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December 8, 2008

President James Stuckey and Members of the
Design Commission of New York City
City Hall, 3rd Floor
New York, NY 10007 FAX: (212) 788-3086

Re: December 8th Public Hearing # 23373: Construction of
aboveground components of the Croton Water Treatment
Plant, Mosholu Golf Course, Van Cortlandt Park, 3701
Jerome Avenue, Bronx. (Preliminary) (CC 11, CB 7)
DEP/DPR

Dear Commissioner Stuckey and Members of the Design Commission:

Please accept these comments on the above stated agenda item. In general, I find that the proposed design violates basic tenets of public policy in a densely populated urban environment such as that found at the corner of Gun Hill Road and Jerome Avenue in the northwest Bronx, which is in my Assembly District.

1. Based on a very brief presentation, it would appear that the New York City Department of Environmental Protection is violating promises made to the State and City Legislature, and to the community impacted by this massive construction project. While the plant design in the June 2004 Final Environmental Impact Statement used 9-acre footprint, the Alienation Legislation allowed for using of 28 acres for construction. The presenters can show you the lines for the "9 acre footprint" and the "Permanently and Temporarily Alienated" lands. By reviewing those lines you can see that the DEP extended the 9-acre footprint and its green roof driving range, to use more than triple the parkland into the area of the Mosholu Golf Course. The community has asked for overlays to show these lines, but there has been no response.

2. Tripling the size of the plant footprint, forced the design of the new Mosholu Golf Course into a different space extending southward to the land used by the general public for active parkland recreation purposes. The DEP/DPR proposed building a parking lot 75 feet from the newly renovated park, even though there is a municipal parking lot located directly across the street.

3. The proposed storm water and groundwater management plan channels storm water from the DEP's Croton Filter Plant's facility to Mosholu Golf Course facility. Contrary to

the position of the DEP, best management practices (BMP) are not park amenities, but belong to the facility that discharges it, and requires maintenance and operational supervision in situ. While the Parks Department should be responsible for the Golf Course discharge, the DEP should be responsible for its own storm and ground water runoff in the "moat" area.

I regret that I can not attend your hearing. Thank you for your time.

Sincerely,



Jeffrey Dinowitz
Member of Assembly

cc: Jackie Snyder, Executive Director