will be needed to make any project financially feasible. In addition to density and affordability, the plan would address public access, river-related uses, stormwater management, green building design, local employment and job quality, minimizing car use, and other agreed-upon public benefit criteria. Make any rezoning and public financing contingent on a developer's agreement to follow the plan's criteria.



## ***Section 1 – Project Description and Boundary***

- **Lead Project Sponsors**

The lead sponsor for the South Bronx Waterfront BOA Step 2 Nomination Study is a partnership consisting of:

Youth Ministries for Peace and Justice (lead partner and prime contractor for development of the Step 2 Study)  
Bronx Overall Economic Development Corporation  
The Point CDC  
Sustainable South Bronx  
Pratt Center for Community Development

All of the BOA partner organizations are non-profit, 501 c 3 organizations with histories of leading local planning and development processes in the proposed BOA area.

**Youth Ministries for Peace and Justice (YMPJ)** is a faith-based youth organization, whose mission is to partner with youth in our community to rebuild the neighborhoods of Bronx River and Soundview/Bruckner. These communities are among the most impoverished neighborhoods in Bronx Community District 9, and are part of the 16th Congressional District, the poorest Congressional District in the country. In the years leading up to and following the initiation of the South Bronx Waterfront BOA, YMPJ has played a leading role in the reclamation of the Bronx River and the development of the Bronx River Greenway. Alexie Torres-Fleming, YMPJ's founder and its Executive Director from 1994 through 2009, was the founding chairperson of the board of directors of the Bronx River Alliance, a public-private partnership dedicated to the ecological restoration of the Bronx River, and the development of an eight-mile linear park and Greenway along its banks.

YMPJ led the successful campaign to ensure community involvement in planning for the remediation of Starlight Park, whose former use as a coal gasification plant became public knowledge only when excavation for the reconstruction of the park began in 2003. But for YMPJ's efforts, Con Edison, the former owner of the site, would have been required (under the old Voluntary Cleanup Program) only to remove and replace eighteen inches of surface soil on the site. Instead, YMPJ worked with the Department of Environmental Conservation, the New York City Department of Parks and Recreation, and its own legal and environmental consultants, to negotiate an agreement that ensured that a far more protective cleanup was carried out.

**Bronx Overall Economic Development Corporation (BOEDC)** is the economic development consultant for the office of the Bronx Borough President, and BOEDC provides Bronx businesses and non-profits with services related to financing, real estate, regulatory information, and job training. BOEDC is also the federally-designated agency for economic development in the Bronx County and serves as administrator for four separate loan programs including the Bronx Empowerment Zone.

BOEDC's work with Bronx businesses has brought the insights and perspectives of that sector into the BOA process, made available a wealth of data, and enabled the BOA to build relationships with important private sector stakeholders, as well as with the office of the Borough President.

**The Point Community Development Corporation** is dedicated to youth development and the cultural and economic revitalization of the Hunts Point section of the South Bronx. The Point's mission is to encourage the arts, local enterprise, responsible ecology, and self-investment in the Hunts Point community.

**Sustainable South Bronx (SSBx)** is dedicated to developing and implementing Environmental Justice Solutions through innovative, economically sustainable projects informed by community needs. Founded in 2001 by life-long South Bronx resident, Majora Carter, SSBx addresses land-use, energy, transportation, water & waste policy, and education to advance the environmental and economic rebirth of the South Bronx, and inspire solutions in areas like it across the nation and around the world.

The Point and SSBx have jointly led many significant community planning, development, and advocacy efforts in Hunts Point, including successful campaigns against a series of major projects that would have added additional environmental burdens to a community that is already home to an unequalled concentration of polluting infrastructure and land uses. Through their efforts, a proposal for a 4,000 ton-per-day waste transfer station was defeated, and New York City instead agreed to develop a citywide solid waste management plan. A subsequent proposal to construct a 2000 bed jail (on the same site, Oak Point, which is identified as a Strategic Site in this nomination study) was also defeated. The Point and SSBx participate in the Hunts Point Vision Plan Task Force, convened by the office of New York City's Deputy Mayor for Economic Development, and facilitate broader community awareness of and participation in this and other planning processes impacting the area. With the New York City Economic Development Corporation, they are also co-sponsors of the South Bronx Greenway Plan.

The **Pratt Center for Community Development** is a technical assistance, policy, and advocacy organization dedicated to working with community-based organizations toward social, economic, and environmental justice in New York City. The Pratt Center's planners have worked with the South Bronx BOA organizations since the early 1990s to support their planning, development, and advocacy projects in the BOA area. The Pratt Center was also a member of the New York State Brownfields Coalition, which drafted and then successfully advocated for the passage of New York State's groundbreaking Brownfields law.

Additional information about the BOA partner organizations is provided in the Appendix.

The South Bronx Waterfront BOA partner organizations work closely with New York City and State agencies concerned with brownfield remediation and redevelopment, as well as with related issues of environmental remediation and restoration, infrastructure, economic development, and planning. BOA partners work with the New York State Department of Environmental Conservation, the New York City Department of Environmental Protection, the New York City Department of Parks and Recreation, the New York City and New York State Departments of Transportation, the New York City

Economic Development Corporation, and other agencies whose programs and policies impact the BOA area. The Mayor's Office of Environmental Coordination endorsed the SBWBOA's initial application to the BOA program in 2005; we have continued to work in consultation with the MOEC, and more recently with the Mayor's Office of Environmental Remediation, as this proposal has taken shape.

As detailed in the following sections, the SBWBOA partners view the Brownfields Opportunity Area planning and nomination process as a way to coordinate and consolidate planning and projects that are currently being undertaken by many city and state agencies within and impacting the proposed BOA. While the efforts of the public agencies are in many cases consistent with the goals of the BOA, their individual agency missions and mandates tend to reinforce a fragmented approach. The community-based organizations live with the totality of environmental and economic issues arising from brownfields on a daily basis, and have a history of seeking solutions that are integrative and which cross the boundaries of traditional departments and disciplines. The BOA partners are therefore well-positioned, and highly motivated, to bring the multiple levels and department of government together with diverse local stakeholders (including businesses and institutions, as well as residents) to delineate a shared vision for the social, economic, and environmental regeneration of the lower Bronx River watershed.

- **Project Overview and Description**

The area proposed for nomination as the South Bronx Waterfront BOA encompasses active and diverse land uses, from the sprawling wholesale food distribution centers in Hunts Point, to the densely-populated residential neighborhoods of Hunts Point, Soundview, and Bronx River.

Figure 1 in Appendix 6 indicates the location of the South Bronx Waterfront BOA within New York City and the region. Key geographic, demographic, and land use characteristics which define the BOA's relationship to the city and the region, as well as the rationale for the BOA's overall and sub-area boundaries are discussed under the "characteristics" subheading below,

While the proposed BOA contains relatively few completely vacant sites, contamination from past and ongoing land uses impacts public health, and compromises the area's potential for revitalization. Many properties in the area are occupied by land uses, such as scrap metal operations, open-air waste transfer stations, auto salvage, and other activities that generate few jobs, discourage more productive development on nearby sites, and may be continuing to pollute soil and water.

These numerous, active, quasi-industrial sites are privately owned, and are not available for acquisition at below-market prices. And demand for buildable industrial sites is strong; EDC and the New York Industrial Retention Network both estimate that the vacancy rate for industrial buildings in Hunts Point is approximately 5%.

This nomination study is therefore focused less on the acquisition and redevelopment of individual sites than on actions by public agencies, public-private partnerships that will either directly reduce pollution from existing industries and infrastructure, or that will change environmental and market conditions dramatically enough to induce desirable private development in the corridor.

Those actions include:

- Upgrading the performance of private industries and public infrastructure, to diminish ongoing pollution and associated public health and economic impacts; potential public agency actions include stepped-up enforcement. Examples include actions by the New York State Attorney General's office to prosecute illegal discharges into the Bronx River, and to obtain settlements that directly benefit cleanup and reclamation of the River.
- Changes to contracts between public agencies and private entities to incentivize improved performance, and penalize or eliminate polluting activities. Examples include New York City DEP's decision not to renew its contract with the New York Organic Fertilizer Company to process municipal sewage sludge at its Hunts Point plant.
- Modification of zoning to allow new and existing manufacturing uses, while curtailing the expansion of noxious uses; examples include the 2008 rezoning of M-1 areas in Hunts Point, which prohibited new or expanded waste facilities in a buffer surrounding the food markets and residential community in Hunts Point.
- Expansion and reconstruction of parkland to provide access to the Bronx River, through the development of the Bronx River Greenway.
- Creation of green on-street corridors to connect residential areas to the waterfront in Hunts Point, via the South Bronx Greenway.
- Reducing the impacts of the highway network on local residents, including air pollution, noise, and physical fragmentation of neighborhoods, by eliminating the Sheridan Expressway.

The BOA planning process has provided local stakeholders with a forum to actively participate in the development of an overarching vision for the area, in which industrial uses can coexist with existing and new residential areas without undermining their economic vitality and quality of life, and in which infrastructure burdens are significantly reduced. The BOA process has also enabled the BOA sponsors to engage the city and state agencies whose decisions and actions are needed to realize that vision, to participate effectively in the various stakeholder processes convened by those agencies, and to coordinate that participation to advance the larger goals of the BOA.

- **Description of BOA: Geographic, Demographic, and Land Use Characteristics**

The BOA area is defined by the unparalleled natural resource of the River itself and its resurgent ecosystem, as well as by some of the region's most burdensome infrastructure, including massive highways, the Hunts Point Water Pollution Control Plant, and the New York Organic Fertilizer Company's sludge pelletization plant, as well as numerous private waste transfer stations.

Beginning with the River itself, and with the rail line that is now Amtrak's Northeast Corridor, transportation arteries have shaped the area's topography and its economy, and continue to offer both opportunities and challenges in local mobility, and access to the rest of the region. Three interstate highways – the Cross-Bronx, Bruckner, and Sheridan Expressways – were constructed in the 1960s and cut through the area's densely-built urban fabric. By fragmenting the existing street grid, the highways severed connections between residential communities and the retail and employment centers and transit nodes on which residents depended. BOA residents suffered the negative impacts of the highway system, but received little of its benefit. In common with most low- and moderate-income communities in New York City, residents of the BOA depend on transit, rather than on cars; overall, only about 20% of households within the BOA own a car. The development of the Bronx River and South Bronx Greenways will help to restore pedestrian and cycling connections between neighborhoods that are now isolated and fragmented.

The highways were one of many factors contributing to the economic decline of the South Bronx during the 1990s; the overall contraction of the manufacturing sector in New York City and the region was another. Some active manufacturing uses remain in the BOA, particularly in Hunts Point and in the Bronx River corridor. But much of the land zoned for manufacturing is actually occupied by non-manufacturing uses, including open-air storage, wholesale distribution, commercial and residential solid waste transfer, sewage and sludge treatment, etc. Many of these uses are land- rather than labor-intensive; they provide services which may be essential to the region, but which create few jobs for local residents. The area contains a few "typical" brownfields - very large vacant industrial sites - but many more of its brownfields are smaller sites which are not abandoned, but which are used in ways that are economically underproductive, and environmentally harmful.

Many of the sectors active in the BOA area are heavily reliant on trucks and generate very high levels of truck traffic, with the associated severe levels of air pollution, traffic congestion and hazards, damage to streets and curbs. Some of the land uses themselves, notably the Jenna Concrete batching plant and the NYOFCO sludge pelletization plant themselves emit harmful levels of air pollution and dust. The close-grained mix of residential and industrial uses in the BOA (not unusual within New York City) means that environmental conditions arising from active industrial uses in the area heavily impact the health and quality of life of hundreds of thousands of residents and workers alike.

High rates of poverty among BOA residents exacerbate the health impacts of pollution. Lack of access to safe and green open space, as well as to high-quality and affordable food, contributes to the high rates of asthma, obesity, heart and respiratory disorders, depression, and other illnesses.

Because housing in the BOA is more affordable than housing in communities elsewhere in New York City where environmental conditions, access to jobs, schools, retail, transit, and other services are better, most of the BOA has experienced gains in population, along with declines in household income. Demand for affordable housing remains high, and opportunities for new development of significant scale are scarce. There is much

evidence of overcrowding and illegal subdivision of existing buildings and units within the BOA. The small number of privately-built, townhouse-style new developments (at the BOA’s periphery and just outside of its boundaries) are affordable only to households with incomes very far above household medians within the BOA.

The total land area in the proposed South Bronx Waterfront BOA, and in the three proposed BOA sub-areas, is shown in the table below. The rationale for the delineation of the BOA and sub-area boundaries is discussed in the next section.

<b>BOA Sub-Areas</b>	<b>Total Lot Area (square feet)</b>	<b>Total Lot Area (acres)</b>	<b>Percent of BOA total area</b>
	(all lot areas exclude streets)		
Hunts Point	34,799,232	799	56.71%
Soundview	10,443,425	240	17.02%
Bronx River	16,125,841	370	26.28%
Entire BOA	61,368,498	1,409	100.00%

Lot areas that are now vacant, underutilized, or underdeveloped are categorized in the following table. The category “transportation” includes wholesale distribution facilities, most of which are in active use. The category is included here not because most of the land in this category is available for redevelopment, but to indicate the extent to which land within the proposed BOA is dedicated to transportation and distribution uses. The isolating effect of having so many large tracts of land used for this purpose (which almost always requires them to be fenced off and isolated from the surrounding community), the relatively small number of jobs they support per acre, as well as the large volume of truck traffic they generate, all mean that even active transportation and distribution uses create some negative impacts on their host communities, some of which BOA-related development initiatives can address.

Similarly, active manufacturing and industrial sites are shown in the table because they comprise a significant percentage of the BOA’s total land area. The level of economic activity and employment these sites now support varies widely, as does their environmental performance, but as noted above, demand for quality industrial space is strong.

All of the land uses shown in this table occupy land which is likely to have been contaminated by past or ongoing activity; thus the table is entitled “Potential Brownfields,” even though few of the included sites are actually abandoned. Later sections of this report discuss known issues for identified strategic sites.

<b>Potentially Contaminated Sites by Category</b>	<b>Total lot area (square ft)</b>	<b>Total lot area (acre)</b>	<b>Perce nt of BOA total</b>
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		s)	lot area
Parking Facilities	1,427,714	33	2.33%
Vacant Land	5,104,455	117	8.32%
Industrial/Manufacturing	9,569,858	220	15.59%
Transportation/Utility (includes wholesale distribution)	16,716,388	384	27.24%
Total Potentially Contaminated Sites	32,818,415	753	53.48%

- **Revitalization Opportunities and Challenges**

Notwithstanding the pervasiveness of poverty, the concentration of polluting land uses and infrastructure, and the area’s lack of safe and healthy open space, its insufficient number of living-wage jobs, and its deficits in retail, health care, and space for cultural, youth, and senior services, the proposed BOA has a large and growing population, a vibrant social and cultural fabric, a network of institutions and organizations through which large numbers of adults and young people are engaged in local issues, and the incomparable natural resource of the Bronx River. It also has extensive infrastructure capable of sustaining additional population growth and economic activity. Indigenous organizations have a history of both confronting and partnering with all levels of government to address problems and implement solutions. The Bronx River Greenway and the South Bronx Greenway are both examples of projects initiated by local planning and activism that are now being implemented by public agencies, and that both have the potential to transform the communities of the proposed BOA.

The *Hunts Point Vision Plan*, coordinated by New York City EDC, is New York City’s comprehensive plan for economic growth in Hunts Point. In addition to the South Bronx Greenway, the vision plan includes upgrades to the Produce Market, and the redevelopment of the large industrial parcels of land controlled by the city, to accommodate additional food distribution and related activities. The intent of the BOA is to maximize the beneficial impacts of these projects, avert or mitigate negative impacts (such as the displacement of manufacturing firms or affordable housing), to encourage industries which offer living-wage job opportunities, and to replace polluting land uses with high-road, high-performing infrastructure and 21<sup>st</sup>-century industries.

- **Community Vision, Goals, and Objectives**

Because of the densely-built-up, mixed-use character of South Bronx neighborhoods, as well as the continuing demand for both affordable housing and industrial space, the SBWBOA must respond to the challenges facing low-income communities within a (still) strong-market city. The overarching vision for the South Bronx Waterfront BOA is to reconcile the sometimes-conflicting imperatives of environmental justice, access to economic opportunity, and affordable housing. Revitalization goals for each of the BOA’s sub-areas are shown in Figure 2a in Appendix 6. Specific objectives include:

- Continuing the ongoing environmental renewal of the Bronx River and its ecosystem, and developing new parkland – the Bronx River Greenway, and the South Bronx Greenway - along its banks that will provide access to the river for recreation and relaxation, and that will help to improve water quality through best practices for stormwater management.;
- Additional stormwater capture in upland areas through green streets, green roofs, etc. with the goal of eliminating CSO discharges into the Bronx River;
- Ensuring that local residents benefit from the renewal of the River and the development of the Greenways, by preserving existing affordable housing, and developing new housing with a mix of incomes that includes a significant percentage of units affordable to current area residents;
- Encouraging the growth of industries offering living-wage jobs and high environmental performance; discouraging growth of firms and sectors that add to the area’s environmental burdens;
- Attracting locally-oriented retail while preventing the displacement of manufacturing firms by big-box retail and other uses able to pay higher land prices; strengthening and possibly extending the protection now offered by the Hunts Point Industrial Business Zone;
- Commitment by New York City agencies to a transparent and accountable process for the development of major strategic sites in the BOA, including Oak Point and Loral;
- Accountability by the public agencies who now operate and/or regulate facilities that now pollute air and water in the BOA, and commitments to taking concrete steps to reduce, and ultimately eliminate, the impacts of those facilities;
- Commitment by the New York State Department of Transportation to an analysis of the Bruckner-Sheridan Interchange that takes full account of the land use, economic, and environmental implications of the Build alternatives being considered. In October 2010, the US Department of Transportation announced the award of a \$1.5 million TIGER II Planning Grant to the New York City Departments of City Planning, and Transportation. The City will use the funding to conduct a land use and transportation study which will address NYSDOT’s questions about how New York City would use the Sheridan footprint if the Sheridan is decommissioned;
- Freight movement solutions that will enhance the efficiency and competitiveness of local industries, while reducing the environmental burdens imposed by current levels of truck traffic;
- Improvement of pedestrian and cycling safety and connectivity throughout the BOA, including the full development of the South Bronx and Bronx River Greenways, and also the restoration of walkability and bikability to local street networks now disrupted by highways;
- Implementation of commuter rail service on the Hell Gate line, with a station at Hunts Point Avenue that will open up inbound and reverse commuting opportunities; station area design that will leverage the maximum value from this node;
- Implementation of Bus Rapid Transit service to connect now-underserved areas of the BOA, and improvement of local bus service, particularly to industrial and waterfront destinations in Hunts Point.



- **Brownfield Opportunity Area Boundary Description and Justification**

Overall, the South Bronx Waterfront BOA is large, comprising a total of 1,400 acres. Its boundaries are drawn to encompass important natural resources (the lower Bronx River), major projects now in development (the South Bronx Greenway and the Bronx River Greenway, and the Bruckner-Sheridan Interchange Environmental Impact Study), and also to take in the area bounded and impacted by the highway system. The BOA's eastern boundary reflects the catchment area of Combined Sewer Overflows that now discharge into the Bronx River.

The overall boundaries take in three communities that share both the challenges and the vision described in the preceding section. But patterns of land use vary between those three communities, so we have also delineated three sub-areas reflecting those differences. We envision the designation of the entire BOA as the outcome of this Nomination Study, but that implementation, including the assessment, acquisition, and development of some of the Strategic Sites, will proceed independently within each of the three sub-areas. One Strategic Site, the Sheridan Expressway itself, straddles the boundaries of the Hunts Point and Bronx River sub-areas.) This study includes some recommendations which span the entire BOA area, and others which are specific to the sub-areas.

Figure 2 in Appendix 6 illustrates the boundaries of the South Bronx Waterfront BOA, which are (counterclockwise from its northwest corner):

**The Cross-Bronx Expressway**

The one-block-wide strip of land bounded by Boone Avenue and Longfellow Avenue, immediately west of the Sheridan Expressway. This strip of land sits inside of a natural boundary formed by the steep rise immediately to its west, which effectively isolates this strip from neighborhoods further west. Blocks east and west of this boundary show distinctly different patterns of land use, with manufacturing and warehousing located along West Farms Road and the Sheridan Expressway, and residential uses further to the west.

Bruckner Boulevard

East 149 Street

The East River, to the mouth of the Bronx River

Soundview Park

The Bronx River Parkway

Bruckner Boulevard

Leland Avenue

The Cross-Bronx Expressway

***Rationale for designation of sub-areas***

Within the BOA, the maps indicate the proposed sub-areas of Hunts Point, Bronx River, and Soundview. While the three sub-areas share concerns about major natural and infrastructure features as described above, they have distinct land use, demographic, and

economic characteristics that require a more locally-specific set of revitalization strategies and tools. The saliency and urgency of planning and revitalization issues also varies among the sub-areas; so does the nature and level of engagement by and with city government. For this reason, each of the three sub-areas is likely to proceed toward Step Three on a different timeline, and with different revitalization objectives. Characteristics that differentiate the sub-areas, and the issues that are likely to be the focus of BOA implementation activity are described below.

### ***Hunts Point***

Land in Hunts Point is occupied primarily by active industrial and quasi-industrial uses. The Hunts Point Food Distribution Center employs some 13,000 workers, from the Bronx and beyond, and is the major source of fresh produce, meat, and fish for the entire region's 15 million people. The City of New York's Economic Development Corporation owns the 329 acres of land (approximately 40% of the Hunts Point peninsula's total area) occupied by the Food Distribution Center. The complex comprises several large tracts leased to and operated by Hunts Point Produce Market, the Hunts Point Cooperative Market, and the Fulton Fish Market at Hunts Point, as well as parcels occupied by individual food distributors, including Baldor, Anheuser-Bush, Krasdale, Bazzini, and others.

Outside of the food center, most industrial land in Hunts Point consists of privately-owned land and buildings, almost all of which are in active use. Most of these lots are smaller than 30,000 square feet. The designation of Hunts Point as one of New York City's sixteen Industrial Business Zones offers a measure of protection against the conversion of industrial land to 'higher and better' uses. As rezonings and less formal conversions have reduced the availability of industrial land in other parts of the city, demand for stable industrial space in Hunts Point and the other IBZs has surged; the vacancy rate for industrial space in hunts Point is less than 5%.

Residential land in Hunts Point is concentrated in the peninsula's 20-block north-central core, with a total population of approximately 12,000 people. Of the three BOA sub-areas, Hunts Point is the poorest, and has the highest rate of unemployment (See Figures 5, 20, 23, 24, 25, 26, and 27 in Appendix 6.)

Beginning in 1997, the proliferation of private waste transfer facilities in Hunts Point threatened not only the health of the area's residents, but the viability of the food distribution industry itself. Residents joined with businesses to resist the construction of a major new trash facility on the waterfront by the American Marine Rail company; the success of that campaign drove the local planning initiatives that ultimately led to The Point's and Sustainable South Bronx's participation in this BOA. It also helped induce the Bloomberg administration to launch the Hunts Point Vision Plan Task Force in 2003. The Task Force, led by NYC EDC, identifies and implements long- and short-term strategies, primarily aimed at keeping Hunts Point's major industries economically competitive, but also addressing the environmental and quality of life issues arising from conflicts between residential and industrial land uses.

***Because the Task Force provides leadership on industrial land use and infrastructure issues in Hunts Point, the BOA focus for the Hunts Point sub-area has been to ensure***

*that planning concerns of residents are also addressed, and that those concerns are well-reflected in Vision Plan initiatives. Hunts Point BOA sub-area issues include:*

- *Ongoing environmental impacts of Hunts Point's industries and infrastructure*
- *Implementation of the South Bronx Greenway Plan, and development of a sustainable mechanism to fund its management and maintenance*
- *Establishment and protection of affordable space for local arts and cultural activities and related businesses*

### ***Bronx River***

The Bronx River sub-area is the most densely-populated of the three sub-areas. In contrast to Hunts Point, most land is occupied by residential uses, from owner-occupied two- and three-family buildings, to the NYC Housing Authorities high-rise Bronx River Housing development.

While household incomes in the Bronx River sub-area are somewhat higher than those in Hunts Point, it is noteworthy that median incomes in the sub-area have declined between 2000 and 2006. ACS data for the period confirms anecdotal reports that both overcrowding and rent burden (the proportion of household income required to pay for housing and utilities) have increased in housing units that are privately owned. (The large proportion of public housing units in the area tends to skew average and median rents, and obscure the rising cost of privately-owned housing in the sub-area; see maps and charts in appendix.)

Turnover (among residents of privately-owned housing) is also high; the proportion of residents who have lived in the area for five years or less is above citywide and Bronx-wide averages. Interviews by YMPJ staff and volunteers, as well as research by the University Neighborhood Housing Partnership, support the attribution of both turnover and falling incomes to the displacement of low-income households from formerly affordable areas such as Harlem, East Harlem, and Washington Heights. The Bronx River neighborhood represents a step down for former upper Manhattan residents, particularly in access to transit, schools, and jobs. Housing conditions and affordability thus emerge as key concerns of Bronx River sub-area residents.

Public housing residents in the area enjoy relatively secure tenure and affordability, compared with residents of nearby privately-owned rental housing. But the Bronx River Houses directly overlook the Cross-Bronx Expressway, a large MTA bus depot, and an active concrete batching operation, exposing residents to high levels of vehicle traffic, as well as to air pollution including dust from the plant.

The Bronx River sub-area also contains industrial land, almost all of which is privately-owned (the NYC Department of Sanitation owns a small garage on West Farms Road.) Surveys conducted by NYIRN and YMPJ confirm that most industrial space in Bronx River is occupied by lower-value uses than space in Hunts Point, including vehicle storage, auto salvage and repair, etc. While there are some exceptions, most industrial sites in Bronx River are occupied by small firms, most of whom are tenants, rather than land and building owners. Bronx River also lacks the protection afforded by Hunts

Point's IBZ designation; the lower concentration and overall volume of industrial activity have meant that it has not had the attention of the City's economic and industrial development policymakers. For these reasons, *and* because of its greater proximity to the Bronx River and the new Greenway parks, industrial land in the Bronx River sub-area is much more likely than land in Hunts Point to be converted to residential use.

The Bronx River BOA sub-area contains both the Sheridan Expressway, and much of the parkland being developed or reconstructed for the Bronx River Greenway. It also includes most of the land (immediately west of the Sheridan) that a private developer is proposing for rezoning from M-1 manufacturing to R-7 and R-8 residential.

***Major planning and development issues in the Bronx River sub-area include:***

- Proximity of high-density residential areas to highways and active industry
- Insufficient supply of safe, decent housing affordable to area residents
- Utilization of much industrial land for activities which generate little employment or other economic value, and in which property and business owners make little or no investment
- Land speculation and potential new development catalyzed by the creation of the Bronx River Greenway which may not serve local needs for affordable housing
- Need to develop a sustainable source of revenue for the maintenance of the greenway and the continuing restoration of the River
- Ongoing CSO discharges into the Bronx River from the sewershed lying within the BOA sub-area

***Soundview***

The Soundview sub-area differs markedly in character from the other two sub-areas. The largest residential development is a Mitchell-Lama tower complex developed in the 1960s. Its residents are older and more affluent than residents of Hunts Point and Bronx River (though they are still markedly poorer than most New Yorkers.) Many have occupied their apartments for thirty years or more and have now retired. The complex was converted to cooperatives in 2006. (See Figure 24 in Appendix 6.)

This entire sub-area lies to the south of the Bruckner Expressway, whose six express lanes and four local lanes run on-grade through the area. Only one pedestrian bridge, which is poorly designed and not well-used, allows non-motorized access to the north, where the nearest subway line, the #6, is located. The residential towers are provided with large surface parking lots, though fewer than 50% of households own cars. Bus service is very limited. Many residents are elderly, and seldom travel outside of the immediate area.

Blocks to the north and west of the co-ops are occupied by small industrial properties including a recyclable waste transfer station. Trucking associated with these uses damages local streets. The superblock street pattern has to some degree buffered residents of the co-ops from the impacts of industrial uses on the blocks directly south of the complex.

The 12-acre Loral site, identified in the BOA Step One report as a strategic site, occupies most of the Bronx River waterfront in the Soundview sub-area. However, its owner has refused to allow access to the site even for a visual inspection, and in 2006 withdrew from negotiations with a private developer who had prepared an application the Brownfield Cleanup Program. Representatives of the Lafayette Morrison and Lafayette Boynton Co-Ops have stated that their residents oppose any development at Loral site that would include residential uses, and have declined to participate in BOA visioning discussions about the site. While this has been frustrating, the BOA sponsors respect the residents' expressed wishes; we hope to maintain communications. We are aware that residents are obtaining help from New York Lawyers for the Public Interest to address health concerns related to the Loral site, separate from the BOA process. We do not anticipate moving forward with Step Three activities in the Soundview sub-area at this time.

***South Bronx Waterfront BOA and Sub-Area map***  
***Map of Potential Brownfield Sites within the South Bronx Waterfront BOA***

***Section 2 – Public Participation Plan and Techniques to Enlist Partners***

- ***Public Participation Plan***

The South Bronx Waterfront BOA community partners themselves represent a cross-section of residents of the BOA area. The missions of YMPJ, The Point, and Sustainable South Bronx all include involving local residents in planning and decision-making affecting the area, and each pursues its own strategies for regular public outreach. This role is essential in New York City, where the functional unit of local government is a municipality of some 8 million people. In contrast with other large US cities, the agencies that deliver local services – the Parks Department, the Departments of Environmental Protection, Transportation, Education, Health, etc. are centrally managed. They have local administrative units, but these units are accountable to the citywide commissioner of each agency. They are charged with informing and consulting with local communities about their plans and projects, but do not take direction at the local level. This consultation generally takes place through New York City's 59 Community Boards. Each board is responsible for an area of between 150,000 and 300,000 people – i.e. an area equivalent to a middle-sized city. But the boards have only advisory power; they are poorly-resourced, with few staff and no professional planners in their offices. And it is widely agreed that the political process by which Community Board members are appointed often means that they are unrepresentative of the communities on whose behalf they act.

Independent non-profit organizations with a community planning mission, like the BOA partners, therefore play a vital role in informing their communities of pending public and private developments, demystifying public processes, and connecting community members with the public agencies responsible for addressing important issues. The South Bronx Waterfront BOA was conceived because the partner organizations had worked extensively with the many city and state agencies which are either carrying out major

projects in the area, or which have regulatory responsibilities crucial to ensuring the community's health and quality of life. The BOA represents an opportunity to bring the concerns of local people to the attention of those agencies, and to do so in a holistic way that crosses boundaries of geographic and programmatic jurisdiction.

- ***Techniques to Enlist Partners***

Participation in the Steering Committee was therefore sought from: public agencies with operational or regulatory interests in the BOA area; businesses, especially those with a history of involvement with other local planning efforts; local residents; and nonprofits in addition to the local BOA partners. Steering Committee meetings took place on October 25 and December 12, 2006, and February 7 and May 17, 2007.

Recruiting all of the stakeholders whose input was needed to inform the BOA process as members of the Steering Committee would not have been practical. Different groups of stakeholders have vastly different demands on their schedules (it is rarely possible, for example, to get business owners in the area to attend evening meetings, while ordinary residents are not able to attend meetings during the day.) "Planning Fatigue" was also frequently cited by even very dedicated participants. During the period when the BOA analysis was proceeding, other important public processes involving local stakeholders included the Hunts Point Monitoring Committee, convened by the New York City Department of Environmental Protection to review its \$900 million expansion of the Hunts Point Water Pollution Control Plant; the Hunts Point Vision Plan Task Force, convened by New York City's Economic Development Corporation, to develop and advance the rezoning of Hunts Point, and a number of major New York City capital projects; and New York State Department of Transportation's Bruckner-Sheridan Environmental Impact Study, which is examining two alternative "build" scenarios for the Sheridan.

The BOA partner organizations therefore consulted informally with a much larger group of stakeholders as recommendations for the BOA were developed, through individual meetings and by phone. That contact list is also provided at the end of this section.

To reach the maximum number of local residents, community meetings were also held in each of the BOA sub-areas. Youth Ministries for Peace and Justice facilitated meetings in the Bronx River and Soundview sub-areas; The Point and Sustainable South Bronx facilitated meetings in Hunts Point. Because all three of these partner organizations maintains a schedule of other community events, they had additional opportunities to present the BOA's goals and recommendations by tabling and gathering surveys. A full list of events and surveys will be provided in the appendix of our final report.

- **Smart Growth Spotlight**

On November 19, 2009, the South Bronx Waterfront BOA hosted New York State's third Smart Growth Spotlight presentation. Thirty representatives of New York State and New York City agencies met in The Point's theater in Hunts Point, where BOA partner organization staff presented an overview of BOA conditions, issues, and our vision for revitalization of the area. Bronx Overall Economic Development Corporation provided

clean-fuel buses (and expert drivers) for a tour of the BOA area, enabling agency representatives to see first-hand both the challenges facing area residents and businesses, and the progress that has already been made on many of the initiatives presented during the morning.

A facilitated discussion during the afternoon enabled BOA partners and agency representatives to discuss several of the initiatives in depth. Spotlighted topics included including the proposed West Farms rezoning, enforcement concerns relating to active industries, green infrastructure targets for reducing CSO discharge into the Bronx River, opportunities and challenges to completing the Bronx River Greenway and the South Bronx Greenway, and the seemingly stalled Environmental Impact Study for the Sheridan Expressway. Presentation and discussion on the community plan for the Sheridan, and its relationship to other revitalization goals of the BOA was helpful in clarifying the concerns of both local stakeholders and agencies, and the both the opportunities and obstacles to continued progress.

The opportunity to discuss BOA issues with both State and City agency representatives was particularly valuable; the NYC Office of Environmental Remediation, which had previously hosted a discussion between SBWBOA representatives and key city agencies, was extremely helpful in bringing the City agencies to the table.

A copy of the Spotlight presentations given, and the list of attendees is included in Appendix 5.

### ***Section 3 – Analysis of the Proposed Brownfield Opportunity Area***

- **Community and Regional Setting**

#### **Demographics**

The South Bronx Waterfront area being proposed here as a BOA is home to 99,459 people, and is among New York City's poorest communities. Median household income in the BOA census tracts is \$17,688. The overwhelming majority of residents are Latino or African American (60% and 35%, respectively.) Detailed demographic maps are included in this section.

#### **Location and Environmental Conditions**

The Bronx is the only one of New York City's five boroughs that is also part of the US mainland. Its geopolitical destiny has been shaped by its role as a bridge across which hundreds of thousands of commuters and thousands of tons of freight move daily. The development of the highway system (beginning with the construction of the Bronx River Parkway in the 1920s, and accelerated by the development of the Interstate Highway system in the 1950s – 70s) enabled the growth of suburbs to the north and east, and supported a regional freight movement system that is dependent on trucking, rather than rail.

The highway system is configured to move people and goods through the Bronx, rather than to it, and fewer than 20% of households within the BOA own cars. The #6 subway

line serves the BOA, and the #2 and #5 are several blocks to the northwest (although up a steep hill). Many BOA residents live far from subway stations and rely on buses to connect to them, or to access local jobs and services. In all, while the area has better transit access than some other parts of New York City, and certainly better access than low-income suburban communities, many BOA residents travel over an hour each way to work, and many jobs that might otherwise be available to them are simply out of reach.

Environmental Justice issues are among the most pressing concerns of local residents, organizations, and elected officials. Polluting industries and infrastructure are concentrated in the area, including four major highways with a total volume of over 400,000 vehicles per day; the sewage treatment plant that serves all of the Bronx; the sewage sludge pelletizing plant (the New York Organic Fertilizer Company) that processes over 80% of New York City's sludge; four "emergency" electric power plants constructed by the New York Power Authority in 1999- 2000 (these are directly outside – and upwind of – the BOA's western boundary); and over 25 waste transfer stations, handling both putrescible and construction and demolition waste, as well as numerous scrap metal facilities and auto junkyards. In addition, the Hunts Point food market complex generates over 11,000 truck trips in and out of the area each day. The area is severely deficient in open space, with less than one-half acre of open space per thousand residents (this includes all public open space, even paved street medians.) Air quality and microclimate are also affected by the scant tree cover (Hunts Point has approximately than one tree per acre of land area, and most trees are smaller than 6" caliper.) Unsurprisingly, residents suffer from high rates of asthma, as well as heart disease, obesity, diabetes, and other conditions caused or exacerbated by environmental factors.

### **Development History of the Area**

Prior to the construction of what is now the #6 subway line, Hunts Point was a waterfront resort community, and home to wealthy and prominent families during the mid nineteenth century. With the development of mass transit, the area was rapidly and heavily industrialized. Dense residential areas were developed in and near industrial areas, to house the mainly immigrant workforce. The development of the interstate highway system in the 1950s – 70s physically devastated the area; the construction of elevated and on-grade roadways, with rights-of-way up to 200 feet wide, required massive demolition, and left the Hunts Point peninsula, in particular, cut off from shopping, transit, and its former residential neighbors. The New York City Zoning Resolution of 1961 classified much of the area as industrial, with designations from M-1 to M-3, and the City acquired the huge area that became the produce and meat (co-op) markets; the Fulton Fish Market was relocated to Hunts Point from Lower Manhattan in 2005. While the rationale for locating a wholesale distribution complex that serves the entire region was based in part on the area's massive highway network, the lack of functional access to those highways has compromised the competitiveness of the food markets themselves, as well as the area's ability to attract and nurture firms in related sectors. Like most of the south Bronx, Hunts Point experienced severe population decline and abandonment of residential buildings during the 70s and early 80s. The Bronx River-Bruckner- Soundview neighborhoods, east of the river, had relatively little abandonment, and gained a reputation as a haven for a struggling Latino middle and working class.

### **Housing Conditions**



In common with all of the Bronx, and most of New York City, the BOA area gained population significantly between 1990 and 2000 (this trend has continued in the years since the 2000 Census.) Where abandoned residential land and buildings did exist in Hunts Point, they have largely been reclaimed; the Bronx River community had little vacant land, and the housing stock has not expanded to keep pace with population growth. That growth appears to be the results both of births – the area has many young families of childrearing age – and of in-migration from both within and outside New York City. Average rent statistics for the area are somewhat skewed by the large number of public housing units, which represent a stable affordable housing resource in a market that continues to experience pressure from a growing population. Research by The Pratt Center and YMPJ appears to indicate that rents in privately-owned apartment buildings average between \$900 and \$1600 per unit, and that extended families with multiple wage earners struggle to afford these rents.

Recent studies, including one by University Neighborhood Housing Partnership, corroborate anecdotal reports from local residents that housing pressure in the South Bronx BOA is heightened by gentrification and displacement in other parts of New York City, particularly Upper Manhattan. Census data confirms that most people moving to the BOA from other parts of New York City are poorer than those who have lived in their homes (within the BOA) for five years or longer. Continuing demand for affordable rental units results in significant overcrowding, as well as in the illegal subdivision of units and buildings throughout the BOA area. Housing code violations are also more common in the BOA than in New York City as a whole.

## **Brownfield and Strategic Sites Inventory and Analysis**

### **Existing Land Use and Zoning**

Like all of New York City, land use in the BOA is regulated by the 1961 New York City Zoning Regulation (with the many map and text amendments subsequently enacted.) Nearly all of the land in the BOA was developed prior to 1961, so the regulations reflect both recognition of then-existing land-use patterns, and new public policies that reflected the planning philosophies of the day, as well as the new possibilities opened up by the creation of the highway system, in particular.

Land use in much of the BOA reflects pre-1961 conditions, with very small lots, and with an extremely fine-grained mix of residential, commercial, and industrial uses. Very large tracts of land were developed after 1961; these include high-rise housing in the Bronx River and Soundview sub-areas, and large waterfront parcels set aside for the wholesale food markets, the sewage treatment plant and related facilities, and largely undeveloped tracts of parkland, including Soundview and Starlight Parks.

A map locating the BOA study area, and tables categorizing major land uses in the BOA and its sub-areas, appear in previous sections.

As already noted, the New York City zoning's Manufacturing category allows many uses other than manufacturing; it is instead a catch-all for environmentally objectionable uses. The zoning text treats different types of manufacturing in great detail, and addresses the

need for on- and off-street truck loading, but does not address the volumes of truck traffic generated by different uses directly. Wholesale distribution is classified among the relatively benign uses allowed in M-1 districts, which are very often mapped directly adjacent to residential neighborhoods.

The lack of differentiation by the zoning regulations among uses allowed in Manufacturing zones has important economic, and environmental implications Hunts Point and other historically manufacturing areas throughout the City. Non-manufacturing uses allowed in Manufacturing zones produce many fewer jobs per acre of land. Of Hunts Point's 700+ acres of M districts, 52.7% of land area and 18.9% of total building area is occupied by "other uses" – most prominently the Food Market, but also including the Sewage Treatment Plant and other utilities. In 2000, vacant land constituted 23.1% of Hunts Point's manufacturing land, and auto service and storage another 4.8%. Actual manufacturing uses accounted of only 18. 6% of M-zoned land, and 66.2% of building area.

In the late 1990s, privatization of both commercial and residential solid waste hauling led to a proliferation of private transfer stations in Manufacturing zones throughout the City, including Hunts Point. The incursion of these facilities negatively impacted both residents and businesses in Hunts Point – particularly wholesale food businesses, who were harmed both by the rats and other pests the transfer stations brought, and by the competition for street space brought by local and long-haul trucks moving trash. To address this issue and other concerns, the City convened its Hunts Point Vision Plan Task Force, which produced a set of recommendations that included the rezoning of the Hunts Point Peninsula to discourage new waste-related uses, and to create a buffer between heavy industry and the upland residential community.

The zoning amendment introduced by the Department of City Planning in 2008 substantially reflected the recommendations of the Task Force (See Figures 6-8 in Appendix 6), but added an unexpected provision, which was much more permissive to the development of big-box retail than either the existing zoning, or M-1 zoning in other parts of the City. After protests from local residents, businesses, and the Bronx Borough President's office, the area in which retail uses will be permitted, and the total allowable floor area were both reduced. But a strip along Garrison Avenue has been opened to large retail development, which residents fear will not meet local needs, and which industries fear will raise land costs beyond their ability to pay. Both groups are concerned about high levels of traffic, and the degradation of the streetscape by large parking lots and curb cuts.

### **Brownfield, Abandoned, and Vacant Sites**

As noted, and as illustrated on the land use maps and the attached map of potential brownfields, there are very few abandoned sites in the BOA. There are a handful of large, vacant sites, and many other sites whose past and current uses are cause for concern about soil contamination, as well as about other environmental impacts from ongoing operations. (See Figure 4 in Appendix 6.)

## Strategic Sites

A description and preliminary analysis and recommendations for the strategic sites appears in the Executive Summary. Detailed analysis and recommendations for these sites are still being discussed with local stakeholders and will be provided with the final report.

Strategic Sites identified within the BOA include:

- Loral (vacant, privately-owned industrial site in the Soundview sub-area)
- Jenna Concrete (active, privately-owned industrial site in the Bronx River sub-area)
- Oak Point (vacant, privately-owned site in the Hunts Point sub-area, most recently used for extensive illegal dumping of construction and demolition waste)
- The Sheridan Expressway- (28-acre state-owned highway footprint, and adjacent privately-owned industrial sites)
- The Garrison Avenue Corridor in Hunts Point

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***Economic and Market Trends Analysis***

A preliminary report by the New York Industrial Retention Network is included as Appendix 3. A summary of report findings is included in Appendix 4.

***Summary Analysis, Findings, and Recommendations of the BOA and Strategic Sites***

Findings and recommendations provided in Executive Summary; additional detail will be provided after discussion with DOS.

## ***Appendices***

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