

Special Committee on Last Mile Trucking Facilities

Meeting Minutes for April 27th, 2022

1. Discussion among CB7 Special Sub-Committee on Last Mile Trucking Committee members on recent meetings, proposed legislation and remaining gaps
2. Public Comment
3. (CONFIRMED) Department of City Planning presentation in response to CB7 letter
4. (CONFIRMED) Department of Transportation presentation in response to CB7 letter
5. (INVITED) DH Property and Bridge Development Partners on their plan to develop a four-story last mile trucking distribution center on 3rd Avenue from 19th to 21st Streets
6. Public Comment

Special Committee Members

Katie Walsh, Chair of Committee

Nick Azadian

Gladys Bruno

John Fontillas

Christina Lem

Sam Sierra

Stacy Boyd (not in attendance)

Cynthia Felix (not in attendance)

Cynthia Gonzelez (not in attendance)

Zak Jasie (not in attendance)

Katie Walsh, Chair of the Special Subcommittee

- We have been meeting for almost a year - May 2021 – first kicked off this committee; but the issue was long discussed prior to this (since 2018; rose to tenor to form a special committee)
- Oct 2021 – this committee wrote a letter about impacts on the community; brought the letter to the full board; in December this letter was passed by the full board unianmously this letter asked for solutions what exactly for accountability
- This letter was sent out in March 2022 to electeds and agencies to respond; many have started responding to set up a meeting, will report out on this in the next meeting
Indirect Source Rule introduced for the State legislation since we last met – read more about this: <https://www.thecity.nyc/environment/2022/4/19/23033057/push-to-clean-air-around-last-mile-amazon-warehouses>
- Last Mile Coalition launched in Dec 2021

Committee Community Board 7 Members Comments

- Nick Azadian - During the last Sunset Park Taskforce meeting DOT said that they would do a study. We followed up and they haven't provided more details about depth or breadth of that study; want them to discuss tonight

- John Fontillas – amazing to see the support from electeds and energy that is coming from the communities for the attention on this issue and the focus on last mile trucking facilities. This to me is like the M1 which would be something that I would consider similar. I don't know if the special text amendment is the magic bullet. The Indirect Source Rule – might be helpful that could be even more broad to help us. The thing about zoning is so indirect; we have to find other ways to get to the impacts of last mile trucking; not just zoning, we have to use every tool available to us.

Public Comment

- Alyce Erdekian is a Red Hook resident, we are excited about the Indirect Source Rule. We want to help coordinate an email campaign a community voice on this to support it! Please contact me:

Jenny Zhang, Chief of Staff, Marcela Mitaynes

- Bill has been introduced "Indirect Source Rule"
- Want to set expectations on passing this time – this is very difficult to pass in first session, only 5 weeks left; want to be realistic on what's possible
- Bill that this one is modeled on "cryptocurrency" (to have a moratorium through DEP) so might be possible to see this as a good example; a bill introduced by Anna Kellis – this bodes well; dynamics of that and how it moved through the Assembly could be the same for us for IDSR
- Environmental conservation committee (Mitaynes is not) Some initial sponsors are a part of
- What we're looking to do is "inside out strategy" is how we need to support this legislation; while pushing in legislature to gain support, we need outside effort – to do the work on outside lobbying; really outside pressure that is what makes support happen; we want to support this effort; people want to know how to support the bill? If you are interested in passing the state level bill
- June 2nd is the end of the legislative term
- Canvassing in Red Hook for NYCHA funding, plus include support for Indirect Source Rule

Katie Walsh

- Make a motion for a CB7 letter for support for Unanimous consent for Indirect Source Rule
- No committee members objected
- **Katie said she would bring this to the May 18th board meeting**

Dept of City Planning Presentation

- Alex Sommer, Deputy Director, ASOMMER@planning.nyc.gov
- Jukie Tsai, CB7 Liasion, JTsai@planning.nyc.gov
- Connie Chan, CCHAN@planning.nyc.gov
- Josh Vogel, JVogel@planning.nyc.gov
- Jonah Rogoff, CB6 liasion

Jukie Tsai, City Planner at the NYC Department of City Planning

- We know that in response to demand for fast deliveries, we are seeing increasing deliveries in general, Freight/logistics companies increased presence in NYC

- We know of 2 million sq space planned or under construction for “last mile” in NYC
- Tend to cluster with specific characteristics – industrial zones, highway access, and reach high population areas
- Sunset Park, Red Hook, Staten Island West Shore, Masbeth, East NYC, Hunt’s Point to name a few locations where this happening intensely
- We are trying to respond to real concerns from Community Board 7:
 - Safety
 - Hazards
 - Traffic, Truck issues
- To take action, we need to learn more about the facilities and impacts of the facilities. This is what we’re doing to better understand – we want to know landscape before we propose action, we know want to know impacts. What’s going on with the facilities – we want to analyze and understand. In City Planning in Transportation, we will plan to:
 - Mapping of planned and proposed facilities
 - Understand geographic distributions where it’s happening
 - Understand the broader economic role in the supply chain of these facilities
 - We want to understand the Factors to understand siting decisions. We know about uses of industrial zones. We want to have a good grasp of this.
 - Want to understand nature of the facilities themselves. We know this is distinct from freight traffic they generate.
 - We want to further analyze the impacts to traffic safety and environmental hazards; want to know all factors influence siting of the facilities. What traffic or environmental hazards have to do with each facility
 - We want to know the role these facilities play in industrial employment. These are small things we’re doing in our agency and with other agencies and we want our understanding to be local, but understand this citywide.
 - All this, is what we want to know before acting on something

Alex Sommer

- Why we’re taking an in-depth look for DOT, EDC
- We want to make sure no unintended consequences. In order to recommend actions,
- Something that comes up when we look at this: already existing facilities, we’re concerned actions we take could further concentrate deliveries in these planned or existing and then result in/lead to overflow could increase freight volumes in existing
- We know potential if we do Restrictions on future sites, this could increase inbound traffic, then this could further impact existing traffic
- This is what we want to know before intervening with landuse regulations
- We know impacts could be larger industrial sites, we don’t know what kind of delays could happen with the city’s supply chain; so need to better understand
- Just defining last-mile is very complicated, we’d have to do this within zoning. First issue is a legality. Zoning can’t be used to restrict a use for an “off site service” Last Mile is how a deliver would be used for an end user would be. We need to think how we define these facilities differently
- If we get too restrictive, would it impact other issues? Industrial uses.

- Finally combined, we have to be careful about interstate commerce and federal transportation law, we don't want to interfere with interstate
- Putting it out there as come up with solutions together; all that said we have shared goals:
 - Reduce traffic
 - Reduce traffic confluence
 - Air quality
- Wanted to lay out considerations for zoning or land use. think through programs or legislative issues on externalities in local neighborhoods.

Jukie Tsai

- Work with DOT, EDC as we narrow the scope, sharable analysis to come what we have found through our shared work with our sister agencies
- This would then share next steps with DCP or used for other means you have raised
- DCP will be supporting Red Hook Traffic Study

Katie Walsh

- shared the letter DCP sent
- proposed comprehensibly "truck traffic study, Red Hook"
- I have not heard anything about 3rd avenue, or Sunset Park

Alex Sommer

- we are looking city-wide since we're looking regional and city-wide. We will look at how facilities, proposed and existing, is going to impact neighborhoods.
- No timeline, pieces of work that will inform DCP

Jeremy

- 12 years to get Special Text Amendment passed – all these hotels then went up; we need a real timeline

Nick Azadian

- No coordination btwn DCP/Dept of Buildings bc no way
- Red Hook turned into a parking lot. This is what this inaction has caused. We need to look holistically;
- "last mile" hard to define; at one time, we didn't have a definition for a "mall" so this can be figured out
- Looking city as a whole – but these structures are showing up regionally – where cheap real estate and industrial, you're not going to see ths in midtown Manhattan, numbers to bare out. You need to focus on communities being affected.
- This is like me saying I want to put a coal fired powerplan next to Park Slope, imagine what would happen?
- Guiding thinking: Look if it's most similar to a warehouse, typical warehouse has xxx, what you'll notice in these facilities, it's significantly elevated, this will help you say "normal uses"

Alex Sommer

- We will coordinate with DOB, to understand where these are showing up

- Notes taken on coming up with a definition, we will do this how they are different “last mile” versus “warehouse”
- Unintended consequences – stamping down in Sunset Park, Red Hook, pops up in an M1 somewhere. We know it won’t pop up in a residential district

Katie Walsh

- We have been raising this for a long time; so much so we created a special committee. How are we going to see action?

Alex Sommer

- We’re working on this right now. What would be helpful: real conflicts in the community

Jukie Tsai

- Katie you pointed out some spots on 3rd avenue; we want to know where the problems are;

Katie Walsh

- Pointed Jukie to 39th off the BQE, 3rd avenue and then 39th street

Department of Transportation Presentation

Keith Bray

Diniece Mendes

Brian Cuffy

Huma Hossein

Keith Bray

- Last year we had two freight plans presented to public “delivering green” “delivering NYC” what we need to do to get a greener future and smart trucking in NYC
- To get to issues we are aware of
- Last Mile trucking – does not trigger comprehensive studies. As we described unless curbcut, nothing we can do
- This is unacceptable;
- We’re working with DCP, EDC to improve on this. DOT will be:
 - Exploring and engage more than we have before with Sunset Park, Red Hook, East New York. We have a preexisting study with CB5 (East New York) a completed transit study which will be

Red Hook:

- We’re getting funding together start this year, coordination with DCP and other, traffic and truck generation in Red Hook. When we do comprehensive study, several steps, to start existing conditions, engage with community on their issues in public participation. Community advisory committee and technical advisory committee. We know who people are, but would be good to engage the public and business community and engage the businesses to engage in the process. very important to work with them.
- As we do process for outreach, generate recommendations, we

Sunset Park:

- 20th street will be included in Red Hook Study
- 3rd avenue truck study – their issues their needs – We will work with cb7 to begin that conversation

Delivering green and delivering NY

1. Clean truck program – incentives to replace older with newer vehicles
2. Cargo bike program – shift deliveries to cycling
3. Work with EDC – “blue highways” underutilized landings – to move folks on the water
4. Truck routes network – redesign as needed to meet community and drivers
5. Local level – microdistribution centers – encourage last mile by zero emissions vehicles
6. Ramp up off hours delivery to less congested times of day 7PM – 6AM
7. Try to switch to electric

Goals:

- *Environment*
- *Safety is a top goal*
- *Red Hook is one way/in and out – this community has a lot of facilities. With the study, hoping to mitigate against this and the industry themselves*

Diniece Mendes

- Industrial engagement – we need them at the table to make more commitments
- Clean tech – older and polluting trucks to help them.
- There’s no one size fits all – attacking from all angles, so more sustainable options.

Keith Bray

- We will be doing a 3rd avenue study, even though own data we will do this and do community engagement. We know a lot of fatalities
- I know school on 39th and 60th street consideration
- Commercial/industrial and NYPD
- DOT will be doing a 3rd avenue Traffic study
- Not this spring, but soon - Emily will reach out to cb7 to do the community event; 3rd avenue study could start earlier.
- 20th to 65th street because of crash data
- Are we looking at whole historical data or projected? It will include history and the projects that are coming online. Traffic counts and future counts also will be included. Will the trips generated from the 20th street traffic study, it will be taken into account in this study.
- We are hoping that the developers will participate in both of these studies
- Red Hook Traffic study would be in the fall; working with cb6 directly; it would be federal funding to do this

Katie Walsh

- Is there a reason you can’t use definition in NYS legislation already introduced? City legislation

Alex Sommer

- This shows nimbleness of legislation as opposed to zoning.

Katie Walsh

- What else can we do to make something happen?

Keith Bray

- People are keeping this serious; elected officials are keeping this
- City, Borough President, what you are doing has already effective
- 3rd avenue study – we will do in house that we always do;

Jeremy

- **We have heard 3rd avenue is dangerous, what else can DOT to make 3rd safer right now?**
- We lowered speed limits. We added LPIs, we can do more of.
- Spot/short safety things in short-term
- It will not take 5 years to implement, study in 2022 and implement in 2023

Denise

- If there are specific areas that the community would like to see more targeted improvements based on local conditions. This information is valuable as we do our assessment. Send this to Keith directly as we're doing assessment. Not to do "counts" for traffic, but "corridors of interest" qualitative observations from the community. If we need improved enforcement or better signage. Areas of focus within the study area.

Public Comment

Jim Tampakis

- Wanted to clarify – something Jukie said - 3 million square feet alone in Red Hook – DCP said 2 million NYC wide, this number is way off
 - UPS site (west side of neighborhood, 1.2 million sq ft, truck route is van brunt)
 - East side Amazon sites – just less 1 million
 - RXR trying to build something 1.1 million sq
- All high cubed – 28 foot ceiling height, 3 million into Red Hook alone.
- In order to load these warehouses, 1,000 40 foot, per 100,000 sq feet
- We might see loading – 30,000 tractor trailers

20th street will be 1 million – we're talking A LOT of trucks. We're right on the water, if we could concentrate on water highway, like Dept Sanitation does in/out of water. Want to see this with these trucks. Where you're on the water, you should be able to do this. DCP should push these owners, creating havoc in neighborhood. They should have to do this. when trucks leave from east side and hit Hamilton Avenue, right turn going onto 3rd avenue. Red Hook study impacts 3rd avenue; if we have thousands of trucks onto 3rd and hopping on 60th street and 3rd avenue.

Every tractor trailer you have 60 sprinter fans

NYC up to 2.4 million packages a day to end users, this is where these last mile comes into play for quick delivery. We have ability to do this by water – 525 miles of water – can we do this and then bikes. Clock is ticking. I wanted to be informative.

Jukie Tsai

- 2 million in construction – thanks for your information

Denise

- We are working with EDC to launch a blue highways program, which Keith mentioned, as part of Delivering Green in Nov 2021. We're in process of finalizing our request for interest for freight movement by water, to do transloading sustainable – cargo bikes, vans, to serve the "last mile"
- We know multiple prongs to this equation, we want to green the supply chain; all hands approach, we can't solve this with one solution

Keith Bray

- A lot of these companies have their own sustainability goals, so hoping they will work with us

Carolina Saguero

- Anything for Red Hook helps Sunset Park
- Michael Morela, spoke with Carolina, says that they spoke and DCP has no tools. Other cities have "maritime protection" zoning. Need to find ways to use waterfront
- I suspect too many trucks, this won't be viable for them businesses, so make them use the water. You could also raise tolls for the bridges tunnels
- For the study are you counting non vehicles? If you start the fall, you will miss all the summer activity. The truck route will go on Bay Street, past BASIS school, Red Hook Farm, Food Vendors, and ball fields on either side. If it doesn't include the summer, you are going to see these trucks kill a kid.

Keith Bray

- Thanks for noting – yes, traffic study will include pedestrians. Good flag on the activity for the summer activity, will try and take some method

Katie Walsh

- Calls to action: DCP you have heard about our definitions of last mile and you know about our locations of interest. You said first step is a community meeting. Can we put a date on the calendar?

Keith Bray

- For Sunset Park - 3rd avenue study – can definitely do this a community meeting by September at the latest. We want to hear from the community

Alex Sommer

- We are supportive of – we would attend and listen and support to DOT, DCP, EDC

Katie Walsh

- o Asks them to invite DOB to the list of agencies to host
- o CB7 to follow-up on setting up a
- o DH Properties was invited – no response or reply

Last Mile Coalition

1. Summer Sandoval, Energy Coordinator, UPROSE, summer@uprose.org
2. Lovinia Reynolds lovinia@uprose.org
3. Eva Hanhardt, Pratt
4. Rachel Spector, EarthJustice

Presents slides on Zoning Text



Why (Review)

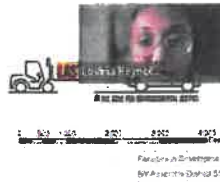


- New York City Department of City Planning treats "Last mile trucking facilities" as traditional "warehouses"
- Facilities are built "as-of-right" with no public review or input
- These last mile facilities have significantly worse impacts on health, safety, local economy, and environment than traditional "warehouses"
- Last mile facilities clustering in environmental justice communities



What

- Created based on the information and feedback from the community & Special Subcommittee
- Application for a citywide **Zoning Text Amendment** to require a **Special Permit**
- Submitting to the Department of City Planning
- Establish **public process, environmental review, reporting, and requirements**
- Create requirements for **HOW** and **WHERE** last mile facilities can be **located and constructed**



Precedent

- Zoning Text Amendment application by Manhattan Borough President Gale Brewer and Councilmember Margaret Chin for Two Bridges Large Scale Residential Development (LSRD).
- Citywide Hotel Text Amendment that addresses hotel development and mandate a special permit requiring hotel developers to undergo public review and approval.
- Diverse citywide support



Summer

- This is not just a NYC issue, this is a national issue, we reviewed legislation from all over the country to understand what is being pursued

Who

- Zoning Text Amendment Application will be Co-submitted
- **"Co-Applicants"**:
 - Representatives from Last Mile Coalition members
 - Elected official allies representing this district



Zoning Text Amendment



- Define last-mile facilities
- Require a Special Permit
 - Public Review
 - Environmental Review
- Proof & reporting
- Prevent clustering- setbacks
- Alternative modes of delivery
- Create tools



The facilities need to happen in a way with no regard to communities that they are impacting
Industry itself has defined last mile distinctly different than a regular industrial facility

Defining “Last Mile Wareho



“Last mile warehouse” as a warehouse that:

- Contains at least 50,000 square feet of total floor space that is used for warehouse activities;
- Has as its primary purpose the processing or redistribution of goods for delivery directly to consumers or end-users
- Not long-term storage
- Informed by existing definitions

~~● Differentiated by the industry itself~~



Require a Special Permit



- Aims to create a consistent & comprehensive approach to last-mile warehouse facility development citywide=
create clear rules and requirements
- Allows the City to study and mitigate the effects of such facilities by providing for facility-by-facility review, including mandatory studies and reporting.
- Allow the City to address greenhouse gases, other vehicle pollution, and environmental disparities.

Proof & Reporting



- Require studies on traffic and pollution impacts and annual reporting from facility operators
- Public information:
 - Traffic- Reported via DOT
 - Air Pollution- Reported via DEP

Prevent Clustering



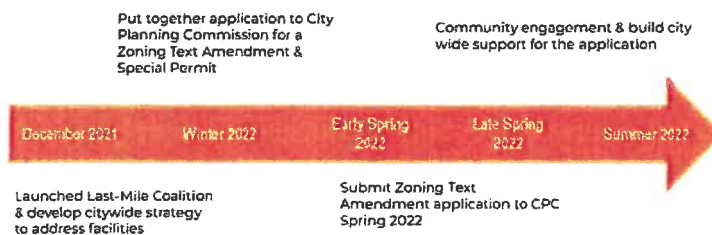
- Requiring that such facilities be a minimum of 1,000 feet from any other last-mile warehouse.
- Requiring that such facilities be a minimum of 1,000 feet from any:
 - Schools
 - Parks
 - Nursing homes
 - Public housing buildings

Alternatives Modes of Delivery



- Electric vans
- E-Bicycles
- Maritime transportation
- Installation of solar panels & other clean energy technology onsite

Timeline & Next Steps



Community Board 7



- Join the city Zoning Text Amendment application as a co-applicant
- Requires one point person from board
- **Why?**
 - CBs can be a co-applicant on zoning text amendment applications
 - CB7 has been involved in last mile
 - CB7 is very impacted by last mile

9 Stronger application with CB7

Katie Walsh

- Before we vote, we would need to see the text amendment itself
- We have the indirect source rule being proposed
- Agency studies
- Are you going to any other CB to ask them to participate?

Summer Sandoval

- we are prioritizing CB7 – in trying to determining the timing, we haven't made a formal request to other community board where there are impacted communities. We are trying to balance the timing; we need to move at a faster place.
- Once submitted, it can also be amended to include other co-applicants

Katie Walsh

- Cb6 is a good candidate to go to as well
- Your ask is cb7 as a co-applicant for zoning text amendment; get a sense ask some questions, then put it to a vote. Also making it available to the public?

Rachel Spector

- There's a balance; once it's submitted it would be available to public through DCP system; we want to make sure we have everyone on board before distributing

Katie Walsh

- Clarifies once this is made public to community board 7, it is a public document
- Committee will meet again; before next community board 7 meeting on May 18th

THE SPECIAL TEXT AMENDMENT REFERENCED:

<https://bit.ly/specialtext1>

Background for Special Text Amendment <https://bit.ly/specialtext2>