

**Torres Rojas, Genara**

FOI #14909

**From:** lbs4@columbia.edu  
**Sent:** Monday, May 12, 2014 1:23 PM  
**To:** Duffy, Daniel  
**Cc:** Torres Rojas, Genara; Van Duyne, Sheree; American, Heavyn-Leigh  
**Subject:** Freedom of Information Online Request Form

Information:

First Name: lynne  
Last Name: sagalyn  
Company: columbia business school  
Mailing Address 1: 3022 broadway  
Mailing Address 2: Uris 816  
City: new york  
State: NY  
Zip Code: 10027  
Email Address: [lbs4@columbia.edu](mailto:lbs4@columbia.edu)  
Phone: 2128543380  
Required copies of the records: Yes

List of specific record(s):

Analysis of a proposed Platform D for permanent PATH transportation project 2004 and transcripts of public hearings on the proposed Platform D held sometime in either November or December of 2004 these documents were identified in LMRO Monthly Monitoring Reports. Electronic format for documents is fine. Thank you very much.

**THE PORT AUTHORITY OF NY & NJ**

*FOI Administrator*

June 9, 2014

Ms. Lynne Sagalyn  
Columbia Business School  
3022 Broadway, Uris 816  
New York, NY 10027

Re: Freedom of Information Reference No. 14909

Dear Ms. Sagalyn:

This is in response to your may 12, 2014 request, which has been processed under the Port Authority's Freedom of Information Code (the "Code") for a copy of the "Analysis of a proposed Platform D for permanent PATH transportation project 2004 and transcripts of public hearings on the proposed Platform D held sometime in either November or December of 2004 these documents were identified in LMRO Monthly Monitoring Reports."

Material responsive to your request and available under the Code can be found on the Port Authority's website at <http://www.panynj.gov/corporate-information/foi/14909-WTC.pdf>. Paper copies of the available records are available upon request.

The Code provides for the copying or inspection of Port Authority records when such request contains sufficient information to identify the particular record(s) sought. As presently written, your request for a copy of the "Analysis of a proposed Platform D for permanent PATH transportation project 2004", is overly broad and cannot be processed under the Code. You may wish to resubmit your request to clearly define the specific records requested.

Please refer to the above FOI reference number in any future correspondence relating to your request.

Very truly yours,



Daniel D. Duffy  
FOI Administrator

225 Park Avenue South, 17th Floor  
New York, NY 10003  
T: 212 435 3642  
F: 212 435 7555

**WTC TRANSPORTATION HUB  
PERMANENT WTC PATH TERMINAL  
SECTION 106 CONSULTING PARTIES MEETING**

**NOVEMBER 4, 2004  
PORT AUTHORITY OF NEW YORK AND NEW JERSEY  
115 BROADWAY  
NEW YORK, NEW YORK**

**WTC Transportation Hub Permanent WTC PATH Terminal  
Section 106 Consulting Parties Meeting - November 4, 2004**

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WTC TRANSPORTATION HUB  
PERMANENT WTC PATH TERMINAL  
SECTION 106 CONSULTING PARTIES MEETING

NOVEMBER 4, 2004  
PORT AUTHORITY OF NEW YORK AND NEW JERSEY  
115 BROADWAY  
NEW YORK, NEW YORK

Reporter: Gina M. D'Adamo

JANE ROSE REPORTING 1-866-ROSE-NYC

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PORT AUTHORITY OF NEW YORK AND NEW JERSEY

Timothy Stickelman  
Louis Menno  
Peter Rinaldi  
Jackie Hanley  
Bernard McNeilly  
Shawn Lenahan  
Mark Pagliettini  
Bill Wong  
Steve Plate  
Peter Goelz  
Louis Rodriguez  
Glenn Guzi  
Steve Coleman  
Paul Gimayo (phonetic)

PORT AUTHORITY TRANS-HUDSON CORPORATION

Kevin Lejda  
Harold Levitt

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ALSO PRESENT:

BERNARD COHEN, FTA

KEN LUSTBADER, Lower Manhattan Emergency Preservation Fund

FRANK SANCHIS, Municipal Arts Society

BETSY MERRITT, National Trust

BRUCE DECELL, Coalition of 9/11 Families

ANTHONY GARDNER, Coalition of 9/11 Families

ROBERT KORNFELD, Historic Districts Council

JOEL KLEIN, Coalition of 9/11 Families

LOUISE LOPRESTI, Advocate for Congressman and Proposed World Trade Center National Memorial Act

NOAH PFEFFERBLIT, Wall Street Rising

FERNANDO RODAS, Wall Street Rising

SHIRLEY JAFFE, Alliance for Downtown New York

ALBERT CAPSUTTO, Tribeca Organization

DAN SLIPPEN, Pace University

MATT VIGGIANO, Office of Senator Martin Connor

RUTH PIERPOINT, State Historic Preservation Office

CHARLENE VAUGHN, Advisement Council for Historic Preservation

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ALSO PRESENT: (Continued)

BETH CUMMING, State Historic Preservation Office

MARILYN GAULL HOWARD, Coalition to Save West Street

BILL LOVE, Coalition to Save West Street

OMI CHIRIFAN (phonetic)

STEVEN WEINTRAUB, Art Preservation Services

CHARLES STARK, FTA, Project Management Oversight Consultant

KATE DALY, New York City Landmarks Commission

STEPHANIE GELD, Battery Park City United

BRUCE EHRMANN, Community Board #1

JOHN HOTOPP, Louis Berger

ADAM LEVINE, New York State Department of Transportation

ROBERT CONWAY, ARKF

PAUL LEBRUN, FTA

BEN STANLEY, Downtown Alliance

CAROL BRAEGELMANN, Federal Transit Administration

DEBRA LESTER, Speaker Silver's office

WILLIAM KELLEY, LMDC

LORRAINE CHANG, LMDC

MARGARITA MORERA, Downtown Design Partnership

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1 ALSO PRESENT: (Continued)  
 2 ANDREA BURK  
 3 TOM ROGER  
 4 MICHELE ADAMS, ABNY  
 5 MARK WAGNER, Mark Wagner Architects  
 6 JACK DEAN, MTA  
 7 PETRA TODOROVICH, Regional Plan  
 Association  
 8  
 9 ANNIE KURTIN, American Institute of  
 Architects  
 10 RICK BELL, American Institute of  
 Architects  
 11  
 12 DAVE STANKE, Battery Park City United  
 13  
 14 WILL ESTRADA (phonetic), Battery Park  
 City United  
 15 HELENE SEEMAN, Battery Park City United  
 RICHARD KENNEDY, CB 1, WTC Redevelopment  
 Commission  
 16  
 17 ROBIN FORST, Councilmember Gerson  
 18  
 19 JOHN MILNER, John Milner & Associates  
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1 MR. BERNARD COHEN: Good afternoon.  
 2 Welcome to the fourth Consulting Parties  
 3 meeting that's being held for the  
 4 Permanent World Trade Center PATH  
 5 Terminal Project under the Section 106  
 6 process of the National Restore  
 7 Preservation Act.  
 8 My name is Bernard Cohen. I'm the  
 9 director of the Federal Transit  
 10 Administration Lower Manhattan Recovery  
 11 Office.  
 12 The funding for the PATH terminal  
 13 project is coming from the FTA through my  
 14 office, so FTA will continue to play a  
 15 prominent role as this project goes  
 16 forward.  
 17 At our last Consulting Parties  
 18 meeting for the PATH project, which took  
 19 place on August 19, we discussed a number  
 20 of topics concerning the development of  
 21 the Memorandum of Agreement. Some of the  
 22 issues remained unresolved. At that  
 23 point, one of those unresolved issues had  
 24 to do with the need for additional  
 25 capacity at the PATH terminal. And the

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1 impacts of the Port Authority's proposed  
 2 additional platform, so-called platform  
 3 D, to serve that capacity.  
 4 In light of the discussion that we  
 5 had at that meeting and some of the  
 6 concerns that were expressed, the FTA  
 7 asked the Port Authority to make  
 8 available to Consulting Parties a PATH  
 9 Capacity Needs Assessment that identifies  
 10 and explains the relevant data, the  
 11 analysis methodology, and the industry  
 12 standards for reaching conclusions about  
 13 the need for greater capacity and for  
 14 evaluating various options.  
 15 This kind of analysis is very common  
 16 and accepted practice in transit industry  
 17 when agencies are looking to build  
 18 facilities that will be around for a  
 19 long, long time, and will need to be  
 20 functionally effective for a long time  
 21 into the future.  
 22 The data that is used typically  
 23 includes ridership forecasts, peak period  
 24 train frequencies, surge factors, numbers  
 25 of escalators and elevators and stairways

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1 because that affects platform clearance  
 2 times.  
 3 We use professionally-developed  
 4 measures. For example, how long it  
 5 typically takes to walk a certain  
 6 distance. All of that is measured out  
 7 and is used nationally in terms of these  
 8 kinds of analysis. And then you apply  
 9 standards for how long it should take to  
 10 clear a platform or how much space each  
 11 passenger waiting on a platform needs in  
 12 order to draw conclusions about overall  
 13 capacity needs and options.  
 14 Once the capacity needs are  
 15 determined, then various options and  
 16 their potential impacts are evaluated.  
 17 And those impacts include impacts on  
 18 cost. They include impacts on  
 19 feasibility. And in the case of the PATH  
 20 project, they also include impacts on  
 21 historic resources; in particular, the  
 22 impacts on the tower footprints and on  
 23 the box space column footings.  
 24 Over the past few weeks, we have  
 25 been actively engaged with Port Authority

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1 in discussing these topics, and look  
2 forward to the Port Authority's  
3 presentation today, as well as the  
4 materials that are being made available  
5 to you.  
6 We also understand that the Appendix  
7 C2 platform and track planning  
8 requirements and an executive summary of  
9 Appendix C2 will be handed out today.  
10 Please note that these are draft  
11 documents; as the analysis are part of  
12 the correct NEPA process. And we are  
13 currently in the process of preparing the  
14 final environmental impact statement.  
15 So the presentation today will  
16 supplement the information provided in  
17 these documents, and is part of the  
18 ongoing evaluation that is part of the  
19 Section 106 and NEPA processes.  
20 We have a lot of material to go  
21 through today, but I'd like to remind you  
22 that the FTA's goal in this process is to  
23 have a Section 106 process that will  
24 culminate in a Memorandum of Agreement  
25 for the design and construction of the

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1 permanent PATH terminal that strikes a  
2 balance between meeting the future  
3 ridership demand and service, and the  
4 preservation of historic resources at the  
5 World Trade Center site.  
6 I think that it's always  
7 condescending when a government official  
8 says that the Consulting Parties or the  
9 public has been instrumental in effecting  
10 a process. But I'm going to say it  
11 today, because I believe it. As someone  
12 who has attended every single 106 meeting  
13 since I assumed this position back in  
14 January, I really think you've been  
15 listened to. I think that the  
16 presentation today will reflect that.  
17 And I really think that you've had an  
18 important impact on the process.  
19 With that, I'd like to turn the  
20 meeting over to the gentleman who has  
21 been facilitating all of our Section 106  
22 meetings, Peter Goelz.  
23 MR. PETER GOELZ: Good afternoon,  
24 folks.  
25 We are entering the final stages of

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1 this 106 consultative process. And  
2 today, as Bernard said, we're really  
3 going to focus on two important issues  
4 that we'll be soliciting comments,  
5 questions, concerns. The one is the  
6 issue of the platform D configuration and  
7 its need. And then the second discussion  
8 led by  
9 John Hotopp, where he's going to outline  
10 the administrative and review processes  
11 of the proposed Memorandum of Agreement  
12 that's due to be signed or due to have a  
13 final draft, final copy, due by later  
14 this month or early in December.  
15 I think as all of you know, the  
16 final comment period is the 19th of  
17 November. So any written comments that  
18 you have, need to be in to the Port  
19 Authority by the 19th.  
20 I think we're going to start today's  
21 discussion or today's presentation with a  
22 review of some outstanding issues from  
23 past meetings, a status report,  
24 particularly focusing on the cleaning of  
25 the footprints and the visit to the

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1 site.  
2 And we'll start -- Peter would you  
3 give us an update on those.  
4 MR. PETER RINALDI: Last time we  
5 spoke, we said we'll move forward with  
6 cleaning the footprints of Tower 1 and 2  
7 off for documentation purposes and also  
8 available for the Consulting Parties to  
9 take a tour of the site.  
10 I wanted to update you on where we  
11 are right now. We're in the process, and  
12 have been for the past two weeks, of  
13 removing material that's on top of the  
14 footprints.  
15 It has been a difficult job, I'll  
16 tell you. One of the areas that we  
17 thought was going to be difficult and  
18 that we might not be able to clean off,  
19 we were able to (inaudible) a pavement  
20 break of it, which there was temporary  
21 pavement. So we're actually cleaning off  
22 a larger area than we anticipated. And  
23 it's taking some additional time.  
24 Also, I'll share with you that  
25 because of the expanded 9/11 ceremonies

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1 this year, when we opened up the South  
2 Tower footprint, families entered the  
3 North Tower footprint, we opened larger  
4 areas, there was fill brought in by both  
5 the City and ourselves during that  
6 process to make the area available and  
7 smoother, and for the families to come  
8 down, and that added a lot more material  
9 that's being taken off.

10 So with that said, we are planning  
11 to have the footprints completed, cleaned  
12 off next week. We are scheduling two  
13 dates for visits by Consulting Parties.  
14 We will confirm this in an e-mail to the  
15 Consulting Parties. But on Friday,  
16 November 12 at 2:00 p.m., and Monday  
17 November 15, at 10:00 a.m. So we tried  
18 to find an afternoon time and a morning  
19 time.

20 I would just put a caveat, while  
21 we're striving to do the cleaning and  
22 then we have to do a sweeping, we may be  
23 weather dependent. If we get a lot of  
24 rain and it continues over the next  
25 several days and into next week, it will

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1 make it difficult for us to complete  
2 that. So I'll just put a caveat on it.  
3 We don't anticipate that, but that could  
4 happen. When it rains in the site, it  
5 takes a while for it to drain, and it's  
6 difficult for us to sweep up the material  
7 when it's under water or it's muddy. So  
8 I just put that caveat.

9 You will meet at Gate 8, which is  
10 located at Liberty and Washington Street.

11 For those of you that are familiar,  
12 that's the family viewing area entrance.  
13 We'll meet you there. We'll assemble  
14 inside that area, and then we will escort  
15 the parties down into the footprint  
16 areas.

17 I would say that we are asking that  
18 each Consulting Party be limited to two  
19 individuals. You will be allowed to take  
20 photographs. The caveat is that those  
21 photographs are for your personal use as  
22 part of this consulting process and not  
23 to be used for commercial purposes or  
24 anything else. We ask that and for you  
25 to respect that.

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1 Also, I would ask that due to the  
2 nature of the site, that those of you  
3 that will be attending, to wear either  
4 work shoes or the sturdiest footwear that  
5 you have. It was an uneven surface to  
6 start with; it's even more uneven now as  
7 we clean it off. There's quite a bit of  
8 areas there that were damaged as part of  
9 the collapse of the towers on the site.  
10 And now that we remove that material, the  
11 unevenness of the site is more  
12 pronounced. So open-toed shoes, light  
13 footwear is something you cannot wear.  
14 So I would emphasize that also.

15 As a contact, we prefer if you could  
16 contact us by e-mail or fax. My site  
17 manager is Nancy Johnson. Her e-mail is  
18 njohnson@PANYNJ.gov. And the fax number  
19 is 212-435-5560. We ask that you confirm  
20 if you will be attending, and we'll get  
21 back to you to confirm.

22 So that is our present plan for  
23 visiting the site. If there are any  
24 questions on the logistics, we'll answer  
25 them by e-mail. If you have a question,

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1 I can ask answer some questions maybe at  
2 this time.

3 MR. ANTHONY GARDNER: I just have  
4 one question, Peter. As far as the  
5 caveat that you mentioned about the rain  
6 being a factor. I just wanted to make  
7 sure that you're going to provide this  
8 tour. Rain will just be a delay.

9 MR. PETER RINALDI: Let me clarify.  
10 We're striving to clean off the  
11 footprints, sweep them down and get them  
12 cleaned. If it rains, we have to delay  
13 the dates further. It might change the  
14 dates -- we intend to meet the dates I  
15 just described to you, but I can't  
16 control the weather. I know we have some  
17 heavy rain coming in tonight and  
18 tomorrow. And I don't know to what  
19 extent that will stop our operations.  
20 And if we have the same problem next  
21 week, we might not be able to get the  
22 site ready in time. Depending on that.  
23 So we might have to push the dates a  
24 little further.

25 MR. ANTHONY GARDNER: Can I ask you

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1 one additional question?  
2 You mentioned the temporary pavement  
3 as a substance that was on the  
4 footprints. When some of the family  
5 members on the anniversary, we noticed on  
6 the western perimeter line of the North  
7 Tower footprint that it looked like there  
8 was some type of slurry mixture. We  
9 didn't know the correct lingo to describe  
10 it.  
11 Is that the material you're talking  
12 about?  
13 MR. PETER RINALDI: No. That  
14 material is actually part of the footing  
15 that formed the base for the columns for  
16 the perimeter of the west side of Tower  
17 1. That's part of the original  
18 construction.  
19 What I'm talking about in Tower 2,  
20 by the crash wall area in the  
21 construction of PATH, during that  
22 construction, there was a temporary ramp  
23 and pavement that filled over the area,  
24 and there was some payment that  
25 facilitated both access and some of the

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1 removal of the old station remnants that  
2 were there. There was asphalt there and  
3 quite a large amount of fill.  
4 MR. ROBERT KORNFELD: I don't think  
5 that's what Anthony was referring to. He  
6 was thinks, there some areas that looked  
7 like there was some sort of slurry  
8 residue actually on the steel. Could  
9 have been people washing out concrete  
10 mixtures or something.  
11 MR. PETER RINALDI: Not that I am  
12 aware of.  
13 MR. ANTHONY GARDNER: Can I just  
14 show you this photo real quick?  
15 MR. PETER RINALDI: What I would do,  
16 you're discussing the footprints and the  
17 cleaning of the footprints. We can take  
18 a site tour, and it's probably best to  
19 address these issues or take a look at it  
20 at that time.  
21 What I'm trying to do is really just  
22 set up the logistics, and let you know  
23 that the footprints will be available at  
24 that time.  
25 MR. KEN LUSTBADER: I don't know if

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1 this is an appropriate time. It's  
2 documentation --  
3 MR. PETER RINALDI: I think the  
4 documentation is comments that will  
5 segway into the documentation.  
6 MR. TIM STICKELMAN: What we're  
7 doing with the documentation, we're  
8 hiring Louis Berger is our consultant.  
9 They'll be doing the documentation of the  
10 footprints. As they'll also do the  
11 entire site and the other historic  
12 elements of the site.  
13 In addition, we're trying to get  
14 Tito Duprey. Some of you may have  
15 heard. He does 360. He's in Nepal right  
16 now, so we're trying to arrange for him  
17 to come back from Nepal to do a 360 once  
18 we uncover the footprints.  
19 And the photo documentation and the  
20 other documentation for the footprints,  
21 and the rest of the site, will be shared  
22 with NYSHPO and consulted with NYSHPO,  
23 whether it be included in the New York  
24 Archives and sent down to HABS HAER for  
25 their consideration. It will be part of

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1 that process.  
2 In addition, I want to update you on  
3 the World Trade Center artifacts  
4 inventory. It has been completed. When  
5 we send the e-mail to you in regards to  
6 the tours, we just ask that you send us a  
7 written request that you want a copy of  
8 it. It's going to be on a CD. If you  
9 printed the whole thing, it's about this  
10 thick, but we have a CD. So whoever  
11 wants it, can just request it and we'll  
12 send it to you.  
13 That's really it on the  
14 documentation right now. I'll turn it  
15 back over to Peter.  
16 MR. PETER GOELZ: Any questions for  
17 Tim?  
18 MR. ANTHONY GARDNER: We have a  
19 question on the documentation. The MOA  
20 talks about HABS HAER level two. Is  
21 there a reason why it's not HABS HAER  
22 level one?  
23 MR. TIM STICKELMAN: From what I  
24 understand, level two is even better than  
25 level one. John?

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1 MR. JOHN HOTOPP: Actually, Anthony,  
2 the level one documentation would be  
3 using extensive drawings. It's most  
4 commonly used when you have processes or  
5 something that needs to be shown. And so  
6 that's why you need a lot of drawings.  
7 Level two is the standard for  
8 photographic recordation. What we made a  
9 provision for, if there's anything that  
10 would show better in a drawing, then  
11 we'll have somebody do the drawings to  
12 HABS standards as well.  
13 MR. TIM STICKELMAN: You say in the  
14 MO, we would consult with NYSHPO if we  
15 had to do something else.  
16 MR. ANTHONY GARDNER: The photos  
17 would include some sort of aerial view,  
18 right? Because that's where you really  
19 get the full sense of the footprints.  
20 MR. JOHN HOTOPP: Absolutely.  
21 MR. PETER GOELZ: What are the  
22 chances of the 360 getting done?  
23 MR. TIM STICKELMAN: He's in Nepal,  
24 so I don't know.  
25 MR. FRANK SANCHIS: Isn't an

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1 accurate set of drawings necessary for  
2 the design of what's going to follow?  
3 MR. TIM STICKELMAN: You mean the  
4 drawings of the future?  
5 MR. FRANK SANCHIS: Footprints. In  
6 other words, don't you need a truly  
7 accurate set of drawings of the  
8 footprints as a baseline document for the  
9 drawings for any construction?  
10 MR. TIM STICKELMAN: After the  
11 photographs are done, we'll be consulting  
12 with New York NYSHPO.  
13 MR. JOHN HOTOPP: We've been talking  
14 to John's Burns. He was lucky to come up  
15 and get the as-builts for the towers.  
16 And get those drawings. Those are  
17 exactly what you're talking about.  
18 MR. FRANK SANCHIS: Seems like the  
19 reverse though. In other words -- oh,  
20 the as-builts for the towers? And then  
21 check them against the actual of where  
22 the column bases are?  
23 MR. TIM STICKELMAN: Right. Because  
24 we have the as-builts.  
25 MR. FRANK SANCHIS: Okay.

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1 MR. ROBERT KORNFELD: When you issue  
2 the set for 6 World Trade Center, it was  
3 a plan that showed what remained. It  
4 kind of showed the damage. It showed the  
5 profile where the crater was kind of  
6 blown out through the slabs of 6. It  
7 seems to me that it wouldn't be a huge  
8 effort to take a plan of the B-6 or B-5,  
9 whatever it was called at that time,  
10 level of the towers and to do the same  
11 thing; basically document what has  
12 changed since, sort of like --  
13 MR. TIM STICKELMAN: I hear you.  
14 But we don't know what's going to be  
15 there until they finish unburying. We  
16 really need to focus and discuss with  
17 NYSHPO, which we plan on doing.  
18 MR. PETER GOELZ: Now we're going to  
19 enter into what I think should be a  
20 fairly substantive discussion. We'll ask  
21 Lou Menno to come up.  
22 And as all of you know, one of the  
23 ongoing issues has been the platform D  
24 debate and discussion. And Lou has got a  
25 series of slides to discuss not only the

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1 need for the additional platform, but  
2 also some options on impact.  
3 MR. LOUIS MENNO: Thank you very  
4 much, Peter. Good afternoon everyone,  
5 and thank you for joining us today.  
6 Today I'll be talking about platform  
7 D and the fourth platform, and all of the  
8 various options that we looked at in  
9 terms of litigation and historic  
10 resources.  
11 I'll begin by talking about the  
12 overall ridership capacity on the PATH  
13 system.  
14 Before September 11, PATH had five  
15 tracks with three, ten-car platforms.  
16 The World Trade Center station was the  
17 most heavily traveled station in the  
18 entire system of PATH.  
19 PATH carried over 250,000 people a  
20 day and 67,000 riders used that PATH  
21 station before 9/11. And the station was  
22 virtually near its capacity.  
23 When we look to the year 2025, we  
24 see at ridership growth increasing to  
25 81,000 people a day at the World Trade

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1 Center station. As well as over 320,000  
2 in the overall PATH system over the next  
3 20 years.  
4 And right now, with the temporary  
5 station, which was designed to handle  
6 50,000 people a day, that station is  
7 already carrying approximately 38,000,  
8 and on some peak days, 40,000 people.  
9 Close to its capacity. Our forecast,  
10 before the station opened, was that by  
11 the year end of 2004, we would be at  
12 maybe 28 to 30,000. So we see that  
13 ridership growing. And we are basically  
14 nearing the capacity of the temporary  
15 station if that growth does continue.  
16 And in order to address this growth  
17 over the next 20 years within the entire  
18 PATH system, and not just at the World  
19 Trade Center, but PATH is taking several  
20 approaches to meet this increased  
21 ridership.  
22 They are making operational changes  
23 on the most heavily traveled line which  
24 is the Newark service. They will be  
25 operating ten-car trains with a

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1 three-minute headway. That means three  
2 minutes between every train when they're  
3 in operation. One train comes in, within  
4 three minutes another train comes into a  
5 station; a three-minute headway.  
6 And from a capital investment point  
7 of view to meet this demand, PATH is out  
8 there right now with the RFP process to  
9 replace its entire rail fleet, with new  
10 cars that have three doors per side. As  
11 well as in the future, a new single  
12 system that will allow PATH to operate  
13 more efficiently their trains and to  
14 maintain those tight headways, or the  
15 time between two trains.  
16 What that all means is that PATH  
17 will be able to carry more people with  
18 greater efficiency (inaudible) on the  
19 entire system by what they are doing in  
20 the years to come to meet this ridership  
21 growth.  
22 But when you think about the whole  
23 PATH system, you have to think about the  
24 World Trade Center station, which is an  
25 integral part. It has to be designed to

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1 comply and be in conformance with, in  
2 concert with, with whatever else is being  
3 done in that system to handle this  
4 ridership growth.  
5 And at the World Trade Center site,  
6 as we look at what our needs are for this  
7 future, we need to have five tracks as we  
8 had before. We need two of those tracks  
9 on a daily basis for the Hoboken service,  
10 and another two tracks for the Newark  
11 service, with a fifth track as we had,  
12 for failure management to take care of a  
13 disabled train.  
14 At the same time, those tracks help  
15 us from an operational point of view in  
16 that at night, PATH is able to store  
17 trains and keep one track in revenue  
18 operation for the Newark service, which  
19 runs 24/7. And by having those tracks  
20 for stand by, we're able to park and keep  
21 overnight the Hoboken trains, and allow  
22 for easy ramp-up in the morning. And it  
23 also prevents that service from being  
24 affected in the bad weather; such as what  
25 is going to happen in the winter? Ice

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1 storms and snow. So that will have  
2 minimal impact on our customers.  
3 When we look at this video, we're  
4 showing the video here at 33rd Street,  
5 where we have a dedicated platform for  
6 boarding and unboarding.  
7 Here we see how it's working very  
8 well at 33rd Street, where people are  
9 coming off the trains. And then you'll  
10 see here, the doors will open and people  
11 are able to move into that train very,  
12 very easily. We want to prevent a lot of  
13 the cross-flow, or the passage friction,  
14 by people getting on and off the train on  
15 the same side. This is what allows us to  
16 operate more efficiently and to handle  
17 that growth.  
18 This was recently taken at 33rd  
19 Street, but think about this, this is  
20 only for a seven-car train. We're  
21 talking about ten-car trains on the  
22 Newark service with three-minute headway;  
23 the time between trains coming into World  
24 Trade Center.  
25 Then, when you look at this other

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1 video of Exchange Place, you see where  
2 you have this cross-flow of people  
3 getting on and off from different trains  
4 sharing the common platform. And it's  
5 not the right situation for our  
6 customers. And that especially when you  
7 think about the World Trade Center, we  
8 have more cross-flow. And we have an  
9 increased reverse commute, because the  
10 residential population in Downtown is  
11 growing.  
12 We need to meet that type of  
13 growth. We need to be able to provide  
14 for efficient movement of our customers  
15 on and off the train in a very safe  
16 manner.  
17 Next, when we look at the design of  
18 this station, in addition to the  
19 operational requirements that I just  
20 spoke about, we need to design it  
21 following an industry standard, which is  
22 the Manual for Transit Capacity -- sorry,  
23 Transit Capacity and Quality of Service,  
24 the manual. That is the industry  
25 standard.

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1 And what that industry standard says  
2 is that we have to do several things. We  
3 have to design for the peak periods on  
4 the PATH system. We have to make sure  
5 you have the proper amount or size of  
6 platforms to accommodate the peak  
7 periods.  
8 Those peak periods for PATH occur  
9 twice a day; in the morning and in the  
10 evening. It's a commuter railroad. So  
11 we need to be able to accommodate our  
12 riders in the morning, in the evening,  
13 and a very safe manner. And what that  
14 manual says is that in the morning at the  
15 World Trade Center station, where most of  
16 the people are coming into the station  
17 and are alighting from a train, they need  
18 to clear a platform in a certain period  
19 of time. And that period of time is the  
20 time that is basically equivalent to the  
21 headway. So if a train comes in every  
22 three minutes, people have to be off the  
23 platform within three minutes.  
24 However, the manual recognizes,  
25 which is very important, failure

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1 management. What happens if a vertical  
2 circulation element, such as an escalator  
3 goes down, you must provide for that  
4 failure management. And that failure  
5 management is a range of anywhere between  
6 70 to 80 percent.  
7 So in effect, on the Newark service,  
8 with a ten-car train with a train coming  
9 in every three minutes, we need to have  
10 our customers off that platform in the  
11 morning, between a time period of  
12 anywhere between 126 and 144 seconds.  
13 Not 180 seconds.  
14 When you look at the evening, you  
15 need to look at the capacity that the  
16 station can handle; the area to allow for  
17 people to safely stand on the platform,  
18 to board a train when it comes into the  
19 station.  
20 And the manual also says we have to  
21 provide for failure management. That is  
22 a missed headway. What happens if a  
23 train doesn't come in within three  
24 minutes, four or five minutes? More  
25 people are going to be on that platform.

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1 And what that manual says, when we do our  
2 calculation, for ten-car trains on the  
3 Newark service with this headway, we need  
4 an effective area of a little over 15,000  
5 square feet of usable area for people to  
6 safely stand on that platform.  
7 On the Hoboken, we need  
8 approximately 10,400 square feet. And  
9 when we look at this, keep those two  
10 numbers in mind, we need to have the  
11 capacity to handle these requirements.  
12 So that if we were to build a station  
13 with only three platforms, like we had  
14 before 9/11, three platforms, ten cars in  
15 length, and if we operated with platform  
16 C, the western most platform, ten-car  
17 trains by the year 2025, with a  
18 three-minute time in between trains, we  
19 fail. Our passengers do not get off the  
20 platform within 126 and 144 seconds. The  
21 analysis shows over 200 seconds. I  
22 believe it's 213 seconds, to be exact.  
23 When you look at the analysis from a  
24 platform area, it fails unfortunately  
25 because we only have an effective area of

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1 a little over -- of approximately 10.4  
2 thousand square feet. Far less than the  
3 15,000 that we require. It doesn't  
4 work. It doesn't meet the Transit  
5 Capacity Manual. It does not provide for  
6 that future growth.  
7 Even if we were to flip the service  
8 around, put Hoboken on that platform and  
9 move Newark over to the other platform,  
10 platform B, it still does not work.  
11 When we look at platform D, which is  
12 this fourth platform, I'd like to just  
13 point out several things here. The  
14 layout of these five tracks in the new  
15 station will be in virtually the same  
16 location and the same configuration as  
17 the pre-9/11 station. These three  
18 platforms, A, B and C will be ten cars in  
19 length, just as the original World Trade  
20 Center station, in the same  
21 configuration, in virtually the same  
22 location. The difference is this fourth  
23 platform; platform D.  
24 By the introduction of this fourth  
25 platform, we are now able to meet the

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1 requirements that we have to follow  
2 concerning the Transit Capacity and  
3 Quality of Service Manual; the industry  
4 guidelines.  
5 We now have sufficient time to get  
6 people off the platforms before the next  
7 train comes in, and we have sufficient  
8 area now to have people safely stand on  
9 the platform in those rush hour peaks.  
10 This is why the need for this fourth  
11 platform is very, very important to meet  
12 that ridership growth, to meet the  
13 operational needs that I just spoke  
14 about, the operational needs for failure  
15 management, dedicated boarding, and  
16 unloading of passengers, to help us  
17 address that increased reversed flow,  
18 that increased reversed commute because  
19 of the residential population that is  
20 growing Downtown.  
21 However, this platform has an impact  
22 on the footprint of the north tower. We  
23 never had an impact before 9/11. Now we  
24 have an impact on the columns.  
25 What happens is that that platform

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1 will occupy approximately 3.2 percent of  
2 that area, right at that northeast corner  
3 of the footprint of 1 World Trade  
4 Center.  
5 In addition, it will also impact 12  
6 of the north tower columns; the remanent  
7 columns that are there. But this fourth  
8 platform, which is a full width platform  
9 to meet the operational and the passenger  
10 flowing needs for the future, works  
11 because it meets the NFPA, it meets the  
12 ADA standards. We also comply with the  
13 industry standard, the Transit Capacity  
14 and Quality of Service Manual. We need  
15 all of that anticipated platform  
16 clearance requirements, getting people  
17 off within that 120 second, 144 second  
18 timeframe. It provides the adequate  
19 level of service. It significantly  
20 reduces that reverse commute, as I just  
21 spoke about. You don't get that  
22 cross-flow that you saw in the videos  
23 over at 33rd Street. It provides for  
24 failure management. And again, it does  
25 impact the footprint by 3.2 percent of

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1 the footprint, approximately 3.2 percent,  
2 and 12 columns.  
3 What this does, it allows for the  
4 growth to meet a 2025 ridership growth on  
5 the entire PATH system, as well as at the  
6 World Trade Center.  
7 In addition, what's very important  
8 why this also works, is from a  
9 construction point of view. By building  
10 this fourth platform, we're able to put  
11 in a temporary track that we spoke about  
12 many times before. That will just be a  
13 temporary track that will be placed and  
14 removed. I'll be talking about that in a  
15 few moments. And it will allow us to  
16 maintain the level of service that we  
17 committed to, to maintain PATH operations  
18 throughout the time that construction  
19 will take place for this terminal. And  
20 it will be removed when we are  
21 completed.  
22 And by having this platform in  
23 place, by having the fourth platform with  
24 the temporary track, we're able to stage  
25 our work in such a manner that we can

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1 accomplish our goal of building this  
2 station within the timeframe that we  
3 have.  
4 In addition, it allows us to  
5 maintain the level of service for our  
6 customers. Because we said, that in  
7 order for us to meet the aggressive  
8 schedule of building this station,  
9 anywhere between one to two of the PATH  
10 tracks will be taken out of service at  
11 any one particular time. So the ability  
12 to put this temporary track in, in  
13 conjunction with the permanent platform,  
14 makes the construction very, very  
15 possible within the time frame that we  
16 have.  
17 In addition, the last time we spoke,  
18 we do recognize the impacts on those  
19 historic resources. We said at the last  
20 meeting that we would look at options of  
21 how do we represent within that fourth  
22 platform where the tower footprint was.  
23 Where those columns were.  
24 This just shows two alternatives  
25 that we're looking at. There may be

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1 others; special light treatments in this  
2 area. For instance, we would show all  
3 the columns by different material,  
4 compared to the rest of the platform. We  
5 would have a uniform treatment of the  
6 whole area in terms of the walking  
7 service. Or we can do something similar;  
8 we would highlight the columns in one  
9 material and possibly have the area of  
10 where 1 World Trade Center once was  
11 highlighted in a different area compared  
12 to the rest of the platform.  
13 As I said, there could be other  
14 things that we're looking at. Other  
15 design opportunities.  
16 MR. ROBERT KORNFELD: May I  
17 interrupt?  
18 MR. PETER GOELZ: Let him finish the  
19 presentation, and then we can go back.  
20 MR. LOUIS MENNO: So there are a  
21 number of options. We're still looking  
22 at that. This is not the end-to-end-all  
23 here, but there are other options that  
24 we're looking.  
25 This is just a highlight of what

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1 we're doing to live up to the commitment  
2 that we've made before.  
3 In addition, we've also looked at  
4 some other alternatives. And we looked  
5 at another alternative that with this  
6 platform was we would look at notching  
7 out the area by where it goes over the  
8 footprint of 1 World Trade Center.  
9 As you can see here with this  
10 blow-up, this is the footprint of 1. We  
11 would notch out the station to allow for  
12 more area to be not touched. And by  
13 doing that, it helps mitigate some of the  
14 impact to that historic resource there.  
15 And we're looking at the feasibility  
16 of this by notching it at the north tower  
17 footprint. It does meet our platform  
18 clearances for the year 2025, and what we  
19 have to do for that, for that design  
20 year. It does provide some restriction  
21 to passenger flow because it narrows the  
22 platform at the northern part of the  
23 platform. At the northern part, there  
24 are three trains just to the north of  
25 that; three, three-cars of a train. So

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1 in case there's a failure management here  
2 that I spoke about, say those escalators  
3 are out of service, it creates somewhat  
4 of an overcrowding situation, funneling  
5 people through to the next vertical  
6 circulation element further south on that  
7 platform.  
8 It does constrain our ability beyond  
9 2025, but it does reduce the area from  
10 3.2 percent impact, to a 2 percent impact  
11 on the area. And it does reduce the  
12 remanent impacts to those columns from 12  
13 down to 9.  
14 And it does bring along with it  
15 added costs to our project, to put  
16 something in and take it out, because we  
17 need to put a full width platform in just  
18 for a temporary in that restricted area,  
19 and in order to accommodate the temporary  
20 track. We're still looking at this  
21 feasibility to see how it works.  
22 We also looked at another option.  
23 How do we handle the future growth for  
24 2025? And what we did, we looked at  
25 widening platform C. Widening platform

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1 C. And by widening platform C, we have  
2 to now relocate track number five further  
3 west into the bathtub area.  
4 And we looked at all of that, and  
5 that has some implications to it. And  
6 what this option looks at, it does impact  
7 five perimeter columns in the north  
8 tower. It occupies less than one percent  
9 of the tower footprint. But it does not  
10 work for us. It does not allow us the  
11 operational -- doesn't meet our  
12 operational requirements. It doesn't  
13 meet the overall goals and the objectives  
14 of the overall program.  
15 It does not allow for that dedicated  
16 boarding and unboarding of passengers.  
17 We have that increased cross-flow of  
18 people getting on and off a train on the  
19 same platform, even though it's wider.  
20 It doesn't allow us to handle effectively  
21 that reverse commute that's growing in  
22 lower Manhattan.  
23 And at the same time what it does,  
24 is that by that relocation of that fifth  
25 track further into the bathtub, changes

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1 the geometry of that track. And it  
2 tightens up that curve. It tightens up  
3 the curve that it will force or require  
4 PATH to slow down a train to go through  
5 that curve. What that does, it affects  
6 the through-put of the PATH service into  
7 the station. So if it slows down, we  
8 can't make or live up to that  
9 three-minute headway; the time between  
10 the trains.  
11 It will also affect the trains  
12 coming out of the tunnel for the Hoboken  
13 service. So it has operational impacts.  
14 At the same time, a tighter geometry  
15 creates wear and tear on the PATH system;  
16 to the rails, to the wheels of the new  
17 equipment. So it has operational  
18 impacts.  
19 But it also has another significant  
20 impact on the construction. By putting  
21 in this configuration, we would have to  
22 build a temporary platform anyway to meet  
23 the ridership demands during  
24 construction. We'd have to then take  
25 that platform out. But in conjunction

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1 with that temporary platform, the  
2 feasibility of putting in a temporary  
3 track becomes not so feasible anymore.  
4 Because that geometry for this temporary  
5 track is very tight, that we may not be  
6 able to operate a train on that track.  
7 Or even though you can work out the  
8 geometry, we may not be able to get a  
9 full seven-car train into that platform  
10 because it would have to be on a curve.  
11 And we can't have wide gaps. So it  
12 renders, from a construction point of  
13 view, not so feasible.  
14 At the same time, it creates now a  
15 longer schedule for us, because we're not  
16 able to stage the work in such a manner  
17 that we can build the station within our  
18 established schedule. As the  
19 construction takes longer, the costs go  
20 up. So this will affect our ability to  
21 deliver the program within the very tight  
22 \$2 billion dollar program that we have.  
23 So because of the operational  
24 restrictions, the construction, the  
25 impacts it has on construction, and that

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1 it doesn't meet our full goals and the  
2 objectives, this widened platform C does  
3 not meet our criteria.  
4 I want to now talk about the  
5 temporary track, which we've been  
6 speaking about over the past several  
7 meetings; where we need to put in a  
8 temporary track within the World Trade  
9 Center site.  
10 This temporary track, it will be  
11 located to the west side of this fourth  
12 platform. By putting in this temporary  
13 track, allows PATH to operate sufficient  
14 service throughout construction. Because  
15 at any one time, we will be taking out  
16 between one and two tracks, as well as  
17 some platforms in order to accomplish our  
18 goal of building this station.  
19 This temporary track will go  
20 temporarily through the footprint, right  
21 at this northeast corner. And this  
22 temporary track will just cover over some  
23 of the footprint area, as well as several  
24 of the column bases. Two at the north  
25 and five to the south here. It will be

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1 put over it.  
2 When construction is over, it will  
3 be removed. The area is still there.  
4 The columns are still there. They're not  
5 being disturbed.  
6 In addition, just to the south of  
7 where that temporary track will come in,  
8 we spoke about the construction and the  
9 design of the new terminal. And there is  
10 a significant arch, structure, that will  
11 support the area above the PATH  
12 mezzanine. This arch is going to support  
13 all of the facilities that will be built  
14 above the station; such as the cultural  
15 facilities.  
16 We pointed out at that arch needs a  
17 footing to transfer all of that weight  
18 and all of that load down to solid rock  
19 below. And we pointed out that four  
20 columns in this area are potentially  
21 impacted. And we said that we would look  
22 at alternatives to see what could be done  
23 to mitigate the impacts on those four  
24 resources.  
25 I'm going to show you three of these

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1 options that we are looking at.  
2 This is option one. Let me give you  
3 a quick overview. This area here is the  
4 proposed fourth platform, platform D,  
5 that is the fifth track. And what you  
6 see here, that is the temporary track for  
7 the train. You see it's dotted; it's  
8 temporary. It goes away at the end of  
9 the construction. This represents --  
10 this is not what's there, but it  
11 represents one of the columns that once  
12 made up the exterior wall of 1 World  
13 Trade Center. This is that structural  
14 arch that comes across the terminal and  
15 has to land on a footing.  
16 So the first option that we had was  
17 to physically excavate this area, and  
18 temporarily remove four of these  
19 columns. And then once we would finish  
20 placing this footing, we would backfill  
21 the area and then replace all four  
22 columns in the same location where they  
23 once existed. That's one option.  
24 The next option is a little bit  
25 similar. Again, this is the temporary

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1 track, it comes out, platform D. There's  
2 that structural arch coming down. And  
3 the second option is to design a  
4 different type of footing that has rock  
5 anchors in it, that will anchor it into  
6 the rock to prevent up-lifts. And it  
7 does avoid touching any of those columns  
8 that I just spoke about; those four  
9 columns. That's the second option.  
10 The third option is a little bit  
11 similar. Again, the temporary track,  
12 platform D. There's the arch. That's  
13 the column that comes down. And then the  
14 third option is to literally excavate or  
15 mine under, and to place that footing so  
16 we do not disturb those four columns.  
17 Those are the three alternatives  
18 that we are considering. We have to look  
19 at the schedule impacts. The feasibility  
20 of it from a construction point of view,  
21 as well as schedule impacts.  
22 So we haven't made any decisions.  
23 But these are four options that we're  
24 looking at to mitigate the impacts to  
25 those four column remnants.

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1 And now I'll turn it over to Peter.  
2 MR. PETER GOELZ: Thank you, Lou. A  
3 lot of information. And time for  
4 questions and comments.  
5 Before we start, let's go around the  
6 room once so we know who we're talking to  
7 since we're going into the public  
8 discussion phase.  
9 (ALL INTRODUCTIONS MADE:)  
10 "Bernard Cohen, FTA.  
11 Ken Lustbader, Lower Manhattan  
12 Emergency Preservation Fund.  
13 Frank Sanchis, for the Municipal  
14 Arts Society.  
15 Betsy Merritt for the National  
16 Trust.  
17 Bruce DeCell, member of the  
18 Coalition for 9/11 families.  
19 Anthony Gardner, Coalition of 9/11  
20 families.  
21 Robert Kornfeld, Historic Districts  
22 Council.  
23 Joel Klein, for the Coalition of  
24 9/11 families.  
25 John Milner, John Milner &

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1 Associates.  
 2 Louise LoPresti, Advocate for  
 3 Congressman and Proposed World Trade  
 4 Center National Memorial Act.  
 5 Noah Pfefferblit from Wall Street  
 6 Rising.  
 7 Fernando Rodas, Wall Street Rising.  
 8 Shirley Jaffe, Alliance for Downtown  
 9 New York.  
 10 Albert Capsutto from Tribeca  
 11 Organization.  
 12 Dan Slippen, Pace University.  
 13 Matt Viggiano, Office of Senator  
 14 Martin Connor.  
 15 Ruth Pierpoint, State Historic  
 16 Preservation Office.  
 17 Charlene Vaughn, Advisement Council  
 18 for Historic Preservation.  
 19 Beth Cumming, State Historic  
 20 Preservation Office.  
 21 Marilyn Gaul Howard, Coalition to  
 22 Save West Street.  
 23 Bill Love, Coalition to Save West  
 24 Street.  
 25 Omi Chirifan (phonetic), September

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1 11th.  
 2 Steve Plate, Port Authority.  
 3 Peter Rinaldi, Port Authority.  
 4 Lou Menno from the Port Authority.  
 5 Harold Levitt, PATH.  
 6 Mark Pagliettini, Port Authority.  
 7 Kevin Lejda, I'm with PATH.  
 8 Bernie McNeilly, with the Port  
 9 Authority.  
 10 Steven Weintraub, Art Preservation  
 11 Services.  
 12 Jackie Hanley, Port Authority.  
 13 Shawn Lenahan, Port Authority.  
 14 Charles Stark, FTA, Project  
 15 Management Oversight Consultant.  
 16 Kate Daly, New York City Landmarks  
 17 Commission.  
 18 Stephanie Geld, Battery Park City  
 19 Authority.  
 20 Bruce Ehrmann, Community Board #1.  
 21 Louis Rodriguez, Port Authority.  
 22 John Hotopp, Louis Berger.  
 23 Adam Levine, New York State  
 24 Department of Transportation.  
 25 Robert Conway, ARKF.

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1 Paul LeBrun, FTA.  
 2 Ben Stanley, Downtown Alliance.  
 3 Carol Braegelmann, Federal Transit  
 4 Administration.  
 5 Debra Lester, Speaker Silver's  
 6 office.  
 7 William Kelley, LMDC.  
 8 Lorraine Chang, LMDC.  
 9 Glenn Guzi, Port Authority.  
 10 Steve Coleman, Port Authority.  
 11 Margarita Morera, Downtown Design  
 12 Partnership.  
 13 Paul Gimayo (phonetic), Port  
 14 Authority.  
 15 Andrea Burk.  
 16 Michele Adams, ABNY.  
 17 Mark Wagner, Mark Wagner Architects.  
 18 Jack Dean, MTA.  
 19 Petra Todorovich, Regional Plan  
 20 Association.  
 21 Annie Kurtin, American Institute of  
 22 Architects.  
 23 Rick Bell, American Institute of  
 24 Architects.  
 25 Dave Stanke, Battery Park City

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1 United.  
 2 Will Estrada (phonetic), Battery  
 3 Park City United.  
 4 Tim Stickelman, Port Authority."  
 5 (INTRODUCTIONS CONCLUDED.)  
 6 MR. PETER GOELZ: Go ahead. You had  
 7 the first question.  
 8 MS. LOUISE LOPRESTI: Louise  
 9 LoPresti.  
 10 I appreciate the concerns that you  
 11 have about providing for increased  
 12 ridership, as well as the fact that  
 13 you're anticipating an increase, and you  
 14 need to provide for that capacity in  
 15 terms of both design and safety  
 16 features.  
 17 A large part of that, at least in  
 18 terms of this discussion, is predicated  
 19 on the reverse commute, and the  
 20 increasing trend in this neighborhood to  
 21 be more residential.  
 22 I actually work on Wall Street, so  
 23 I'm very familiar with it. Yes, as has  
 24 been more publicized, the neighborhood is  
 25 becoming increasingly residential, but

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1 the point of fact, the majority of the  
2 people who are working down here tend to  
3 be commuting up to the east side, or they  
4 actually work in the neighborhood, as  
5 well as living here.  
6 I have someone who works for me who  
7 lives at 67 Wall and walks out the door,  
8 turns the corner and walks into the next  
9 building. That's one of the reasons why  
10 people live down here, because we work  
11 extended hours.  
12 In addition, I am also familiar with  
13 the patterns, reverse commute patterns.  
14 People who are going to, let's say, Metro  
15 Tech to work, or to Colgate, or to  
16 Newport, and I do it frequently, I don't  
17 take the PATH and they don't either. We  
18 all walk over, we take the ferry. If we  
19 need to go to 34th Street, we get on the  
20 E Train for any other variety of  
21 reasons.  
22 So I think it might be safely said  
23 that yes, you're hoping that ridership  
24 will increase, which it certainly will,  
25 and you're hoping that you will capture

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1 the Downtown residents as part of your  
2 ridership, but that is not the current  
3 pattern now.  
4 And have you done any studies to  
5 establish what trends are taking place in  
6 terms of the Downtown residents in their  
7 reverse commuting, if it is, in fact,  
8 reverse commute?  
9 MR. BERNARD MCNEILLY: I'm Bernie  
10 McNeilly, with the Port Authority.  
11 We actually handed out at the last  
12 Consulting Party meeting the appendix  
13 which had the ridership estimate  
14 information in there. And I would  
15 certainly welcome anybody to revisit that  
16 information.  
17 But what was happening, going  
18 through 2025, we're expecting in the a.m.  
19 peak in excess of 29,000 and nearly  
20 30,000 riders in total. And the balance  
21 of that is 23,300 would be alighting  
22 passengers. Alighting means that if  
23 they're at the station, or they're going  
24 to be getting off at the World Trade  
25 Center. And there's about 5,600

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1 passengers that would be boarding. That  
2 would be people going west of the Hudson.  
3 MS. LOUISE LOPRESTI: But that's  
4 projected. What is that based on?  
5 MR. BERNARD MCNEILLY: That is  
6 projected. I'll get to your point in a  
7 second.  
8 As far as trends are concerned,  
9 generally speaking, the alightings over  
10 the period of time going up to the design  
11 year, will increase a little less than 4  
12 percent. And although the boarding  
13 number is much smaller, 23 versus 5, it's  
14 growing at a much more rapid rate. It's  
15 increasing by 37 percent in that period  
16 of time.  
17 So what that is meaning, is that  
18 over time, you're go to have an increased  
19 reverse commute, which will be  
20 introducing that phenomena that Lou was  
21 talking about; which was passenger  
22 friction.  
23 But to get to your point about  
24 trends, as most of you know, I think it's  
25 been well documented in most of the

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1 things going on with the environmental  
2 documents, there is also substantive  
3 development that's been going on west of  
4 the Hudson along the Jersey City  
5 Waterfront and other programs that are  
6 going on in New Jersey. And what was  
7 noticed as far as a trend is concerned  
8 from both PATH and Port Authority, is  
9 that the boardings at World Trade Center  
10 pre-9/11, increased and continued to  
11 increase.  
12 And what's happening as we move out  
13 towards 2025, the design year, there's  
14 additional build and development that  
15 continues to go out; for instance,  
16 back-office operations that used to be in  
17 the Financial District down in lower  
18 Manhattan, which seems to be sustained  
19 and will be continuing.  
20 Given that, the trends have been to  
21 -- the boardings are going to continue  
22 to increase from now and as we move out  
23 to the design year; although the  
24 alightings of people coming into the  
25 World Trade Center is going to be growing

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1 over that period of time, but at a lower  
2 rate.  
3 MS. LOUISE LOPRESTI: Have you  
4 looked at the trending between the PATH  
5 reverse commute and, for example, the New  
6 York Waterway reverse commute; which is  
7 taking a larger volume?  
8 MR. BERNARD MCNEILLY: I understand  
9 your point. But one thing, as far as  
10 trends are concerned, as you know, during  
11 the period of time between the temporary  
12 station and pre-9/11, ferry ridership was  
13 through the roof. And actually, there  
14 were increasing routes and the frequency  
15 of those routes to meet the demand. And  
16 that was largely because there was no  
17 service to the World Trade Center.  
18 Since the World Trade Center has  
19 been opening, there has been a steady  
20 decline of ferry service. And there's  
21 been much documentation that has been  
22 noted in the publications in the area  
23 that ferry service continues to decline.  
24 And it's coincidental that while there's  
25 a steady decline of ferry service,

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1 there's been a steady increase of PATH  
2 ridership.  
3 And as Lou had mentioned, we were  
4 expecting less than 30,000 riders at this  
5 point in time. As we ramp-up to get  
6 close to the temporary station needs, we  
7 are already in excess of that. We're at  
8 38,000 riders, which is well in excess of  
9 the projections that we had made as part  
10 of this program.  
11 So as far as a trend is concerned,  
12 that trend seems to be very real.  
13 MR. BILL LOVE: This is anecdotal, I  
14 know, but I was on a business trip last  
15 week with a colleague of mine who lives  
16 in Jersey, who rides the ferry. And he  
17 was telling me the reason he rides the  
18 ferry is because the trains are so packed  
19 right now. He comes in from Newark, and  
20 he says they're just jammed up. There's  
21 an example, for it's not just simply a  
22 matter of choice, but it's a matter of  
23 the conditions on the trains.  
24 So I think it's important that we  
25 focus on the capacity of the system be

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1 conservative in our estimates.  
2 Also, anyone like myself, who lives  
3 in Battery Park City, who's watched the  
4 skyline in Jersey over the last couple of  
5 years has just seen that skyline building  
6 up. It seems like there's a new building  
7 every month. And clearly what's going  
8 on, is that businesses, logically because  
9 of terrorism, are choosing to jeer of a  
10 diversified geographically [sic].  
11 So I think you are going to have  
12 this trend. There are more and more  
13 people choosing to live in New York  
14 because they like New York, but having  
15 the ability to work in New Jersey where  
16 more and more jobs are located. That  
17 just seems like a logical conclusion.  
18 MS. ROBIN FORST: Hello. Robin  
19 Forst, Councilmember Gerson's office.  
20 I'd like to pick up on what Bill  
21 just said. I'm actually a little bit  
22 concerned with something that Lou had  
23 mentioned before; which were the  
24 projections that had been made for the  
25 end of 2004, which is a much smaller

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1 number than the actual ridership that  
2 you're experiencing.  
3 I'm just wondering going out to  
4 2025, which will only be a few years into  
5 the new development, assuming all of the  
6 development takes place, and whether or  
7 not your estimates for that time in the  
8 future are indeed accurate?  
9 I mean, they may be as understated  
10 as the estimates were for 2004. And that  
11 concerns me both as a member of an  
12 elected official staff and also as a  
13 resident of lower Manhattan.  
14 MS. HELENE SEEMAN: Helen Seeman,  
15 BPC United. I'd like to pick up on  
16 something Robin just said.  
17 I'm wondering if your projections of  
18 PATH ridership have taken into account  
19 the fact that I think as the area grows,  
20 and the memorial is completed and the  
21 buildings are completed, more people will  
22 be discouraged taking buses in, and there  
23 will be more people stopping off in  
24 Jersey and riding in to visit the sites  
25 down here. I'm wondering if you've --

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1 it's hard to project, but I'm wondering  
2 if you've taken that into account?  
3 Also, what Bill said, I had occasion  
4 twice this past week, I had to go over to  
5 the Jersey shoreline, and decided to try  
6 the ferries. They've totally cut out  
7 one. Because ridership is down, they've  
8 cut out one route entirely, and they're  
9 really cutting back. So I think the  
10 method of transportation has clearly  
11 become the PATH.  
12 MR. DAVE STANKE: First of all, in  
13 terms of anecdotal of it, I know a number  
14 of people who do reverse commute. I  
15 think one of the great things about being  
16 in Downtown and living here is the fact  
17 that you could shoot over to New Jersey.  
18 There are offices and companies that have  
19 branches at different points around  
20 Downtown and New Jersey be able to move  
21 back and forth between those offices is  
22 part of what makes companies work  
23 efficiently, and for us living here,  
24 gives us the flexibility to move from  
25 locations. I think it's very important

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1 that New Jersey -- I mean, Downtown isn't  
2 big enough for a stadium. We don't have  
3 room to grow. The new buildings for  
4 Downtown have been going up in New  
5 Jersey, Brooklyn and other areas. And  
6 the functioning of this area as a  
7 business center is going to depend on  
8 transportation between those commercial  
9 and corporate and residential centers.  
10 And the PATH is clearly the mode of  
11 choice in getting back and forth. The  
12 water is not dependable. You have  
13 weather issues. You have to walk all the  
14 way to the end of the element, so it's  
15 not as convenient to many of the  
16 buildings Downtown. The Waterway ferries  
17 can't support what's going on in the PATH  
18 station.  
19 I look out my window everyday, and I  
20 see the volume. It's just like the old  
21 days again. Can't walk up Church Street  
22 at certain times of the day. That's a  
23 great thing.  
24 MR. FRANK SANCHIS: Frank Sanchis.  
25 I was thinking along the same lines,

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1 and what I'm wondering is this: When you  
2 are trying to provide for ridership based  
3 on projections to 2025, I think it would  
4 be safe to assume that beyond 2025, 50  
5 years from now and 75 years from now, the  
6 demand for transportation between New  
7 Jersey and New York is going to keep  
8 increasing. We'll be looking at a whole  
9 different scenario. And that whatever  
10 happens with the PATH train now is not  
11 ultimately going to provide, the five  
12 platforms is not going to provide the  
13 ridership that you need.  
14 What you're measuring that against  
15 is its impact against something, which  
16 right now today, that footprint has been  
17 established that this is on its way to  
18 nationally significant artifact. And  
19 that's for everyone. That's not going to  
20 change in 25 years, 50 years, or 100  
21 years. It's going to be a nationally  
22 significant thing.  
23 So why would you be thinking along  
24 the lines of adversely impacting  
25 something where there's already been made

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1 a pretty clear case, that's going to keep  
2 coming back, about the need to design a  
3 memorial in that same space, which is  
4 somehow going to allow you to perceive  
5 the entire footprint.  
6 Here you're talking about making a  
7 change which is not going to, I would  
8 argue, is not going to provide the  
9 capacity that you need in the far  
10 future. You're making a change that may  
11 answer the capacity in 2025, but it  
12 probably logically will not answer some  
13 capacity in 2050 or 2075; whereas your  
14 impact on that monument is forever.  
15 So why not look at it slightly  
16 differently; which is to see how long you  
17 can get away with the capacity in the  
18 PATH terminal by leaving the number of  
19 tracks that you have and doing something  
20 else? And then figuring out when that  
21 next step is going to have to be provided  
22 for. Because it's not going to be  
23 there.  
24 Once this expansion of PATH goes in  
25 on the World Trade Center site, quite

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1 logically you're not going to be able to  
2 expand it again. The only way you could  
3 expand it again is to stack it. You're  
4 not going to be able to go horizontally.  
5 So, for the sake of that one track  
6 at this time, and the impact that it will  
7 have forever thereafter, why are you  
8 thinking about it that way?  
9 MR. BERNARD MCNEILLY: One slight  
10 clarification, because you did raise some  
11 good points there.  
12 By the year 2009, we are at the  
13 capacity of 50,000 riders that the  
14 temporary station has been built for. So  
15 the time in the decision is now.  
16 You do raise a good point as far as  
17 where things are going in the future, but  
18 we are at our capacity in 2009. And from  
19 a construction perspective, that's not  
20 too far in the distant future.  
21 We realize our pre-9/11 ridership in  
22 the range of around, which was 67,000  
23 riders in the range of 2014/2015, and  
24 then we reach the ultimate goal of the  
25 81,00 riders in 2025. So, although your

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1 points are valid, the reality is that we  
2 are at the capacity of the temporary  
3 station in just under four years.  
4 MR. LOUIS MENNO: Just several  
5 comments.  
6 First of all, we have to make a  
7 decision now because that space will not  
8 be there. At the same time, federal  
9 funding is limited. We have a limited  
10 time frame for it.  
11 You mentioned about stacking tracks  
12 and elevating, that's like -- it's not a  
13 possibility. Basically we would be  
14 designing a roller coaster. PATH is not  
15 a roller coaster. And we fully  
16 understand where you're coming from, but  
17 we have to make a decision.  
18 MR. DAN SLIPPEN: I have a couple of  
19 comments and a question, if you don't  
20 mind.  
21 I haven't really been at your  
22 earlier meetings, but I have been  
23 following everything via e-mails and your  
24 minutes.  
25 I'm from Pace University, and as you

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1 know, we're not experts in engineering  
2 and architecture, but we are experts in  
3 education. But we're here in the  
4 capacity of representing the largest,  
5 private university of lower Manhattan.  
6 Since 1906, we've provided more than  
7 a thousand jobs per year in lower  
8 Manhattan, and more than 8,000 students  
9 do come to study. And approximately  
10 1,200 of our students live Downtown,  
11 which means 6,800 commute. And in  
12 regards to that, over 1,500 use PATH  
13 daily.  
14 Just to go on record, we are in  
15 favor of the much needed permanent PATH  
16 station. We see this as a major transit  
17 resource, as a major lifeline for the  
18 stability and growth of lower Manhattan.  
19 Pace University believes it is important,  
20 as well, to our own growth and  
21 development.  
22 As we look to grow, our student  
23 population Downtown and attract faculty  
24 and staff from the region, we know that  
25 many of these new students, faculty and

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1 staff will look to PATH service to  
2 accommodate their transportation needs.  
3 To say that the safe, consistent and  
4 easy PATH service is important to Pace's  
5 future growth Downtown is not an  
6 exaggeration. At the same time, Pace  
7 University fully understands that there  
8 are those who have different views on the  
9 PATH station and redevelopment in  
10 general.  
11 We understand the loss of loved ones  
12 on September 11, and we feel strongly  
13 that their memories must be honored. But  
14 we also believe, however, in the need for  
15 balance. We must continue to look to the  
16 future as we honor this past, and to  
17 think of what we once thought of as  
18 impossibilities, as possibilities.  
19 Lower Manhattan is growing.  
20 Downtown has seen its residency more than  
21 double in ten years. And our economy is  
22 slowly coming back to pre-9/11 levels.  
23 We are moving forward as we should,  
24 and it is vital that we continue to make  
25 good decisions that achieve our common

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1 goals. We need to make the right  
2 decisions so we don't say in 50 years we  
3 should have done that.  
4 My question to you all is: Based on  
5 what we've heard today, we're only  
6 talking about right now. I feel that  
7 it's somewhat irresponsible for the Port  
8 and FTA as planners to not be looking at  
9 the long-term future.  
10 So if anyone can really answer what  
11 we are going to look at 50 years from  
12 now, I think that is something that  
13 really needs to be discussed.  
14 MR. BERNARD COHEN: Since you raised  
15 FTA, can I just try to provide a little  
16 bit of perspective; because some of this  
17 is just a way in which this kind of  
18 analysis is done. I don't think it means  
19 the Port Authority isn't worried about  
20 post-2025 growth. In fact, I know  
21 they're very concerned about post-2025  
22 growth.  
23 But when you're doing projections,  
24 the credibility of projections beyond a  
25 certain period of time diminish. And so,

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1 the way in way in which these analyses  
2 are done are predicated on a timeframe  
3 where you can have reasonable confidence  
4 that the factors that are being taken  
5 into consideration when you're running  
6 your numbers are foreseeable. So that is  
7 why the Port Authority has used 2025.  
8 Not because they think the world is going  
9 to stop in 2025. Not because they think  
10 growth isn't going to take place beyond  
11 that. It is simply that you can't really  
12 do credible and analytical work beyond a  
13 certain timeframe. And it isn't because  
14 they think that they're only building for  
15 the next 20 years.  
16 MR. NOAH PFEFFERBLIT: As to the  
17 2025 being the benchmark. It seems to me  
18 if you're dealing with questions of  
19 safety you want to err on the  
20 conservative side if you're preparing a  
21 transportation facility like this.  
22 Because I think certainly those of us  
23 have been following the lower Manhattan  
24 development, we realize there's a lot of  
25 very exciting development projects that

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1 are underway now that are going to make  
2 the area more desirable for people coming  
3 to work in New Jersey and coming from  
4 everywhere. And those are probably going  
5 to be coming on line conservatively  
6 around 2015. 2020. That will initiate a  
7 whole cycle of growth.  
8 I think you make a good point when  
9 you say we can't make any long-term  
10 predictions. I don't think you're going  
11 to be building a new transportation  
12 infrastructure after you do these tracks  
13 and platforms again in another 20 years.  
14 I don't think that will be something that  
15 you would consider. So it does seem to  
16 me that you want to plan conservatively,  
17 and make sure you have something that's  
18 going to be sufficient for the  
19 ridership.  
20 MR. TOM ROGER: Tom Roger.  
21 Just a comment, Lou, on your  
22 proposed option for trying to pay  
23 attention to the columns. And just to  
24 suggest to you to think about first of  
25 all looking at moving that stairwell out

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1 of the corner. You seem like you're  
2 taking a very large piece of the corner  
3 by the location of that stairwell. I  
4 realize there are other design  
5 considerations with respect to where the  
6 stairwell goes, but it seems like you  
7 have a lot more of the platform at the  
8 northern end to put the stairwell.  
9 And the other thing is, in terms of  
10 how you consider signifying the location  
11 of the columns. I've seen situations  
12 where you actually have a transparent  
13 section of the floor. The actual real  
14 columns are visible through the glass  
15 floor for people to look down and see  
16 them, rather than denoting them on the  
17 platform. Because I can just see if  
18 they're on the platform, it's just going  
19 to be in people's way. So they're going  
20 to lose any particular significance,  
21 rather than if you considered some other  
22 ways of somehow denoting them, like I  
23 mentioned, that might have more  
24 significance.  
25 MR. LOUIS MENNO: Just wanted to

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1 mention one thing.  
2 You mentioned the significant area  
3 to north on that platform. You have to  
4 remember, just basically right above that  
5 is the east/west corridor and then coming  
6 right up into that. So we're still  
7 looking at that.  
8 MR. BERNARD MCNEILLY: Can I clarify  
9 something? I just want to be clear,  
10 because we've actually been investigating  
11 this and have been taking this issue  
12 quite seriously.  
13 The east/west corridor stays to the  
14 north of the north tower. Since that is  
15 a principal movement for passengers to  
16 come into the terminal, there's a fair  
17 zone control immediately to the south and  
18 adjacent to that east/west corridor.  
19 It's a requirement to maintain a certain  
20 amount of spacing from the fair zone  
21 control to your vertical circulation  
22 elements; it's 30 feet.  
23 We actually reoriented the  
24 escalators so that instead of you going  
25 into the fair zone control, going through

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1 with your tickets and then you go  
2 immediately down a set of escalators or  
3 stairs, you have to actually loop back  
4 around. And we did that so we could  
5 maximize how far we were moving that  
6 vertical circulation element to the  
7 north, while still maintaining some of  
8 the requirements that we have for the  
9 vertical situation.  
10 MR. TOM ROGER: I guess what I would  
11 comment. The thing I didn't see in your  
12 consideration was widening of that D  
13 platform in the area between the  
14 footprints. You were notching it out on  
15 the footprint, but as far as I'm  
16 concerned, you could be a hundred feet  
17 wide between the footprints; I don't  
18 care. But in order to accommodate  
19 stairwells, or whatever other things need  
20 to go up above or even down at that  
21 level. I don't know whether you've  
22 looked at that. I see this nice straight  
23 platform that somehow lands in the north  
24 and south tower footprint. There's no  
25 reason why it couldn't have a different

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1 shape to it. Obviously it's not  
2 well-suited to loading a train, but may  
3 be better suited to accommodating some of  
4 these other issues.  
5 MR. BERNARD MCNEILLY: We actually  
6 did look at that, as well. That's one of  
7 the reasons why there was a notching  
8 concept versus an architectural treatment  
9 concept.  
10 There are different schools of  
11 thought as far as having an architectural  
12 treatment which would allow you to  
13 experience in the station the fact that  
14 you are in the north tower zone.  
15 We had introduced that concept one  
16 or two meetings ago, and we received some  
17 feedback, which is one of the reasons why  
18 we had shown some options as far as  
19 treatment is concerned.  
20 The notching takes into  
21 consideration another school of thought  
22 which is to try to minimize the amount of  
23 square foot area impacted as a  
24 concerned.  
25 So part of today is to try to gain a

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1 reaction from the Consulting Parties as  
2 far as which school of thought makes more  
3 sense.  
4 But to answer your other question  
5 about transparency, that was another  
6 thing that we had investigated with the  
7 preliminary design team. And most of you  
8 may not be aware, but there are  
9 electrical and communication ducts, as  
10 well as HVAC ducts, that are under all of  
11 the platforms.  
12 So even if we had created a platform  
13 with a transparent surface so you could  
14 view it down, you'd be looking at duct  
15 vents. You wouldn't see the tower  
16 remanent bases immediately below.  
17 MR. TOM ROGER: Only in the location  
18 of the columns.  
19 MR. BERNARD MCNEILLY: That's  
20 correct.  
21 So one of the things we were  
22 contemplating was to create some sort of  
23 a treatment so that from a placement  
24 perspective that you could experience the  
25 fact that that is where that particular

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1 remanent base is below.  
2 MR. ROBERT KORNFELD: A couple of  
3 issues.  
4 What you were just saying is  
5 interesting; the design of the track  
6 platforms. Is it really that inflexible  
7 as far as locations of duct vents and so  
8 on?  
9 I kind of pictured that there would  
10 be a potential for designing platforms  
11 maybe so you had a long span across that  
12 corner for the proposal for putting a  
13 platform there. Where maybe at that  
14 area, you could have a span or maybe a  
15 trust that would be like up-set from the  
16 platform to support it, rather than  
17 having it supported down, and actually  
18 sort of leave the area open where the  
19 footprint is there.  
20 MR. TOM ROGER: Candle-leaf  
21 (phonetic) it over the footprint.  
22 MR. ROBERT KORNFELD: Yes,  
23 candle-leaf over the footprint. And  
24 treat those other issues, like utilities,  
25 in a different way there. It's not

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1 really a huge span.  
2 I think they're going to the level  
3 of just reflecting something that's there  
4 and architectural finishes on the surface  
5 is really -- I just don't think -- when  
6 you have the authentic material there,  
7 somehow that doesn't answer the issue  
8 really. It's certainly better than  
9 nothing. But I think that there has to  
10 be something that addresses the authentic  
11 material still being there.  
12 I had one question about the slide  
13 that showed the column footing where you  
14 have a base for the arch support. That  
15 didn't show the actual footing of the  
16 column. The column goes down and has  
17 some sort of big foundation that goes  
18 below. Doesn't it have some cribbing or  
19 something below the surface? Was that  
20 shown?  
21 MR. LOUIS MENNO: No, it wasn't.  
22 This was just an illustrative in terms of  
23 what we are looking at; options. These  
24 are not detailed drawings. Just  
25 concepts.

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1 MR. ROBERT KORNFIELD: No, I didn't  
2 mean for the new column. I meant for the  
3 existing column base. I don't think it  
4 sort of scoped out the space.  
5 MR. BERNARD MCNEILLY: Actually, if  
6 you'll allow me to clarify.  
7 There was actually several different  
8 types of systems for the remanent basis  
9 depending on where they were; whether  
10 they were interior or along the line.  
11 Along the east line of the north  
12 tower was essentially a configuration  
13 which was very similar to a  
14 spread-footing and if you know what a  
15 spread-footing is, it means that it has  
16 an integral and linear footing system.  
17 There are grillage type of systems  
18 that are in the bathtub on the west  
19 side. But along the west side of where  
20 we're talking about, the remanent bases  
21 that could be impacted by the platform  
22 for the temporary track, it's more of a  
23 spread-footing configuration. That's one  
24 of the reasons we were contemplating some  
25 of the options that were presented

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1 earlier.  
2 MR. ROBERT KORNFIELD: Can I bring up  
3 a third comment? These are from all  
4 along; which is, both the presentation  
5 that we saw and also the draft MOA refer  
6 only to the perimeter columns,  
7 specifically; rather than the core  
8 columns and some of the concrete slab  
9 features and so forth.  
10 I know that the determination of  
11 eligibility speaks in those terms. When  
12 I brought that up at the LMDC meetings,  
13 they said, "Well, we don't really get  
14 into it in that level of detail. Doesn't  
15 mean that those aren't things that are  
16 significant that need to be dealt with as  
17 they came up."  
18 So I feel like we've kind of reached  
19 the point where you're talking about  
20 actually destroying some of this stuff in  
21 some cases. You need to say in detail  
22 what's being adversely affected.  
23 MR. LOUIS MENNO: Well, what we  
24 showed here is just what we're going to  
25 impact; just that 4 percent area and

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1 those columns. We're not going into the  
2 other areas within the footprints. We've  
3 always made that clear that we're staying  
4 out of that footprint. This is where we  
5 have the impact.

6 MR. ROBERT KORNFELD: When you talk  
7 about column totals, say, in here, I  
8 would rather see it where you talk about  
9 like 100 percent of the column bases that  
10 are there. And then even where you have  
11 the existing PATH station where it's  
12 accepted generally that the tracks and  
13 platforms and so on will be there like on  
14 2 World Trade Center. I would rather see  
15 you discuss the ones -- you know, even  
16 the ones that we know are going to be  
17 adversely affected, that are in that  
18 eastern portion of 2 World Trade Center,  
19 I think that should be addressed as an  
20 adverse affect.

21 I'm not saying anyone expects you  
22 not to have the tracks and the platforms  
23 there. I'm saying that that should be  
24 the number of columns you discussed.

25 MR. LOUIS MENNO: We do recognize

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1 that. I know in previous discussions we  
2 also mentioned, and maybe I failed to  
3 mention about, there are some impacts in  
4 the south tower, how the area is going to  
5 increase above the pre-9/11. There are  
6 some additional columns that are also  
7 affected by that. And that we would do a  
8 similar type of arrangement in the  
9 southern part. We're looking at that  
10 also.

11 MR. BRUCE EHRMANN: Bruce Ehrmann,  
12 Community Board #1 Manhattan.

13 I reviewed the materials before  
14 coming here today ad nauseam. And the  
15 principals remain that Downtown,  
16 especially the area that we're talking  
17 about, remains wounded. I've spoken to a  
18 number of residents in this regard in the  
19 last few weeks, residents south of  
20 Tribeca, who feel that their  
21 neighborhoods have not healed. That they  
22 have lost services, and they have.  
23 Because the World Trade Center concourse  
24 had just become, finally after 20/30  
25 years, a vital, viable community center

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1 for people to shop and work and meet.  
2 That part of the city has not been  
3 brought together. There are all kinds of  
4 wonderful plans.

5 We have this opportunity to discuss  
6 like we're discussing, public light-rail  
7 transportation that will work for  
8 Manhattan. It's such a wonderful thing  
9 to have. That concept is rarely on the  
10 table anywhere in the United States.  
11 Here we have it. We're looking how to  
12 make it grow, and how to make public  
13 transportation, as opposed to automobile  
14 transportation, work and bring people in  
15 and out of lower Manhattan, and actually  
16 heal lower Manhattan.

17 It's a wonderful thing to have to  
18 begin with, and it's a very necessary  
19 thing to expand. And I believe I speak  
20 for most of Community Board #1 in  
21 speaking for this. I certainly can't say  
22 all. But we've had many a discussion on  
23 this matter.

24 I want to address something that's  
25 come up in the conversation, and that is,

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1 I'm also CHAER of the Landlord Community  
2 Board #1. As someone who was here on  
3 that day and has lived here before and  
4 since, and having spoken to many  
5 children, many, many children in our  
6 neighborhood, I believe, I actually  
7 believe that what can be preserved should  
8 be preserved. But in terms of a  
9 day-to-day interaction amongst commuters  
10 with that site and with the historic  
11 elements there, the representation of  
12 what was there, the manifestation of what  
13 was there, should be notational.

14 You should not feel, children should  
15 not feel, commuters should not feel, like  
16 I feel when I go through the exposed  
17 parking lot now on the track. You should  
18 not feel everyday that you're going  
19 through Yad Vashem (phonetic) when you're  
20 going to and from work. You shouldn't  
21 have that degree of emotional impact  
22 every time you come in and out of  
23 Manhattan.

24 There should be notational  
25 representation and intellectual

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1 acknowledgment of what happened. A sense  
2 of awe. But you should not feel like  
3 you're under 100 stories that collapsed  
4 and X-thousands of people died here every  
5 time you come in and out of Manhattan,  
6 with and without your children.  
7 That's my belief in terms of how --  
8 what we're trying to preserve interfaces  
9 with the function of a train station.  
10 The last thing I want to bring up  
11 is, I still don't think you've answered  
12 the question: Okay, we've gone out to  
13 206 and 220, but when you plan an  
14 interstate highway nowadays, you have to  
15 leave room in the planning for additional  
16 lanes when expansion is called for. I  
17 still don't understand how you're  
18 planning, if expansion is called for, to  
19 expand this station that is now  
20 completely built out. Where are you  
21 going to go? We can't do it above;  
22 that's a roller coaster. We can't do it  
23 next door, that's the footprint. What  
24 options have you left yourself for the  
25 future?

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1 MR. PETER GOELZ: Okay, a lot of  
2 people want to speak. This gentleman has  
3 been waiting for a while. Then we'll go  
4 to the back row and then we'll come back  
5 to the front.  
6 MR. MATT VIGGIANO: My name is Matt  
7 Viggiano. I'm from Senator Connor's  
8 office. We represent all of this area  
9 Downtown. I actually am a lifelong  
10 resident as well.  
11 And I just think that this  
12 neighborhood and community has gone  
13 through so much, that it's anxious to get  
14 back to a sense of normalcy that we had  
15 on September 10th, or before. And if we  
16 bring back the commuters, if we bring  
17 back the presence, some of the things  
18 that Bruce, you were just speaking about,  
19 we go a long way to healing this  
20 community.  
21 And he actually just stepped out,  
22 but there are some things that the  
23 gentleman over there spoke about, Mr.  
24 Sanchis, about anticipating the future  
25 growth. If we do nothing to anticipate

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1 this future growth and just wait until we  
2 can't handle it, I don't think that the  
3 solutions that would be open to us at  
4 that point would be viable in terms of  
5 having to cope with needing a new track  
6 or numerous tracks having to shut down  
7 maybe the one or two tracks that are  
8 already heavily used to create those new  
9 outlets would be really detrimental to  
10 the system.  
11 And I want to say that we support,  
12 and the Senator supports, rebuilding, but  
13 certainly not at any cost. But  
14 rebuilding in a responsible manner. And  
15 if we can preserve any of that the  
16 northern tower footprint, we really  
17 must.  
18 MR. PETER GOELZ: In the back, go  
19 ahead.  
20 MR. RICHARD KENNEDY: Rick Kennedy.  
21 I'm the vice-CHAERman of Community Board  
22 #1.  
23 Another piece that is critical here,  
24 we need to rebuild our economic health.  
25 Get back to good economic health to allow

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1 the residents to grow and business to  
2 grow. (inaudible) transportation  
3 capability. That is a big issue and  
4 planning issue for them. Let me just  
5 finish what I'm saying. It's a planning  
6 issue. I think it's critical that  
7 transportation capacity is there because  
8 the due diligence is very important.  
9 Many of the businesses on Wall Street,  
10 and the businesses that are in Jersey,  
11 they rely on that interconnectivity.  
12 Some of it will take decisions between  
13 the value down here. They spend dollars  
14 on the retailers and the restaurant.  
15 People that live here are all -- very  
16 much the transportation is the key  
17 issue. It creates great central  
18 businesses here and around the world. I  
19 think any compromise we do to that is  
20 going to compromise that restoration in  
21 restoring the normalcy and rebuilding the  
22 rest of the Trade Center. I think it's  
23 critical that all those things work.  
24 MR. RICK BELL: I am a resident of  
25 New Jersey. I work in New York. Rick

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1 Bell, head of the American Institute of  
2 Architects. I commute on the PATH  
3 everyday. And have, obviously, a lot to  
4 commend the Port Authority for the  
5 temporary PATH station which made it a  
6 whole lot easier for New Jersey-ites to  
7 get back to work. Before that, I came  
8 through Penn Station.  
9 And in terms of the question about  
10 representation of what was there before,  
11 Penn Station is emblematic. One can see  
12 fragments of what was there before;  
13 handrails and the like. There are also  
14 some excellent photographs.  
15 I would suggest, respectfully, that  
16 the less that is representational and the  
17 more that is actual to, quote Frank and  
18 someone else on this side of the room,  
19 and to talk to the authenticity of what  
20 remains. That's irreplaceable.  
21 With respect to Tom; look through  
22 glass and see it. And Tom and I walked  
23 train stations in Berlin where people  
24 were deported. And it's a very emotional  
25 feeling to see something represented, but

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1 it's even more necessary to see the  
2 authentic elements whenever it is  
3 possible.  
4 We've been looking at the same slide  
5 now for about an hour. And with respect,  
6 I would suggest maybe to help the  
7 discussion and bring back a slide of the  
8 platform, because just like Tom Roger  
9 talked about, the possible permutations  
10 that may have been studied, and put to  
11 the side that may have been commented on  
12 in past meetings, but might still be  
13 possible for the brain power in this room  
14 to think of alternative suggestions. And  
15 I am not sure that I know what those  
16 might be, having looked at the materials  
17 and having given it fresh thought today,  
18 but I know one of the disadvantages of  
19 commuters both from Long Island and New  
20 Jersey and from elsewhere, going through  
21 Penn Station, is that the platforms are  
22 dismal. Why are they dismal? They're  
23 undersized for the ridership as it has  
24 increased. But they're also encumbered  
25 by stairwells in the wrong positions; by

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1 technology of the long distant train  
2 leading to encumbrances in the middle of  
3 the platforms that make it very difficult  
4 for people to exit in a uniform  
5 direction.  
6 The difference to my mind in the  
7 PATH platforms that you have now, both at  
8 World Trade Center and elsewhere, is that  
9 it's not so much a question of  
10 distributing people who are going to be  
11 waiting for a significant period of time,  
12 or for a commuter train that isn't in  
13 yet, but rather, people loading and  
14 unloading and leaving from stairways that  
15 could allow for, I think as Tom said more  
16 openly than anyone else, train platform  
17 that isn't necessarily all uniform and  
18 even.  
19 The movement out of platforms on  
20 Penn Station is encumbered by  
21 stairwells. I would suggest, and maybe  
22 it's been done already and rejected, that  
23 a notching that takes into account all of  
24 the existing columns where they occur  
25 might impact on people loading, but

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1 probably in the long run isn't going to  
2 lead to a diminution [sic] of time of  
3 exiting the platform, if there is a  
4 notching down rather than having to pass  
5 over, whether it be glass or some  
6 representational aspect.  
7 And if that's the key issue, as  
8 Frank Sanchis said before, maintaining  
9 something forever that would otherwise be  
10 replaced or some way filtered down, I  
11 don't think it's for all of us, except  
12 for those representing the families, to  
13 talk about the emotional impact now or  
14 before. That is something that's  
15 incalculable and irreplaceable.  
16 MS. PETRA TODOROVICH: I'm Petra  
17 Todorovich with Regional Plan  
18 Association.  
19 RPA has reviewed the projected  
20 ridership that the Port Authority  
21 provided at the last meeting. And we are  
22 satisfied that there is a need for a  
23 fourth platform. If anything, we think  
24 that the projections are perhaps a little  
25 bit conservative because they only go up

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1 through the year 2025.  
2 We understand they do not account  
3 for the possible extension of PATH to  
4 Newark, and the additional ridership that  
5 it might create, or the JFK/LIRR  
6 connection, or this is only a short-term  
7 thing. But if ferry service was reduced  
8 because of the New York Waterway,  
9 financial problems, we also might see a  
10 rise in ridership.  
11 So we firmly feel that there's a  
12 need for the fourth platform. Given  
13 that, the question becomes, how do you  
14 reconcile this physical conflict between  
15 the placement of the fourth platform and  
16 the tower footprints, which we truly feel  
17 are an important historic resource and it  
18 must be preserved and the access to it.  
19 So we are eager to see all of the  
20 possibilities. At the last meeting I  
21 requested that the Port Authority show  
22 some options for how some clearance could  
23 be provided. And they have, which I  
24 really appreciate. All of those, the  
25 notched option, which sort of clears the

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1 platform by narrowing the platform seems  
2 perhaps the most viable. But even that,  
3 we have some concerns that would create  
4 safety problems on the platform.  
5 My thinking has evolved a little bit  
6 in the last few weeks or so in thinking  
7 about this. In that the conflict between  
8 this PATH platform and the tower  
9 footprint may actually be an opportunity  
10 to have more people as they use the PATH  
11 encounter on a day-to-day basis, the  
12 representation of this tower footprint.  
13 I know there's a lot of differing  
14 feelings about that. But I think that it  
15 is important that people understand when  
16 in this PATH station, that this place has  
17 the power of remembrance that transcends  
18 it as a daily commuting place.  
19 So I think rather than have a  
20 extremely narrowed platform and a wall  
21 that you don't quite understand why the  
22 platform is narrow there, perhaps the  
23 experience of seeing the delineation of  
24 the tower footprint represented  
25 architecturally in some way, or actually

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1 in some way that can be arrived at, would  
2 be more powerful. But it's a very hard  
3 judgment to make.  
4 So I just wanted to say that we  
5 support the fourth platform, and we're  
6 eager to continue to see options of how  
7 this physical conflict between two spaces  
8 can be resolved and represented in some  
9 way.  
10 MR. LOUIS MENNO: I want to say a  
11 few words about platform D.  
12 I know people have been asking why  
13 just to the year 2025. And I believe  
14 that Bernard said it very, very well;  
15 why. But by us constructing a full-width  
16 platform, does give us this additional  
17 capacity beyond 2025.  
18 But beyond that, we have to think  
19 about, as I said, when we designed this  
20 station, we have to think about the  
21 overall system capacity. As I said, all  
22 the things that PATH is doing to handle  
23 this increased ridership over the next 20  
24 years, but there comes a limit within the  
25 PATH system by the size of the tunnels;

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1 how many tunnels we have coming into New  
2 York. So there is also a system  
3 limitation.  
4 But the platform, the full-width  
5 platform, a full 30-width platform, gives  
6 us that extra room for that growth beyond  
7 2025.  
8 MR. ANTHONY GARDNER: Anthony  
9 Gardner, Coalition of 9/11 Families. I  
10 have a couple of quick questions, and  
11 then I have a comment that I'm going to  
12 reserve to the end because I just want to  
13 get through my questions.  
14 One, Lou, the original PATH system,  
15 you talked about how it was a  
16 three-platform, five track system with  
17 ten cars. Isn't it the case, from --  
18 some of the data we've seen suggests that  
19 pre-9/11, the PATH system you ran eight  
20 cars. You never ran the full ten cars.  
21 Is that true?  
22 MR. LOUIS MENNO: That is correct.  
23 PATH was not operating eight-car trains.  
24 They had it in their capital plan --  
25 sorry, it was not operating ten-car

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1 trains. Operating full, eight-car  
2 trains. It was in their capital plan to  
3 increase the service on the Newark line,  
4 which was their most heavily traveled  
5 route to ten cars. Part of that  
6 expansion was the new cars, Harrison, as  
7 well as Grove Street, and well as  
8 Exchange Place, were all going to be  
9 expanded to fully accommodate ten-car  
10 trains.  
11 MR. BERNARD MCNEILLY: The length of  
12 that platform pre-9/11 could accommodate  
13 ten cars. It's just that PATH ran  
14 seven-car service on the Hoboken line,  
15 and seven, with the potential to go to  
16 eight, on the north to World Trade Center  
17 line. But as far as length of platform  
18 and sizing of the platform, ten cars.  
19 MR. ANTHONY GARDNER: Isn't it the  
20 case though with adding those two cars,  
21 you meet your ridership expectations  
22 without -- I mean, you're talking about  
23 ridership as one of the main factors here  
24 for needing platform D.  
25 MR. LOUIS MENNO: We're talking

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1 about ridership on the whole system.  
2 We're talking about the ridership at the  
3 World Trade Center station. The full  
4 ten-car train with a headway of in  
5 between trains of three minutes helps us  
6 provide for that growth, but you need the  
7 platform area, and you need the clearance  
8 time to get people safely off the  
9 platform to conform to the industry  
10 guidelines including that failure  
11 management that I spoke about.  
12 MR. ANTHONY GARDNER: Two more quick  
13 questions.  
14 In the Draft Affect Documents FTA  
15 and the Port Authority prepared, you talk  
16 about utility rooms being within the  
17 space defined by the perimeter columns,  
18 which we all know are the footprints of  
19 the towers. You didn't discuss impact of  
20 utility rooms in your presentation.  
21 Are those utility rooms no longer  
22 going to be housed on those footprints?  
23 MR. LOUIS MENNO: Basically just  
24 utility lines; we're not building utility  
25 rooms that may infringe --

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1 MR. ANTHONY GARDNER: So, utility  
2 lines, not rooms.  
3 One more and then a quick comment.  
4 Lou, if 9/11 never happened, how was the  
5 Port Authority going to meet these  
6 increased ridership issues? Was it  
7 something you were even looking at?  
8 MR. LOUIS MENNO: It was going to be  
9 a difficult challenge. I don't think  
10 that PATH or the Port Authority would  
11 have been able to meet all of the  
12 riderships, because I think I said last  
13 time, we were restricted. There was no  
14 way to grow. We were at basically at the  
15 capacity. Even if we were to put the  
16 ten-car trains on, PATH was going to be  
17 troubled with that cross-flow, with the  
18 congestion on the platforms, and that the  
19 headways -- maybe we would have a ten-car  
20 train, but the headway would have to be  
21 longer; maybe four minutes or longer to  
22 avoid that situation of having an  
23 overcrowded platform. So they were  
24 limited. And we've said that before.  
25 MR. ANTHONY GARDNER: My quick

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1 comment. Is that okay?  
2 MR. PETER GOELZ: As long as it's  
3 not a filibuster.  
4 I want to make an announcement.  
5 We're almost at 3:00 o'clock.  
6 MS. LOUISE LOPRESTI: I've had my  
7 hand up for fifteen minutes, and you've  
8 been dodging me.  
9 MR. PETER GOELZ: Well, there's been  
10 a lot of people. You spoke right at the  
11 beginning and there are a lot of other  
12 people who wanted to speak. This  
13 gentleman sitting next to you spoke  
14 twice. I'm trying to be fair.  
15 MR. JOEL KLEIN: I haven't spoken at  
16 all, and I've had my hand up the whole  
17 time.  
18 MR. PETER GOELZ: I'm coming back.  
19 MR. ANTHONY GARDNER: Can I just go  
20 real quick?  
21 MR. ANTHONY GARDNER: I have bullet  
22 points here.  
23 One, it's very difficult, as you can  
24 imagine as a family member, to  
25 participate in these meetings. It's very

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1 personal to us. My brother, along with  
2 3,000 other people, were murdered on that  
3 site. And it's very offensive when -- we  
4 understand there's this layer beneath the  
5 service of people being every  
6 enthusiastic. And mainly I've heard from  
7 residents today about the opportunity  
8 that 9/11 has presented to them.  
9 It's an opportunity to honor the  
10 people who were killed to preserve our  
11 national heritage and to revitalize lower  
12 Manhattan. But finding a balance. And  
13 it's offensive to hear what a wonderful  
14 opportunity it is, because my brother has  
15 no more opportunities because he was  
16 murdered, along with 3,000 other people.  
17 These discussions that we've heard  
18 where Louise and Joel, and other people  
19 that are involved in the 106 process  
20 because they care about historic  
21 preservation. These other issues that so  
22 many other people are raising are really  
23 NEPA issues as far as ridership and these  
24 other issues. There's no place for that  
25 in a Section 106 meeting.

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1 Section 106 meetings should be only  
2 open to people who care about historic  
3 preservation and want to help these  
4 agencies to mitigate and preserve as much  
5 of our national history as possible.  
6 These other conversations you could  
7 take up at a NEPA meeting. And I think  
8 any of our advisory councils and our  
9 state NYSHPO would attest to that fact.  
10 This is not something that's  
11 impossible. Europe has done it for  
12 centuries; they route transit systems  
13 around the catacombs. This isn't  
14 something that's impossible.  
15 The 9/11 families that we represent  
16 at these meetings want the redevelopment  
17 to move forward. We're not trying to  
18 obstruct the revitalization.  
19 But what I can't comprehend as an  
20 individual is that the residents that we  
21 always see represented in these meetings,  
22 you don't see the value of preserving  
23 national history. You don't see the  
24 value of what it's going to do to your  
25 neighborhood, how it's going to bring

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1 people to your neighborhood.  
2 You know, LMDC is importing culture  
3 to that site, and they'll destroy the  
4 culture that exists that's there. That's  
5 authentic. That's irreplaceable.  
6 There's only 1 World Trade Center  
7 site in this country, in this world.  
8 There's only two authentic, tangible  
9 footprints. A reflecting pool 70 feet  
10 above them does not replace that. And  
11 destroying them to meet ridership for  
12 2050 -- I gotta to tell you, I would hate  
13 that if when I'm 50 years old, I have to  
14 be back in these meetings trying to  
15 continue to fight to protect the remains  
16 of the footprints.  
17 This is a 106 process. That's  
18 something we should all be working  
19 towards, and leave these discussions of  
20 opportunity and media and train growth to  
21 the NEPA process, which is where it  
22 belongs and understand how offensive it  
23 is when you talk about this wonderful  
24 opportunity that it presents. Because  
25 there is an opportunity here, but it's

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1 just way off base.  
2 MR. JOEL KLEIN: Way back to one of  
3 the first questions that Frank Sanchis  
4 asked, because I don't think he got an  
5 answer.  
6 When he asked his question, the  
7 response he got was an explanation which  
8 was very understandable about why  
9 construction needs to start very soon. I  
10 think that was very clear.  
11 But Frank's question related to when  
12 capacity would be reached. And I think  
13 the question really is: At what year in  
14 your projections, assuming there was no  
15 platform D, does your capacity max out?  
16 MR. LOUIS MENNO: We'll have to get  
17 back to you on that.  
18 MR. JOEL KLEIN: Well then, Lou, I  
19 have a whole bunch of questions for you.  
20 And I apologize in advance if I sound a  
21 little prosecutorial because I really  
22 don't mean them to be that way.  
23 You refer to the Manual  
24 Transportation Capacity and Service. Is  
25 that a government document?

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1 MR. BERNARD MCNEILLY: It's a TCRP  
2 publication that's readily available.  
3 MR. JOEL KLEIN: That's not my  
4 question. Is that a government  
5 document?  
6 MR. PETER GOELZ: Well, Joel, let's  
7 not make it prosecutorial.  
8 MR. JOEL KLEIN: Well, no, because I  
9 am not going to let you do this, Peter.  
10 MR. PETER GOELZ: Are you asking  
11 whether it's a document that is prepared  
12 by a trade organization, as opposed to a  
13 government?  
14 MR. JOEL KLEIN: Yes.  
15 MR. PETER GOELZ: Why don't you ask  
16 it that way?  
17 MR. JOEL KLEIN: Well, if it's not a  
18 government document --  
19 MR. PETER GOELZ: Is this something  
20 that --  
21 MR. JOEL KLEIN: Fine. Answer the  
22 question you just asked. I'm perfectly  
23 happy with that.  
24 MR. PETER GOELZ: Is it an  
25 association document or --

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1 MR. BERNARD MCNEILLY: TCRP is part  
2 of the Transportation Board, which is a  
3 research engine that this particular  
4 documentation was supported. And it's  
5 actually referenced on its cover by the  
6 Federal Transit Administration.  
7 MR. JOEL KLEIN: Is there any  
8 requirement in FTA regs and New York  
9 State regs that standards set forth in  
10 that manual be adhered to?  
11 MR. BERNARD MCNEILLY: Is the  
12 document a standard of industry  
13 practice?  
14 MR. JOEL KLEIN: So it's not in any  
15 FDA regulations or New York State  
16 regulations that it be followed.  
17 Is it illegal to construct a  
18 facility that doesn't comply with the  
19 manual?  
20 MR. TIM STICKELMAN: Joel, you're  
21 asking questions --  
22 MR. JOEL KLEIN: The reason I'm  
23 asking these questions is because Lou  
24 Menno, three times, said we have to  
25 follow it, we must follow it, and it is

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1 required that we follow it.  
2 Who is requiring you to follow this  
3 manual?  
4 MR. LOUIS MENNO: Let me put this  
5 way, we have to build a station that  
6 follows the industry. Why should we be  
7 different from any other transit facility  
8 in the country who follows these  
9 guidelines? Why should we be different  
10 when we have to provide service. We as a  
11 public agency have to do our best to do  
12 the best for all Consulting Parties.  
13 I think we are really trying to do  
14 our best for all Consulting Parties by  
15 minimizing to the fullest extent possible  
16 the impacts. But we have to follow  
17 guidelines; industry guidelines for  
18 designing a rail system.  
19 MR. JOEL KLEIN: You just said it  
20 again.  
21 MR. PETER GOELZ: Here's the issue  
22 you're making, Joel. See if I can get it  
23 right.  
24 What we have is, they base some of  
25 their justification on what are, in fact,

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1 industry best practices, right?  
2 MR. JOEL KLEIN: Understood.  
3 MR. PETER GOELZ: These are best  
4 practices that transit authorities try to  
5 follow. But are they written in law?  
6 Can they be changed? Can they be  
7 modified? Are they modified?  
8 The answer is probably yes. Don't  
9 you think?  
10 MR. JOEL KLEIN: I would think so,  
11 but I would like Lou to say that, and why  
12 it can't be done in this case.  
13 MR. PETER GOELZ: Right. And the  
14 essential question then is: Is if these  
15 best practices are not followed, if we  
16 modify them, are there consequences that  
17 somehow undercut cut the effectiveness of  
18 this facility, as opposed to ignoring the  
19 historic importance of these footprints?  
20 MR. JOEL KLEIN: That's what we  
21 should be doing. We should be discussing  
22 what the consequences are of not adhering  
23 to those standards, and what the  
24 trade-offs are.  
25 MR. PETER GOELZ: And the question

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1 is: Is it a reasonable trade-off to not  
2 follow a best practice to the letter of  
3 the law to preserve what is a historic  
4 site?  
5 MR. JOEL KLEIN: Other than the term  
6 "letter of the law," yes.  
7 MS. LOUISE LOPRESTI: You probably  
8 should have let me talk first because I  
9 would have made more conciliatory remarks  
10 than these guys would have.  
11 MR. PETER GOELZ: I understand.  
12 MS. LOUISE LOPRESTI: I was going to  
13 say earlier on about ten minutes ago that  
14 we got to a point that we always do in  
15 these meetings where somebody says, "We  
16 have to forget about 9/11 and move on,"  
17 and the families go, "What?"  
18 I'm being facetious, but really, it  
19 shouldn't come to that.  
20 I work with the families. I'm an  
21 historic preservation advocate. I work  
22 on Wall Street. I think everybody  
23 understands the need to remember and  
24 rebuild, and to rebuild right.  
25 I'd like to echo Tom Roger's comment

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1 as a family member and he is in the  
2 construction business. He's working on  
3 this site, as well as Rick's comments,  
4 and Frank Sanchis' comments.  
5 This is the site of the largest  
6 attack on the U.S. in history, period.  
7 Let's hope we never have a bigger one.  
8 That being said, yes, we want to  
9 comply with best practices, okay. And in  
10 so doing, in adhering to the numbers, we  
11 need best design practices. And as Tom  
12 and Rick both pointed out, and Frank, as  
13 well, we are not seeing it on the screen  
14 here.  
15 This is a design challenge. You  
16 guys need to come up with a solution.  
17 With absolutely with no offense to you,  
18 the Port Authority is not known in this  
19 town for being the largest bunch of  
20 creative thinkers. It's a statement of  
21 fact.  
22 You guys need to go back to the  
23 drawing board and think it out. Because  
24 for no other reason, and it's the white  
25 elephant in the room, and I asked Anthony

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1 if he minded if I mentioned it, next  
2 Friday, November 12th, by an  
3 extraordinary coincidence, which happens  
4 to be the same day you're doing the site  
5 tour, is the first appearance in Southern  
6 District Court on this issue. And unless  
7 you come up with a really good solution  
8 that can respect the historic artifacts,  
9 as well as meet your needs in terms of  
10 transportation and redevelopment for the  
11 neighborhood, we'll be in Southern  
12 District Court for a long time. We ain't  
13 going away. I don't care if it's five  
14 people with 250 and a legion behind us.  
15 I don't care. And I'm sure Anthony feels  
16 the same way.  
17 MR. PETER GOELZ: Let's get your  
18 hands up now so we can bring this in. A  
19 chance to speak. So who hasn't spoken  
20 yet? I do want to give John Hotopp a  
21 chance to speak.  
22 MR. KEN LUSTBADER: Ken Lustbader.  
23 One of the issues that I've been raising  
24 at other meetings, and it comes up  
25 frequently when we're trying to mitigate

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1 the impact on the footprints is the issue  
2 of cumulative affect. I know this isn't  
3 the forum for it, but I would like to  
4 propose having a separate meeting,  
5 perhaps a smaller group, to discuss with  
6 the LMDC and Port Authority how to deal  
7 with not just this PATH projects, but  
8 with the multiple projects that are going  
9 on short-term and long-term on the site,  
10 and how Consulting Parties can reflect on  
11 what the impact is going to be.  
12 UNIDENTIFIED: Who will be that  
13 smaller group?  
14 MR. KEN LUSTBADER: Well, I'm saying  
15 the Consulting Parties.  
16 The other issue, talking about what  
17 Frank said, we were at a meeting at the  
18 LMDC for Consulting Parties a few weeks  
19 ago where they showed great examples of  
20 artifacts that were kind of stumbled  
21 upon, or found, where they were putting  
22 together design solutions.  
23 And I feel strongly that this is an  
24 opportunity, because we didn't stumble  
25 upon this, we have it in front of us, to

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1 use the most innovative design  
2 solutions.  
3 With that being said, we should look  
4 forward and exploit the fact that those  
5 elements are there already, and have  
6 innovated design solutions that are not  
7 being put forth on the screen.  
8 MR. BEN STANLEY: I just want to  
9 answer Anthony, with I would call it an  
10 attack on the residents down here.  
11 You made your point. I'd like to  
12 make mine.  
13 He's saying that we're taking this  
14 as an opportunity. This is not an  
15 opportunity for us. We have to survive  
16 down here.  
17 MR. ANTHONY GARDNER: That was  
18 Bruce's own words. We have to survive  
19 down here. We have to make the best of  
20 this situation that we can. We have to  
21 project what is going to go down in the  
22 future, and make a best possible  
23 situation of that fact with the proper  
24 respect for the people who lost and for  
25 the proper artifacts.

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1 Now, just as in the south tower had  
2 been infringed upon and artifacts had  
3 been no longer been able to be saved  
4 there, I feel that there has to be a  
5 compromise between what is going to be  
6 projected into the future, past 2025,  
7 what we can do at this point so that we  
8 can satisfy the best possible solution  
9 with compromising the least amount of  
10 artifacts.  
11 I think this is what the job of this  
12 committee is. And obviously you have  
13 your point of view. I have my point of  
14 view. Bruce has his point of view, which  
15 is completely diametrically opposite of  
16 yours. We have to come and find the  
17 right possible solutions to this.  
18 Now, yes, you can stumble upon  
19 artifacts and you have artifacts that are  
20 in the ground, we have to find what is an  
21 artifact and then what is a symbol of the  
22 artifact, and what is going to in the  
23 future hold the memory of 9/11 true. And  
24 that compromise is what we're here to  
25 achieve.

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1 So I don't think it's going to be  
2 all on one side or on the other side. I  
3 think there has to be a way that we try  
4 to do this. And through a good design  
5 and through good engineering, I think it  
6 can be done.  
7 MR. BILL LOVE: This is real quick.  
8 Just a question basically.  
9 I think that a convincing case has  
10 been made today for the addition of  
11 platform D. I have a question relating  
12 to this notching idea. The gain from  
13 that seems minimal to me. You go from 97  
14 percent uncovered to 98 uncovered. But  
15 let's say you do that and it causes  
16 problems on the platform in terms of  
17 crowding and safety, could that be  
18 reversed at a later date without the cost  
19 being exorbitant?  
20 In other words, would you have to --  
21 if you decided later you wanted to fill  
22 that notch in, would you then have to  
23 reroute the tracks, and then it would be  
24 impractical to do?  
25 MR. LOUIS MENNO: We would not have

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1 to touch the tracks because it would be  
2 on the western-most wall.  
3 MR. BILL LOVE: So you could fix  
4 it?  
5 MR. LOUIS MENNO: There's a wall  
6 there and that would basically separate  
7 the PATH station to the west, which would  
8 be the memorial area.  
9 MS. ELIZABETH MERRITT: I'd like to  
10 comment on two issues for the National  
11 Trust.  
12 One, is that I think this  
13 gentleman's suggestion over here about  
14 looking into the idea of being able to  
15 see through the platform to the authentic  
16 remains of the tower perimeter is one  
17 that really deserves further  
18 exploration. And the answer about over  
19 (inaudible), it didn't really seem that  
20 thought through. It may be possible to  
21 reroute those. And that could provide  
22 the basis for a compromise where you  
23 wouldn't have to alter the width of the  
24 platform. You could have the full width  
25 that you want, but still give people the

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1 opportunity to see the real remains  
2 below. And I think that really deserves  
3 a lot more exploration.  
4 It also provides an opportunity for  
5 people who don't want to be exposed to  
6 that; to just walk over that portion of  
7 the platform. So it seems like the best  
8 approach.  
9 And the notch to me sort of was the  
10 worst of both worlds because a five-foot  
11 notch, you could really notch out the  
12 whole corner. It's just sort of too wane  
13 a gesture [sic] as it was proposed.  
14 But the thing that really disturbs  
15 me is the location of that  
16 escalator/stairway right on the corner of  
17 the footprint there. That just seems  
18 like the worst possible location. I  
19 think some additional exploration should  
20 be done as to whether that could be  
21 relocated somewhere else on the  
22 platform.  
23 So those are my comments.  
24 MS. HELENE SEEMAN: I have a quick  
25 question, I guess, to the families

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1 because we all take our time to come to  
2 these meetings. And I appreciate the  
3 presentation.  
4 But if the families have decided  
5 that there's no compromise, it would have  
6 been better for us to know ahead of  
7 time.  
8 In other words -- I mean, from what  
9 you've said, basically, Louise, you're  
10 going to court. If any percent -- it  
11 sounds like to me, I don't know if I'm  
12 interpreting it correctly, if any  
13 percentage of the footprint is covered  
14 back, does that mean you're going to  
15 court?  
16 MR. PETER GOELZ: No, I don't think  
17 that's ever been at issue.  
18 MR. DAVE STANKE: There is an  
19 assumption that was stated here that I  
20 don't I think is actually 100 percent  
21 correct.  
22 Historic preservation is always a  
23 game of compromise, finding what's most  
24 important, and finding pieces that can be  
25 used realistically.

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1 I think in the scope of that, we  
2 have three-and-a-half or four acres of  
3 footprint columns that are all going to  
4 be six stories underground below, with a  
5 memorial above. And that is a huge  
6 volume of historic remnants to used. I  
7 am not sure how it's going to be used at  
8 this point in time. And I am not sure  
9 how many visitors are going to fill it.  
10 But we're talking about a train covering  
11 three percent of that space that is going  
12 to pull in thousands of people a day, to  
13 make a difference in how many people's  
14 daily momentary lives, versus creating  
15 three percent more space in some sort of  
16 an underground museum facility that will  
17 allow somebody to go to every one of the  
18 boxed beam columns, versus some symbolic  
19 representation that could be fit in.  
20 I mean, there's all of these other  
21 types of ways that could make it clear.  
22 I don't also believe that of the  
23 thousands of people who come walking  
24 around the site, that anybody, except a  
25 few, know about these columns or would

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1 consider 100 percent preservation of  
2 those columns to be significant.  
3 Especially if you are going to ask them  
4 to donate money to save those columns.  
5 Which, if the federal government is  
6 paying for a project, and there are  
7 federal funds, I believe those federal  
8 funds are limited. So when those funds  
9 start getting used up by expensive,  
10 creative solutions for getting trains off  
11 the ground and up and around things, are  
12 we going to go back to President Bush and  
13 say, "By the way, we need another  
14 billion, please, or, "We need another  
15 \$500,000"?  
16 There is right now a fund raising  
17 effort going on to raise money for the  
18 memorial and the memorial center itself.  
19 Not sure how well that is even going.  
20 So we have to balance the needs of  
21 this nation and the federal funds and  
22 what those funds are doing and what they  
23 are achieving. It is an important  
24 designed compromise.  
25 MS. DEBRA LESTER: My name is Debra

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1 Lester, and I'm here representing the  
2 Speaker of the New York State Assembly,  
3 Sheldon Silver, who is also the  
4 representative to lower Manhattan.  
5 I wanted to thank the Port Authority  
6 for putting together these meetings and  
7 hosting everybody. Since this will be  
8 the last of our meetings, I just wanted  
9 to say that.  
10 And I also wanted to say that the  
11 Speaker fully supports the residents of  
12 the lower Manhattan and their position on  
13 this, and wholeheartedly urges the Port  
14 Authority to take every recommendation  
15 and comment made by the residents and the  
16 community board very seriously. And that  
17 this project is very important. And a  
18 lot of the rebuilding depends upon the  
19 PATH station being built. And to slow  
20 down what will already be a lengthy  
21 process, would not be in lower Manhattan  
22 or the rest of New York City's best  
23 interest.  
24 MR. PETER GOELZ: As disappointing  
25 as this may be for the Speaker, this may

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1 not be the last meeting.  
2 MR. ANTHONY GARDNER: We didn't talk  
3 about the MOA.  
4 I just want to talk about what David  
5 had touched on. The remains of the  
6 footprints are not three and four acres  
7 or five acres. The north tower is about  
8 one acre, the full footprint. Half the  
9 south tower is already destroyed by the  
10 PATH system, so that's only a half acre.  
11 We're talking about one-and-a-half acres  
12 of bedrock. That's a very fair  
13 compromise that half of the south tower  
14 is already destroyed.  
15 MR. DAVE STANKE: To whom?  
16 MR. ANTHONY GARDNER: Let me finish.  
17 You talked about the families having  
18 to compromise. You could see our point  
19 that that's a substantial compromise that  
20 we're not fighting that half. We're not  
21 asking them to move that, provided it's  
22 incorporated into the PATH system.  
23 And also David talked about how  
24 these thousands of people this was going  
25 to affect. Well, you know what,

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1 preservation of the remains of the  
2 footprints will affect millions of people  
3 for as long as this country exists.  
4 How many millions of people go to  
5 stand over the wreckage of the USS  
6 Arizona? How many people go over the  
7 battle fields of Gettysburg? It is the  
8 same situation.  
9 So we are about compromise, but  
10 there are certain facts here that not  
11 everybody is on the same page.  
12 Also, it's the fault of these  
13 agencies that the country doesn't know  
14 the remains of the footprints exist. We  
15 have been trying to get that out there.  
16 We got the New York Times to publish  
17 those pictures last year. We sponsored a  
18 nationwide poll through Knowledge  
19 Networks, which is an academic and  
20 polling company. I think, Bernard, you  
21 would be interested in this. We showed  
22 people the photos of the remains of the  
23 footprints to the polling company. We  
24 asked these individuals to get a sample  
25 of people around the country. And 60

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1 percent of the people, once they saw the  
2 photos, said, "Absolutely." They agreed  
3 that the footprints needed to be  
4 preserved and accessible. Only 16  
5 percent said no. And that's coming from  
6 our photos, which are not that  
7 spectacular. They're just the only  
8 photos of the footprints uncovered at  
9 this point. That number jumped to 70  
10 percent for the sample of just New York  
11 voters.  
12 So maybe they don't live Downtown;  
13 maybe they live on the upper east or west  
14 side. Maybe they didn't poll the  
15 Downtown people, but it seems like  
16 there's a great misunderstanding here.  
17 The word opportunity was used by several  
18 of the residents here. That's why we  
19 reacted to that. It wasn't something we  
20 just pulled out of our hats.  
21 MR. ROBERT KORNFELD: I have to say  
22 that I've heard a lot, especially at this  
23 meeting, where it seems like preservation  
24 is somehow in the interest of family  
25 members and destroying historic resources

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1 is in the interest of the residents. I  
2 totally reject both of those things.  
3 I'm here as a preservationist  
4 representing a preservation  
5 organization. You are looking at a line,  
6 this is the National Trust, Municipal Art  
7 Society, The State Preservation League.  
8 The people who are in favor of  
9 preservation are not family members.  
10 People say, like, "Oh, they're doing this  
11 as a favor to the families." That is not  
12 true. I don't know of a more significant  
13 preservation issue in this nation. I  
14 don't know of a more historic site in  
15 this nation. It's not big. Everybody  
16 talks about it like it's that big.  
17 If you look at historic sites of  
18 this magnitude of importance around the  
19 world, you're go talking about places  
20 like Pompeii or the Circus Maximus in  
21 Rome. This place will be known a  
22 thousand years from now.  
23 The images of the Trade Center  
24 disaster, of the recovery, of the ruins,  
25 will be in peoples minds 50 years from

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1 now, a 100, a 1,000 years from now. Even  
2 if New York City isn't here anymore, that  
3 is something that will be etched  
4 permanently in human memory. It's not  
5 just because of the scale; it's somehow  
6 the whole thing, the engineering hubris,  
7 if you want to call it that, of the  
8 towers, the human drama. The whole thing  
9 is so significant. I can't believe that  
10 people talk about it in terms of, "Oh,  
11 it's just a few acres. You can just nip  
12 this off you can nip that off." It's  
13 very significant.  
14 If you have something that's a  
15 whole, 1 World Trade Center as a whole,  
16 an intact whole, for what it is, it's a  
17 ruin. It's an entire, complete ruin.  
18 Now, as you know, if you look at  
19 antiques, an antique that's perfectly  
20 intact is very different than an antique  
21 that has a chip. So, you can't just  
22 think of it in terms of percentages.  
23 We're not fighting for percentages.  
24 There's a certain level of integrity.  
25 A lot of things are not landmarked

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1 because they've lost their integrity.  
2 We're fighting for the integrity of this  
3 historic site; not just for percentages.  
4 I think you have to understand that.  
5 This is something that's in the interest  
6 of our nation to preserve. It is our  
7 responsibility. That is why these  
8 preservation groups are here.  
9 I would like to say, also, I think  
10 that this meeting has been entirely  
11 insufficient as far as dealing with the  
12 Memorandum of Agreement. I think we  
13 spent the whole meeting saying how much  
14 they want train service.  
15 MR. PETER GOELZ: We'll get to the  
16 memorandum.  
17 MR. FRANK SANCHIS: Frank Sanchis.  
18 I wanted to go on record as saying that  
19 design-wise, this isn't about that two or  
20 three percent of the north tower. It's  
21 about the integrity of the footprint.  
22 It's important to remember that there is  
23 some sort of a spatial solution. It's  
24 not a footprint, but a spatial solution,  
25 to be able to understand that perimeter

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1 that is being discussed, but has not been  
2 approached from a design point of view.  
3 But if you make this decision to log off  
4 the end, then that spatial solution is  
5 sort of obviated. And it's important to  
6 keep in mind the secrets of decisions  
7 about the design.  
8 MR. PETER GOELZ: We're running  
9 short. I think I'd like to move on to  
10 John and the MOA.  
11 MS. CHARLENE VAUGHN: Can I suggest  
12 something? We focused a lot of time on  
13 the whole treatment of the footprints and  
14 the platform. This Agreement includes a  
15 very expansive, comprehensive mitigation  
16 plan, and I don't feel that you should  
17 give it short shrift because we're  
18 running out of time. I'm totally opposed  
19 to that.  
20 MR. PETER GOELZ: What would be your  
21 suggestion?  
22 MS. CHARLENE VAUGHN: I don't know,  
23 but I don't think people should be forced  
24 to comment real quick on a quick  
25 conversation to respect time. We chose,

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1 we made a decision clearly, to have this  
2 protracted discussion on the footprints.  
3 So I think it was meaningful and good,  
4 but don't minimize the need to look at  
5 the --  
6 MR. PETER GOELZ: No, no. The MOA  
7 is very important.  
8 MR. TIM STICKELMAN: Can we give the  
9 court reporter a five-minute break?  
10 (Recess taken.)  
11 MR. PETER GOELZ: I think we've had  
12 a spirited discussion today. And it was  
13 probably unrealistic to think that we  
14 could have accomplished this agenda in  
15 the timeframe that we had set aside.  
16 I know many of you have other places  
17 to go and promises to keep. I think that  
18 what we're going to suggest is that we  
19 reconvene this meeting on the 15th or the  
20 16th to focus on the MOA, and to let John  
21 Hotopp make his presentation then. I  
22 think he'll just do a quick, abbreviated  
23 form now so people know what to focus  
24 on.  
25 But the key thing to remember is

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1 that the November 19th deadline is still  
2 there. So if you want to comment, you  
3 need to get your comments in in writing  
4 so that 19th date is still in play. But  
5 we'll get an e-mail out to everybody  
6 within the next 24/48 hours. And it  
7 looks like we would do it in the  
8 afternoon of the 15th or the 16th.  
9 MS. CHARLENE VAUGHN: Peter, can we  
10 do it in conjunction with touring the  
11 cleaned columns? I mean, just to be  
12 efficient.  
13 MR. PETER GOELZ: We're all in favor  
14 of efficiency even though many of us work  
15 for the government.  
16 John, give us a few minutes, and  
17 then we'll wrap it up.  
18 MR. JOHN HOTOPP: I'll very quickly  
19 look through the slides and give you an  
20 overview what it is we'll be talking  
21 about.  
22 These were the key stipulations that  
23 are in the Memorandum of Agreement.  
24 We've obviously spending the whole layout  
25 of the tower perimeter column stipulation

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1 as number one. And some other stips, I  
2 think, clearly need to be talked about.  
3 They deserve their place in the sun as  
4 well. So that's why that will become the  
5 focus of the next meeting.  
6 What we'll be doing, the arc within  
7 the plow print areas, everything is as  
8 developed than. And what you're seeing  
9 is the 35 percent design stage will be  
10 coming out for all of you to be looking  
11 at, and NYSHPO as well. So that each  
12 step of the way as the agency works  
13 through the project, will be 74 and 35  
14 percent. We'll be looking for some input  
15 on that.  
16 One of the things that we talked  
17 about, and it's in the MOA, I think  
18 you've seen it, that NYSHPO gets 30 days  
19 to comment on this. And originally the  
20 Consulting Parties were given 14 days to  
21 get their comments in. The objective of  
22 that exercise was to give time for the  
23 NYSHPO to incorporate or to review the  
24 comments made by the Consulting Parties.  
25 On reflection, we're talking about

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1 changing that to 21 days, which basically  
2 gives NYSHPO a week to pick up on the  
3 comments that all of you are making. But  
4 it gives you three weeks which you'll be  
5 talking about.  
6 Each one of these will be worked  
7 on. The Hudson River Bulkhead, we don't  
8 have too much information yet. That's  
9 why we'll have to develop a treatment  
10 plan. That will all be on the website  
11 for all of you to consider. The  
12 archeological resource is same thing. We  
13 really don't know yet until we get some  
14 of the building down and start some of  
15 the underground work. So the temporary  
16 relocation of some of the elements on  
17 this site. We've talked a little bit  
18 about relocating the footprints on the  
19 perimeter. Take it out to Hanger 17 and  
20 then bring it back. We'll have to move  
21 the Cross at some point. And some other  
22 artifacts may have to be temporarily  
23 relocated. It's the same situation we  
24 had from the beginning when we talked  
25 about do to the artifacts that are

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1 off-site contribute to the site? You can  
2 decide yes, they do, and they're brought  
3 back. That was the decision we made a  
4 long time ago.  
5 We'll talk about the next steps in  
6 your comment period. Due November 19th.  
7 We really need that. We'll be working  
8 towards the final MOA. We're talking  
9 about another meeting now to talk about  
10 all these things and then end up heading  
11 towards the final.  
12 That's the way the process is  
13 playing out. That's about a five-minute  
14 solution.  
15 MR. JOEL KLEIN: Quick question.  
16 You said it will be the final, so  
17 there's going to be no interim draft?  
18 The next version that we see will be the  
19 final version?  
20 MR. JOHN HOTOPP: We haven't toyed  
21 the final yet, Joel. May or may not be  
22 another version.  
23 MR. JOEL KLEIN: That's my question.  
24 MR. JOHNSON: We're heading towards  
25 the final.

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1 MS. CHARLENE VAUGHN: Do we have to  
2 have a meeting for that final iteration,  
3 or can we look at it and send you  
4 comments electronically to keep it  
5 moving?  
6 MR. JOEL KLEIN: That's fine.  
7 MR. BILL WONG: We'll see how it  
8 plays out.  
9 MR. BILL LOVE: The 14 days of the  
10 21-day to comment period on each of these  
11 plans, will it be our responsibility  
12 literally to check the website everyday,  
13 or will we get some e-mail notification?  
14 MR. BILL WONG: We'll give you a  
15 notification.  
16 MR. PETER GOELZ: All right.  
17 MR. ANTHONY GARDNER: I have a  
18 question. I think Ken Lustbader touched  
19 on this earlier, John.  
20 The Coalition of 9/11 Families has a  
21 lot of concerns with the MOA, I shouldn't  
22 say a lot, but a very significant  
23 concern, that LMDC, and we've mentioned  
24 this before, we feel really needs to be a  
25 signatory on your MOA because we have

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1 concerns about how the cumulative affects  
2 of their ongoing projects with your own,  
3 and especially considering their  
4 programmatic agreement is so vague, all  
5 they need to do is provide what they  
6 determine to be appropriate access to  
7 column remnants that form portions of  
8 what they call the lower footprints;  
9 which, there's no lower or upper  
10 footprints. Those are the footprints.  
11 That's really the main comment we'd  
12 like to get to you before we move to this  
13 final comment because it's something that  
14 we feel is so necessary. Otherwise, in  
15 our view, all of the work that we've all  
16 put into this is rendered meaningless  
17 because at the end of the day, FTA and  
18 the Port Authority might work towards  
19 doing the right thing and spell out  
20 percentages that are going to be  
21 preserved and mitigation plans we could  
22 all wrap our arms around, but then LMDC  
23 -- it's the same example like they  
24 talked about the Vesey Street staircase  
25 which many people advocated for the

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1 preservation of. Port Authority came up  
2 at one meeting and said, "Don't worry,  
3 our plan won't impact it, but we can't  
4 tell you the effects that LMDC will have  
5 it on it."  
6 So that's a really good sort of  
7 anecdotal example.  
8 MS. CHARLENE VAUGHN: I think  
9 subsequent to executing the LMDC  
10 agreement, we worked with FHWA to include  
11 in their agreement. And I think it's  
12 proposed in this agreement, a concept  
13 that talks about coordination among the  
14 agencies. And perhaps what we need to do  
15 is explore that in greater detail when we  
16 have the next meeting, understanding what  
17 kind of commitments are made. Because it  
18 seems to be binding, and I don't think  
19 any of us will really know the  
20 particulars of that. So maybe that could  
21 be shared and discussed because I don't  
22 really understand it. But it seems like  
23 it's a formal arrangement and it does get  
24 to cumulative effects, coordination that  
25 we don't know a lot about.

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1 MR. PETER GOELZ: So the 15th or  
2 16th. We'll try to do it on the 15th to  
3 coordinate with the site visit. Thank  
4 you all.  
5 (The hearing was concluded at 3:55 p.m.)  
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1 CERTIFICATION  
2 STATE OF NEW YORK )  
3 ) ss.:  
4 COUNTY OF NEW YORK )

5 I, GINA M. D'ADAMO, a Shorthand  
6 Reporter and a Notary Public within and  
7 for the State of New York, do hereby  
8 certify:

9 That I reported the proceedings in  
10 the within-entitled matter, and that the  
11 within transcript is a true record of  
12 such proceedings.

13 I further certify that I am not  
14 related, by blood or marriage, to any of  
15 the parties in this matter and that I am  
16 in no way interested in the outcome of  
17 this matter.

18 IN WITNESS WHEREOF, I have hereunto  
19 set my hand this 9th day of November,  
20 2004.  
21  
22

23 \_\_\_\_\_  
24 GINA M. D'ADAMO  
25 NOTARY PUBLIC

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**WTC TRANSPORTATION HUB  
PERMANENT WTC PATH TERMINAL  
SECTION 106 CONSULTING PARTIES MEETING**

**NOVEMBER 15, 2004  
PORT AUTHORITY OF NEW YORK AND NEW JERSEY  
115 BROADWAY  
NEW YORK, NEW YORK**

**WTC Transportation Hub Permanent WTC PATH Terminal  
Section 106 Consulting Parties Meeting - November 15, 2004**

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WTC Transportation Hub Permanent WTC PATH Terminal Section 106 Consulting Parties Meeting  November 15, 2004 Port Authority of New York and New Jersey 115 Broadway New York, New York	1 November 15, 2004 2 11:29 a.m. 3 - - - 4 BILL WONG: First of all, we 5 found out the middle of last week that some of 6 the e-mail transmittals didn't get to some of 7 the parties. 8 We had sent out, actually, last 9 Friday, the 5th, an e-mail that was the 10 notification for this meeting, as well as some 11 documents. Some people did not receive the 12 documents, or even that e-mail. 13 We're looking into what may have 14 been the problem. We don't know if it's 15 entirely at 115 from our e-mail server, but it 16 may also have had something to do with the 17 attachments. 18 We have hard copies of the 19 attachments that really relate to the 20 Platform D analysis here for you to pick up, 21 and we will also work out how we can get those 22 PDFs of those attachments out via another 23 e-mail server so that we at least cover that 24 base. 25 And we'll talk about how to keep
Page 2	Page 4
1 PORT AUTHORITY OF NEW YORK AND NEW JERSEY 2 Timothy Stickelman 3 Lou Menno 4 Peter Rinaldi 5 Bernie McNeely 6 Shawn Lenahan 7 Mark Paglietini 8 Harold Levitt 9 Bill Wong 10 Paul DeMeo 11 Kim Cifarelli 12 Steve Coleman 13 Glenn Guzi 14 Luis Rodriguez 15 Nancy Johnson 16 17 18 FTA - LOWER MANHATTAN RECOVERY OFFICE 19 Bernard Cohen 20 Peter Goelz 21 Paul Lebrun 22 23 24 25	1 up with other communications in case there's 2 other problems going forward in this process. 3 BERNARD COHEN: Good morning, 4 everyone. 5 This is a follow-up from our 6 November 4th consulting parties meeting for the 7 Permanent World Trade Center PATH Terminal 8 project under the Section 106 process of the 9 National Historic Preservation Act. 10 At our last consulting parties 11 meeting, the Port Authority presented its 12 analysis for expanding platform capacity, 13 providing relevant data, describing the 14 analysis methodology, and the industry 15 practices that it followed. 16 Because of the length of time it 17 took to go through all of that, there wasn't 18 time to start in on the memorandum of 19 agreement, so that is the topic for today's 20 discussion. 21 There were a number of themes, I 22 thought, that came out of the last meeting. 23 One theme was to make sure that the Port 24 Authority designs the transportation elements 25 of the terminal to meet future needs.

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1 Another theme was to provide  
2 options for direct visual access from the  
3 platforms to the footprints.  
4 And a third was to look at  
5 whether the location of the escalators and the  
6 stairs in the corner of the north tower could  
7 be shifted.  
8 The Port Authority has been  
9 looking into those last two concerns, and I  
10 know we will be interested today to hear what  
11 they have to present.  
12 I'd also like to address another  
13 subject that was raised at our last meeting  
14 pertaining to LMDC being a signatory party to  
15 this MOA.  
16 The currently proposed signatory  
17 parties to the MOA are the Port Authority, the  
18 Federal Transit Administration, SHPO, and the  
19 Advisory Council for Historic Preservation.  
20 These parties all have explicit  
21 responsibilities in carrying out the MOA.  
22 The Section 106 regulations do  
23 allow for other invited signatories, when a  
24 party outside the required signatories has an  
25 actual responsibility to fill, in carrying out

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1 the MOA.  
2 LMDC has no such responsibility  
3 in the permanent PATH terminal, so therefore  
4 there is no basis for including them as a  
5 signatory party.  
6 However, LMDC, as a consulting  
7 party to this process, can sign the MOA  
8 acknowledging their agreement with its outcome.  
9 Currently, LMDC proposes to sign the agreement  
10 as noted in the draft MOA you are reviewing.  
11 This option of signing as a  
12 concurring party to the agreement is also  
13 available to all of you as a consulting party  
14 to this process who wish to concur when the MOA  
15 is finalized.  
16 With that, we have a lot to  
17 cover this morning, and before we head to the  
18 tour --  
19 CHARLENE VAUGHN: A point of  
20 clarification. Excuse me.  
21 Extending the opportunity to all  
22 consulting parties to concur in the agreement  
23 is an overture that has no real legal standing.  
24 So if anyone declines to sign, it has no  
25 bearing on the execution of the agreement.

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1 So we need to be clear about  
2 that. It's not something that exerts or comes  
3 with any power or authority to change the  
4 agreement, stop it from going into effect or  
5 whatever.  
6 BERNARD COHEN: Thank you for  
7 clarifying that.  
8 So with that, I would like to  
9 turn the meeting back to Peter.  
10 PETER GOELZ: Good morning,  
11 everybody.  
12 We do have a packed agenda this  
13 morning, followed by a tour of the site.  
14 And just as a point of  
15 clarification, the Port Authority is going to  
16 be scheduling a second tour, given that the  
17 first tour was canceled because of the rain on  
18 Friday.  
19 You'll be letting people know  
20 this week in the same effective way we learned  
21 of this meeting, I hope?  
22 BILL WONG: We will have belt  
23 and suspenders on.  
24 PETER GOELZ: So there will be a  
25 second tour.

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1 The three items that we are  
2 going to discuss today:  
3 We are going to revisit the  
4 Platform D configuration, and the  
5 Port Authority is going to present some new  
6 design schemes that they have been working on  
7 in response to our last meeting.  
8 We're going to spend some time  
9 with John Hotopp on the draft memorandum of  
10 agreement.  
11 And then, as I say, we are going  
12 to take a tour of the site.  
13 But before we start, let's go  
14 around the room and introduce ourselves so that  
15 everybody knows who's here and the stenographer  
16 can do her job.  
17 Let's start with you, Tim.  
18 TIMOTHY STICKELMAN: Tim  
19 Stickelman, Port Authority.  
20 BERNARD COHEN: Bernard Cohen,  
21 Director, Lower Manhattan Recovery Office,  
22 Federal Transit Administration.  
23 ANDREA BURK: Andrea Burk,  
24 AKRF.  
25 ANTHONY GARDNER. Anthony

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1 Gardner, Coalition of 9/11 Families.  
 2 JOEL KLEIN: Joel Klein, John  
 3 Milner Associates, for the Coalition of 9/11  
 4 Families.  
 5 ROBERT KORNFELD: Bob Kornfeld,  
 6 Historic Districts Council.  
 7 NANCY JOHNSON: Nancy Johnson,  
 8 Port Authority.  
 9 KURT HORNING: Kurt Horning, WTC  
 10 Families for Proper Burial.  
 11 CHARLENE VAUGHN: Charlene  
 12 Vaughn, Advisory Council for Historic  
 13 Preservation.  
 14 BETH CUMMING: Beth Cumming,  
 15 State Historic Preservation Office.  
 16 DEBRA LESTER: Debra Lester,  
 17 New York State Assembly Speaker Sheldon  
 18 Silver's Office.  
 19 ALBERT CAPSUTTO: Albert  
 20 Capsutto, Tribeca Organization.  
 21 ROBIN FORST: Robin Forst,  
 22 Council Member Gerson.  
 23 RICHARD KENNEDY: Richard  
 24 Kennedy, Community Board One.  
 25 KEN LUSTBADER: Ken Lustbader,

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1 Lower Manhattan Emergency Preservation Fund.  
 2 RUTH PIERPONT: Ruth Pierpont,  
 3 State Historic Preservation Office.  
 4 BILL LOVE: Bill Love, Coalition  
 5 to Save West Street.  
 6 LOU MENNO: Lou Menno from the  
 7 Port Authority.  
 8 HAROLD LEVITT: Harold Levitt,  
 9 Port Authority.  
 10 MARK PAGLIETINI: Mark  
 11 Paglietini, Port Authority.  
 12 BERNARD McNEELY: Bernie  
 13 McNeely, Port Authority.  
 14 KEVIN LEJDA: Kevin Lejda, PATH.  
 15 KAREN MATTHEWS: Karen Matthews  
 16 with PATH.  
 17 PETER RINALDI: Peter Rinaldi  
 18 with the Port Authority.  
 19 BILL WONG: Bill Wong,  
 20 Port Authority.  
 21 KATHY HOWE: Kathy Howe, State  
 22 Historic Preservation Office.  
 23 SHAWN LENAHAN: Shawn Lenahan,  
 24 Port Authority.  
 25 NANCY JOHNSON: Nancy Johnson,

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1 Port Authority.  
 2 PAUL DeMEO: Paul DeMeo, Port  
 3 Authority.  
 4 JOHN HOTOPP: John Hotopp,  
 5 LBG.  
 6 ADAM LEVINE: Adam Levine,  
 7 State Department of Transportation.  
 8 WILLIAM KELLY: William Kelly,  
 9 LMDC.  
 10 CAROL BRAEGELMANN: Carol  
 11 Braegelmann, FTA.  
 12 PAUL LaBRUN: Paul LaBrun, FTA.  
 13 ANNIE KURTIN: Annie Kurtin,  
 14 American Institute of Art.  
 15 STEVE COLEMAN: Steve Coleman,  
 16 Port Authority.  
 17 GLENN GUZI: Glenn Guzi,  
 18 Port Authority.  
 19 PETER GOELZ: Okay. That's  
 20 everyone.  
 21 I think the first presentation  
 22 is going to be from Lou Menno, who is going to  
 23 discuss a new orientation of Platform D and the  
 24 work they have been doing over the past week.  
 25 KEN LUSTBADER: Betsy's on the

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1 phone.  
 2 TIMOTHY STICKELMAN: And Betsy  
 3 Merritt from the National Trust.  
 4 BETSY MERRITT: I'm here.  
 5 And thanks to the Port Authority  
 6 for making it possible for me to participate by  
 7 telephone.  
 8 PETER GOELZ: Good morning,  
 9 Betsy.  
 10 BETSY MERRITT: Good morning.  
 11 PETER GOELZ: Go ahead, Lou.  
 12 LOU MENNO: Good morning,  
 13 everyone, and thank you for joining us.  
 14 This morning I'm going to follow  
 15 up to our last discussion we had about  
 16 Platform D, because at the end of the last  
 17 meeting we had a lot of discussion concerning  
 18 ways that we were going to improve the way we  
 19 were going to mitigate the impact on the  
 20 historic resources that were being impacted by  
 21 Platform D, specifically the columns and the  
 22 area at the northeast corner of One World Trade  
 23 Center.  
 24 And we listened very, very  
 25 carefully to a lot of the recommendations that

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1 all of you made, and we really put our thinking  
2 caps on. And I think what you are going to see  
3 today you will be very, very pleased, because  
4 our role here is to not only take care of  
5 transportation, but to mitigate the impacts on  
6 those historic resources, and to improve the  
7 visibility and to improve the authenticity of  
8 this area.

9 I'm going to begin with, in this  
10 first slide, to show the location of the tracks  
11 and the platform in the new World Trade Center  
12 station.

13 As I mentioned the last time,  
14 we're going to have five tracks in virtually  
15 the same location as they once existed before  
16 in the pre-9/11 station.

17 The three platforms, A, B, and  
18 C, will be ten cars in length as before, and  
19 virtually in the same location.

20 The only difference is  
21 Platform D, which we went through the extensive  
22 discussion and the analysis that's here for  
23 everybody's review.

24 What we pointed out was that  
25 Platform D had an impact on the northeast

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1 corner of One World Trade Center.

2 We looked at some mitigation  
3 measures the last time that we spoke, and the  
4 mitigation measures that we initially presented  
5 to you were two options: To physically show  
6 within the platform the representations of  
7 where the columns once were, where the area of  
8 One World Trade Center once was.

9 And we had two different types  
10 of surface treatments, one where the area of  
11 the footprint was virtually the same as the  
12 rest of the platform, or we highlighted it in a  
13 different material.

14 But we recognized that that  
15 wasn't good enough. And as Bernard said  
16 before, we looked at, very, very carefully, how  
17 do we make this area visible, to show this  
18 footprint, to show these columns, for the  
19 future, within that station; what do we do with  
20 all of the utilities down below that would go  
21 through this area to support the station and  
22 the PATH operation, looking at the vertical  
23 circulation element, can we move it, can we  
24 shift it, what can we do.

25 And we pointed out that this

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1 northernmost vertical circulation element was  
2 important, because we had three full cars of  
3 trains just to the north of this vertical  
4 circulation element, and there was a need to  
5 make sure that this vertical circulation  
6 element was able to carry that amount of  
7 passengers coming off a train and also be  
8 concerned about the east-west corridor that was  
9 right above it at the mezzanine level.

10 And we were concerned about  
11 encroachments of this stair and escalators into  
12 that east-west corridor, so we would not  
13 disrupt the flow and encroach in this area.

14 And we listened to all of your  
15 comments very, very carefully, and what we did,  
16 we pulled together the entire design team, our  
17 engineering department, the Downtown Design  
18 Partnership, who are our consultants, with the  
19 representation from Santiago Calatrava's office  
20 who was part of the Downtown Design  
21 Partnership, and as well as with Steve  
22 Weintraub, the curator for us for the artifacts  
23 at JFK. And Steve is also one of the curators  
24 for the Holocaust Museum in Washington, D.C.

25 And with all of this input, we

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1 went through a lot of creative thinking. We  
2 looked at things structurally, mechanically,  
3 from an electrical point of view, HVAC, and  
4 this is what we want to present to you, which  
5 we believe improves the visibility and the  
6 authenticity of the historic resources in this  
7 area.

8 TIMOTHY STICKELMAN: Lou, is  
9 this slide three?

10 LOU MENNO: This is the third  
11 slide, which is the elevation at the platform  
12 level, which is elevation 250.

13 This is the platform. You can  
14 see the columns of One World Trade Center  
15 highlighted here.

16 And this is the fifth track.

17 And what we did is, the vertical  
18 circulation element, we moved it to hug the  
19 western wall, or the end wall that separates  
20 the station from the memorial. We moved it to  
21 the west.

22 At the same time, we moved the  
23 vertical circulation a little bit further  
24 north, so that it would not encroach upon the  
25 east-west corridor, because this stairway comes

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1 up from the platform in a southern direction.  
2 So we pushed it back further  
3 north so that it wouldn't impact that east-west  
4 corridor.

5 What that does now, it allows us  
6 to show the corner of One World Trade Center,  
7 as well as this entire line of columns along  
8 the east wall.

9 And what we are proposing is  
10 several things. With the moving of that  
11 vertical separation unit--and we are able to  
12 now handle all of that traffic flow from the  
13 three cars to the north coming up, we've  
14 included the failure management with the stair,  
15 the whole thing--we are now looking at  
16 creating, just to the southern part of this  
17 well -- this vertical circulation well, an open  
18 sealed chamber that goes all the way down to  
19 the footprint below.

20 And this area would be a sealed  
21 chamber where people would be able to look  
22 through a glass wall, there would be a mirror  
23 here, and be able to see the footprint and the  
24 columns down below.

25 Approximately 12 columns were

1 initially impacted by our Platform D, but now  
2 we are able to expose a good five full columns,  
3 and even show, partially, two others.

4 So you have approximately five  
5 to seven columns that would be visible, as well  
6 as this area here of the footprint.

7 And when you go to the northeast  
8 corner of One World Trade Center, we would  
9 represent that in the platform surface with  
10 showing the columns with a tile or with some  
11 other design, and also highlighting the area by  
12 a different colored floor treatment -- a  
13 different type of treatment from the rest of  
14 the platform.

15 And by doing this, we're able to  
16 maintain approximately a 12-foot width between  
17 the edge of the vertical circulation element  
18 and that track.

19 And from a safety point of view,  
20 we're trying not to allow people to linger  
21 right in this area, basically because it  
22 becomes a safety issue.

23 And what you will see in the  
24 next slide in this area, we were physically  
25 able to relocate all of the duct work and

1 electric conduit to hug the east side of this  
2 Platform D, so to free up this whole area under  
3 here to create this sealed chamber, to create  
4 an area that you could look down to, a volume  
5 of space, and see bedrock and to see the  
6 columns, five to seven of the columns in this  
7 area.

8 When you look at a  
9 cross-section -- this here is Track 5, going to  
10 the next slide. You will see this is Track 5,  
11 this is the platform, and this is the narrowest  
12 part, which is about 12 feet between the edge  
13 of that chamber and the safety edge of the  
14 track.

15 And under the platform area, in  
16 this narrowed area -- narrowed platform area,  
17 we would run our electric duct bank throughs,  
18 as well as any of the HVAC work, and use that  
19 as the plenum, while this whole area would be,  
20 now, this sealed space where people would be  
21 able to physically look down and see the  
22 footprints of One World Trade Center, as well  
23 as a number of the column bases.

24 And what you can see here is  
25 that this wall would be transparent glass that

1 would be tilted inward, so that people would be  
2 able to lean over and look down into it. There  
3 would be a mirror on the western-most wall that  
4 would also -- people could just, say, look out  
5 and see what's down below without physically  
6 having to look over into the glass.

7 And then this treatment in here,  
8 where the columns were not exposed, we would  
9 show representation in the slab.

10 And we believe that this  
11 solution, creating this sealed chamber,  
12 improves the visibility and the authenticity of  
13 the historic resources in this area.

14 On the next slide, just looking  
15 one level above, you are at the concourse level  
16 looking down.

17 So what we did was we moved this  
18 vertical circulation element, we hugged the  
19 wall, the western wall, and we moved it a  
20 little over a foot north to just miss hitting  
21 the east-west corridor, and stay within the  
22 fare-control line, without encroaching into  
23 this area where people will be walking  
24 east-west to go to and from World Financial  
25 Center or to get to PATH.

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1           So we moved this as far north as  
2 we could, and we are able to now create that  
3 sealed chamber down below here and show the  
4 northeast corner of One World Trade Center in a  
5 represented fashion as before.  
6           And we did this within the past  
7 week, where we literally got people locked up  
8 in a room, with Steve Weintraub giving us the  
9 proper criteria to look at, to follow, so that  
10 we could create a good, preliminary design,  
11 which we believe addresses the concerns of  
12 visibility, not just to the footprints, but to  
13 most of the columns that are impacted by  
14 Platform D.  
15           And we're also looking at other  
16 mitigation measures here, like, for instance,  
17 in the northern ones, the northern columns, to  
18 see if we can mitigate any touching or removal  
19 of them.  
20           So we're looking at this. We're  
21 only in the preliminary engineering; we can't  
22 go into final engineering.  
23           But this is a practical and a  
24 feasible solution that we could help address  
25 all of your concerns about showing the

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1 resources in this area.  
2           I thank you.  
3           PETER GOELZ: Well, Lou will  
4 take a few questions or any comments, because  
5 we need to move on.  
6           Any questions?  
7           JOEL KLEIN: Yes.  
8           I want to say, thank you; we  
9 appreciate the work you guys have done, and I  
10 have to say, without -- I want to hold off  
11 until formal comments and we've had a chance to  
12 review this more, but my initial take on this  
13 is this is very honest and good, forthright  
14 attempt to try to address the problem.  
15           What concerns me is that it  
16 starts from a premise that the families are not  
17 willing to accept at this point, and that is  
18 the need for Platform D.  
19           And I don't want to get into a  
20 discussion of that now, because we'll be  
21 rendering comments on that.  
22           But we don't feel the Port  
23 Authority has yet documented to us sufficiently  
24 the need for Platform D.  
25           In the event that that can be

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1 done, and we recognize that it's possible, we  
2 just feel we don't have the information at this  
3 point, this looks to be like a very good point  
4 to start working from on first blush.  
5           CHARLENE VAUGHN: The Council  
6 would like to go on record saying that we are  
7 supportive of Platform D.  
8           I prefer to see this site and  
9 this project deal with historic preservation  
10 issues on the front side rather than trying to  
11 come back five, ten years down the road dealing  
12 with it on the flip side where you don't have  
13 the luxury of being creative and looking at the  
14 broadest array of mitigation measures.  
15           So just as a point of  
16 clarification, we feel that there is enough  
17 evidence on the record to justify a Platform D.  
18           What we're looking for is how to  
19 mitigate it at this point in time so we don't  
20 have to start, next year, planning for a route  
21 where we can't afford the site maximum  
22 protection. So we just need to be clear where  
23 we are at with this project.  
24           BETSY MERRITT: This is Betsy  
25 Merritt. I have a couple of questions.

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1           First of all, on the  
2 cross-section slide, I'm at a little  
3 disadvantage because I can't see what you are  
4 pointing to, but could you explain what's  
5 happening above the sealed chamber in that --  
6 is that the next level up? And what's  
7 happening there? I can't quite decipher that.  
8           LOU MENNO: That sealed chamber  
9 is basically a volume of space that begins  
10 right at the surface of the footprint.  
11           BETSY MERRITT: Right. But  
12 what's happening above that, above that form?  
13           KEN LUSTBADER: I think she  
14 means beyond it.  
15           TIMOTHY STICKELMAN: The  
16 mezzanine level.  
17           LOU MENNO: This is at 264.  
18           But at the 264, just to the  
19 north of the east-west wall of One World Trade  
20 Center, separated, is the east-west corridor  
21 that we're not impacting.  
22           And this volume of space with  
23 the sealed chamber that we referred to would  
24 basically go from the lowest level at  
25 approximately elevation 240 all the way up to

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1 the underside of the mezzanine level above.  
2 It would be an empty volume of  
3 space that would be lit and you would be able  
4 to look down into this volume of space to see  
5 the footprints, as well as the column bases.

6 BETSY MERRITT: So you could  
7 look down from the upper level too, not just  
8 from the platform?

9 LOU MENNO: No, just at the  
10 platform level, not at the mezzanine level.  
11 Just at the platform level.

12 BERNIE McNEELY: Betsy, if you  
13 are looking at the section, on the right side,  
14 at that upper level, is the fare zone-control  
15 area.

16 And on the left side, that open  
17 area, is actually the railing that is around  
18 the vertical circulation elements.

19 If you recall, there are two  
20 escalators and one stair at that location.

21 That area on the left is where  
22 it is at that level, where you take the  
23 escalators and stairs to go from the mezzanine  
24 level down to the platform.

25 BETSY MERRITT: Okay. Okay.

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1 Thanks.

2 My one other question is, if you  
3 go back to the previous slide, what's going to  
4 happen to the column bases that are underneath  
5 the stairs and escalators? Will they be  
6 preserved in place or will they be removed or  
7 what?

8 LOU MENNO: We're looking at  
9 that now to see what can be done to preserve  
10 them, in place, to the fullest extent possible,  
11 because we have to build, just to the north of  
12 them, a structural support, to support the  
13 stairs and the escalators, that will come up in  
14 a southerly direction, and we need to have a  
15 wall dividing the stairs from the escalators.

16 So we're going to look at that.

17 We're not quite sure what the  
18 impacts are, but we're going to do our best to  
19 avoid touching them. We may cover them, but  
20 we're looking not to disturb them, if at all  
21 possible.

22 BETSY MERRITT: So how many  
23 column bases, then, would be represented on the  
24 platform? Would it be about three, the ones  
25 that would be covered but represented?

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1 LOU MENNO: We would have  
2 approximately four that could be represented  
3 right at the northeast corner.

4 You have the last two along the  
5 north-south wall, then you have the two smaller  
6 ones, which would be right at the chamfer  
7 corner of the towers. Those four would be  
8 represented.

9 BETSY MERRITT: So is it still  
10 possible that you could have a situation where  
11 none of them would need to be permanently  
12 removed?

13 LOU MENNO: That's what we're  
14 looking at, not to disturb these, just to avoid  
15 them, do what we can do to avoid actual  
16 removal. They would be obscure, but they would  
17 still be there to the fullest extent possible.

18 PETER GOELZ: Okay.

19 ALBERT CAPSUTTO: My concern is  
20 that you are going to have people who are going  
21 to come down there just to view the columns and  
22 have nothing to do with going in and out of the  
23 trains.

24 And from what you were talking,  
25 or the presentation we had before, you are

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1 going basically on a three-minute, four-minute,  
2 and you are timing it for people to get out of  
3 trains, onto the platform, and off the  
4 platform.

5 How do you think this is going  
6 to affect that type of movement of people who  
7 are just going to come down to view this as  
8 another part of the memorial, as another part  
9 of the experience of the memorial situation, as  
10 opposed to being a commuter?

11 LOU MENNO: Well, first of all,  
12 this would be in the fare-control zone, so if  
13 people --

14 ALBERT CAPSUTTO: They will buy  
15 a ticket.

16 LOU MENNO: They will pay to see  
17 it. But along this one portion of the wall  
18 here, if you look at this slide here, this  
19 portion that goes north-south would just be a  
20 translucent piece of glass, so that would avoid  
21 people from congregating here, especially along  
22 this whole edge --

23 ALBERT CAPSUTTO: Because that's  
24 narrow.

25 LOU MENNO: Right.

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1 -- because that's narrow.  
2 But from this point here, where  
3 it goes off at an angle, all of that would be  
4 the transparent glass and be out of the way of  
5 the passenger flow.

6 ALBERT CAPSUTTO: So you do not  
7 think that it will hamper the movement of  
8 people who are just there specifically to get  
9 in and out of trains?

10 LOU MENNO: Maybe we are going  
11 to have to look at things from an operational  
12 point of view once it's in place, once the  
13 station is open. If there are people  
14 congregating, maybe we need to have someone  
15 there just to make sure people keep moving or  
16 stay away from this area, a little bit of a  
17 crowd control. We don't know.

18 KEVIN BLEACH: Even in the  
19 temporary station -- (inaudible) -- so far it  
20 hasn't been. Folks are willing to come down to  
21 the mezzanine level, but short of paying the  
22 fare to come down to the platform level -- so  
23 far.

24 This is a small enough area that  
25 we would be able to manage that, possibly, with

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1 either the issue you have of just keeping  
2 escalators strictly going up, or the fare zone  
3 up above it.

4 ALBERT CAPSUTTO: Well, then I  
5 commend the Port Authority for their work in  
6 trying to mitigate the different concerns of  
7 this group.

8 BERNIE McNEELY: Just to add to  
9 the point that we're raising, because you have  
10 a valid point that we're concerned about as far  
11 as people staying in that area. It's most  
12 critical during the peak periods, this issue,  
13 so it's less of an issue about people  
14 congregating as long during the non-peak  
15 periods. But it's going to be very critical  
16 during an operational perspective that we make  
17 sure people are moving along during the peak  
18 periods.

19 ANTHONY GARDNER: I just have a  
20 couple of real quick comments and one question.

21 One, I just want to say, on the  
22 record, that in addition to visibility and  
23 preservation of authenticity, the Coalition of  
24 9/11 Families is striving for the maximum  
25 amount of physical access to the remains of the

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1 footprints for the public.

2 Obviously this space is  
3 designated towards transportation and that  
4 won't be possible. But we want to make that  
5 clear as far as the evaluation of moving  
6 forward to other aspects of the footprints.

7 Have you come up with the PATH  
8 train is going to obliterate half of the south  
9 tower? Do you have plans to recognize where  
10 the south tower is impacting the remains --  
11 where the PATH infrastructure is going to be  
12 impacting the remains of the south tower?

13 LOU MENNO: Yes.

14 Let me go back to the slides  
15 here.

16 Originally, all of this area was  
17 taken over by -- was originally occupied by the  
18 original PATH right-of-way, and these columns  
19 did not go all the way down, I think, as we  
20 pointed out, because of the track plan and they  
21 were basically bridged over with transfer  
22 girders.

23 However, in the area of the  
24 fourth platform, what we would do is we would  
25 show the columns and the area in a similar way

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1 as we showed in the other slide with the  
2 surface treatment, and to recognize that this  
3 was the portion of the south tower. We will do  
4 that.

5 KEN LUSTBADER: Could you go to  
6 the other slide, slide 3? I just want a  
7 clarification.

8 Does that -- where the column  
9 perimeter is on the north side of that, is that  
10 the east-west corridor as well?

11 LOU MENNO: Right here?

12 KEN LUSTBADER: Yes.

13 LOU MENNO: This is the  
14 east-west corridor right above this, in this  
15 area.

16 ROBERT KORNFELD: A couple of  
17 things.

18 One is, as far as people  
19 congregating at that area, I think you have to  
20 remember that this site has been maintained in  
21 such a way that the people managing the site  
22 have made every attempt to prevent the public  
23 from being able to see into the site.

24 So your thousands of tourists  
25 are sort of wandering around the perimeter

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1 looking for a little chink where they can see  
2 in. Even someplace like the north bridge over  
3 West Street, there is a section of that about  
4 eight feet long where you can look in at the  
5 One World Trade Center footprint, and even  
6 that, within the last week, someone put a sheet  
7 or towel over it so it blocks off that opening.  
8 There's not one single place where people can  
9 see.

10 So anytime you have an opening  
11 you get a congregation of people looking for --  
12 I personally don't think it's a voyeuristic  
13 sort of thing. I think people are looking for  
14 some sort of meaning, they want to see the  
15 site, they want to connect with something.

16 And I think you have to assume  
17 that the scheme that's going to be done on this  
18 site will allow people to do that in some major  
19 way, and they won't be slinking around, looking  
20 for some little chink to look through.

21 So I think if you look at it  
22 from the sense that if someone wants to go see  
23 the footprints, that they will go and be able  
24 to really experience that in some major  
25 meaningful way, and not have to go into the

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1 PATH station and look at some other area.  
2 That brings up another issue.  
3 I'm just wondering -- I think  
4 this is a huge milestone compared to where we  
5 were at previous schemes. But I wonder, if a  
6 lot of people are going to be going to the site  
7 to look at the One World Trade Center footprint  
8 from the footprint itself, I'm not sure why  
9 this scheme completely obscures it from that  
10 direction.

11 In other words, this is only  
12 looking at it from the PATH station back, not  
13 from the One World Trade Center footprint,  
14 looking at that corner.

15 It seems like you just have a  
16 blank wall going across. I understand it's not  
17 detailed that much at this point, but I don't  
18 see why you wouldn't want people who are on the  
19 One World Trade Center footprint to be able to  
20 experience that corner also.

21 PETER GOELZ: Okay.

22 ROBIN FORST: I just want to  
23 commend the Port Authority for what I think is  
24 a very creative solution to a problem that may  
25 not be a perfect, end-of-the-day solution, but

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1 it seems like we're so much further along with  
2 this.

3 And I would just like to  
4 reiterate, on the part of the community, the  
5 business community and the residential  
6 community, that we do believe that Platform D  
7 is a necessity, and are even concerned, as we  
8 expressed last time, about some of the  
9 estimates toward 2025 going forward. So we  
10 think that that's critical and this seems like  
11 a great next step in the process. I just  
12 wanted to let you know.

13 KEN LUSTBADER: One  
14 question/comment. Not understanding all the  
15 technical elements of this, how high is the  
16 platform?

17 And one of the issues, having  
18 been on the Memorial Center Advisory Committee,  
19 there was issues of access commitments, and  
20 when we were down at Ground Zero and we see  
21 that today, there is the issue of the  
22 importance of seeing kind of the broader picked  
23 and chamfered edge and being in the volume of  
24 what was the World Trade Center north or south  
25 tower.

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1 Is there any way to -- I know  
2 this is PATH project, but there's no way to  
3 knock down the wall that's existing on the --  
4 that there, exactly -- where it can be  
5 incorporated into the memorial center?

6 Or is that just opening a can of  
7 worms on design issues and not feasible at all  
8 from a pragmatic point of view?

9 LOU MENNO: We're going to look  
10 at the feasibility here. As I said before, we  
11 are working very closely with LMDC and their  
12 design consultants on the memorial, so we are  
13 going to do our best to see how we can better  
14 coordinate this.

15 KEN LUSTBADER: Kind of  
16 intuitively you are taking out a corner of a  
17 project, letting it be visible from one  
18 elevation. However, if you take down a wall,  
19 it's kind of like combining two apartments, you  
20 have a view shed into the other apartment that  
21 can make a more compelling view.

22 That's all I'm trying to make my  
23 point on.

24 LOU MENNO: We have to be very,  
25 very creative here, because we have to create

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1 separations by code. But there are probably  
2 some creative solutions here.  
3 PETER GOELZ: Couple more  
4 comments and then I want to get to John Hotopp.  
5 In the back?  
6 DAVID STANKE: Having been on  
7 the memorial committee and seeing the design  
8 for the memorial itself, I think the whole  
9 point of the memorial is that you have to  
10 communicate the expanse of what was lost.  
11 And I think that, given that the  
12 majority of the people will be coming to that  
13 memorial -- and there is no way anybody is not  
14 going to miss the fact that there were two  
15 one-acre buildings on-site, and to necessarily  
16 require that throughout every level all the way  
17 down, in that volume, when, in reality, the  
18 volume of that building we all knew and we know  
19 what was lost, and what we really recognize is  
20 the volume of -- what started at ground level  
21 and went up 110 floors, that that is going to  
22 be marked off as being not there anymore in  
23 comparison to the height of a very tall  
24 building next to it and the spaces open on the  
25 ground.

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1 So what I like about this is,  
2 you know, I have always felt, since it was  
3 lost, that one of the best things that would be  
4 able to be done would be to integrate pieces  
5 and a memorial and components and memories of  
6 the old site and the old World Trade Center  
7 into what is our normal life.  
8 You know, it's great that there  
9 are facilities for tourists, but I'm not going  
10 to be going down to a tourist center every day.  
11 It's great that something like this can be in a  
12 place so people who were concerned and are  
13 connected to the site will have a poignant and  
14 meaningful reminder.  
15 So I think this design  
16 accomplishes something that has not been done  
17 in any other part of the site in a real way in  
18 any formal plan that I've seen so far.  
19 So I think this is really great.  
20 The other thing we've talked  
21 about, and it came up in a couple of  
22 conversations, we've talked about sort of the  
23 demand for the PATH station and what are the  
24 estimates and how many people will be coming,  
25 et cetera.

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1 But one of the things we haven't  
2 talked about, I think, is, you know, there are  
3 a lot of footprints down there, there is an  
4 acre and a half of them, and how many people  
5 will be coming and how much space is necessary  
6 and how many footprints all need to be exposed  
7 to handle the volume and the demand for people  
8 to see the footprints? What is the demand for  
9 the broader audience to see every footprint and  
10 be able to go to every column? That's a lot of  
11 columns and a lot of space.  
12 So those kind of access demands  
13 haven't been addressed. So that's one of my  
14 concerns.  
15 WILLIAM KENNEDY: I would like  
16 to commend everyone. I think it's terrific  
17 what you've done and you've come a long, long  
18 way. I think this is a good solution.  
19 I'd like to also speak in  
20 support of the platform.  
21 I think the growth is going to  
22 occur both in the residential population and  
23 the downtown population. And the growth is  
24 going to occur in Jersey City eventually, and  
25 the office population will be significant

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1 irrespective of the size of what the tour buses  
2 look like and everything else.  
3 So I think for the safety of  
4 both parties, the communities of people who  
5 work here on both sides of the water, I think  
6 that additional track will give us both comfort  
7 and opportunity to do that. So I'm certainly  
8 in support of seeing that track.  
9 ANTHONY GARDNER: One other  
10 second with Bob Kornfeld, his thoughts about  
11 some sort of translucent wall that would show  
12 people who are standing on the remains of the  
13 footprint east -- west of the station, that  
14 that's the corner of the north tower footprint.  
15 I also wanted to make the point  
16 that I think this illustrates the problem that  
17 we have with cumulative impacts.  
18 We don't know how what you are  
19 proposing fits in with LMDC's plans for those  
20 footprints, and I can't fathom how -- I can't  
21 fathom how LMDC, in your mind, has no  
22 responsibility as far as your project. They  
23 have a direct impact on your area of potential  
24 effect, the remains of the footprints.  
25 And also, there's some

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1 confusion, I think, about what the footprints  
2 are. I think you really need to start refining  
3 the language.  
4       The individual column remnants  
5 outline the footprints, they are not individual  
6 footprints. I think they are referred to as  
7 footings.  
8       PETER GOELZ: Mm-hmm.  
9       ANTHONY GARDNER: And that's an  
10 acre and a half, essentially, because there's  
11 one footprint, at least right now, and half of  
12 the south tower.  
13       So it's really difficult to make  
14 decisions, you know, and a lot of thought is  
15 going into this, and you are showing that there  
16 is going to be visibility where there can't be  
17 physical access.  
18       But there's no way to judge it  
19 because there's no way to factor it into what  
20 LMDC is proposing.  
21       And you talk about coordination,  
22 but if it's not in the MOA, where is it going  
23 to be?  
24       Frankly, the Coalition doesn't  
25 want to have to attend meetings for the next

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1 ten years until this is done to ensure that the  
2 remains of the footprints are preserved and  
3 that includes physical access as well.  
4       CHARLENE VAUGHN: I think my  
5 comment is related to Anthony's.  
6       I think this is a great concept.  
7 I think the devil is in the details.  
8       My concern is the way we set up  
9 this agreement, this will come back to people  
10 at the 35 percent completion design level and  
11 they will be given x-amount of days to comment  
12 and then move on.  
13       I think for this particular  
14 element of the project there has to be some  
15 additional coordination during the development  
16 or the blushing out of the concept, and we  
17 haven't provided for that.  
18       I know everybody's in a hurry to  
19 get the MOA executed, and I appreciate that,  
20 but there has to be some mechanism whereby, not  
21 a large group, I don't think it needs to be all  
22 the consulting parties, but a representative  
23 group really works with the Port Authority to  
24 try to hammer out some of these elements of the  
25 design so that when we get to the 35 percent

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1 stage, we're not in an ongoing dispute or a lot  
2 of conflict, and I think we need to make some  
3 provisions for that.  
4       The memorial group and LMDC has  
5 their own advisory group independent of the 106  
6 process to advise them.  
7       I think that something similar  
8 needs to happen, and this project may be on its  
9 scaled-down version, but one that really  
10 provides people to roll up their sleeves,  
11 particularly preservationists and people who  
12 have architectural expertise and preservation  
13 to deal with some of the design elements early  
14 on.  
15       PETER GOELZ: I think you are  
16 right. The devil is going to be in the  
17 details.  
18       CHARLENE VAUGHN: Right.  
19       PETER GOELZ: If we could, since  
20 we want to get to the tour, John Hotopp will  
21 now give a presentation on the MOA. He gave a  
22 very abbreviated one at the tail end of our  
23 last meeting, and I thought that we could spend  
24 a little more time on it this morning.  
25       JOHN HOTOPP: I thought last

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1 week's presentation was quite fine and I would  
2 like to see if I could do it in about half that  
3 time, but people told me that's not acceptable,  
4 you have to take a little more time, so I will.  
5       I'm particularly pleased to  
6 think about where we are today and where we've  
7 come from.  
8       If you remember back, we had the  
9 determination of eligibility report that we all  
10 put together, and we wrote it up for your  
11 review, and you people had some real good input  
12 and it became a much more powerful and robust  
13 document as a result of the work we all did  
14 together on it.  
15       And now we're seeing the same  
16 thing as we develop this memorandum of  
17 agreement; it's becoming more robust, more  
18 powerful, and it really speaks to the issues  
19 that you people have identified in the last  
20 couple of meetings.  
21       The Port Authority, I think, is  
22 probably the most sensitive client that I've  
23 worked with in years in trying to accommodate  
24 everybody's needs to get a mitigation plan that  
25 actually works. So I'm pretty excited about

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1 it.  
2           What we have here today, I  
3 think, is the document as it now stands, and  
4 it's getting very close to the end of the  
5 process. But as Charlene pointed out, and  
6 quite correctly, we're not quite there yet.  
7 We've got a little more work to do with design  
8 and some more mitigation things that we want to  
9 work out.  
10           Do you want to pass these out?  
11           BILL WONG: These documents are  
12 for the platform that people can pick up at the  
13 end of the meeting.  
14           JOHN HOTOPP: A couple  
15 preparatory comments, then.  
16           At the input of the consulting  
17 parties, I think we have made a much more  
18 robust set of documents for this, thing. I'm  
19 very proud of the work you've done.  
20           The other thing, I will tell you  
21 today, is that when we actually do the tour,  
22 it's going to be difficult because there's an  
23 awful lot of water and a lawful lot of mud and  
24 it's an awful big mess down there, dating back  
25 to Friday.

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1           One of the disadvantages of  
2 working deep below the Hudson River is the  
3 water comes in and it's very difficult to get  
4 out. So you will all see what a challenge this  
5 has been.  
6           I would suggest that those of  
7 you who are not particularly strong-hearted for  
8 mud, you might want to reschedule for later on  
9 the next chance we can to get out there,  
10 because if God will let it dry a little longer  
11 it will be an easier trip.  
12           With that, everything said,  
13 let's see where we can start from.  
14           We have been messing around with  
15 all of these stipulations, and all of you have  
16 seen these.  
17           The tower perimeter columns have  
18 become the stipulation of choice. Everybody  
19 has really put some serious thought, effort,  
20 and time into it, and the work the Port  
21 Authority has done in a week to try to  
22 accommodate your needs and interests, to me,  
23 was a very important step forward.  
24           That's another point I would  
25 like to make, Anthony, when you talk about

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1 cumulative impact, is that the Port Authority  
2 is going to be involved in this whole site  
3 development forever; they are the owner, so  
4 they can't just walk away.  
5           And I think we've done an  
6 excellent job of sensitizing the Port Authority  
7 for the concerns of the people who are involved  
8 with the process.  
9           I think we've done a real good  
10 job, and I can't imagine that the Port  
11 Authority, as we've worked with LMDC and  
12 everybody else, as we work our way through this  
13 process, I can't imagine that they are going to  
14 ignore all of our concerns and needs.  
15           So we do have a big advantage, I  
16 think. They are going to be totally involved  
17 in the process all the way through.  
18           And today I thought we would  
19 talk a little bit about some of the steps we  
20 haven't really talked about, and to see if you  
21 have any concerns that we've missed or comments  
22 you want to make about them.  
23           And so I was going to go through  
24 them, and last time I went through at double  
25 speed. Maybe I will slow down a bit.

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1           I'm not going to talk about the  
2 perimeter columns. This has been a big subject  
3 for the last two weeks and it has been very  
4 effectively presented and a lot of input come.  
5           East-side subway entrance, what  
6 we are going to do to that and treat that  
7 entrance, is we are going to basically  
8 memorializing the entrance from the E train  
9 into the World Trade. We will have a little  
10 bit of an up and a little bit of down, but  
11 people in Manhattan are very used to that,  
12 I can't see that it will be a problem.  
13           Is there anything we've missed  
14 on this that you would like to call us out on?  
15 No?  
16           We're comfortable with the  
17 E train stipulation?  
18           Because some of these I'd like  
19 to put to bed. I'd very much like to say to my  
20 clients these are final stips.  
21           JOEL KLEIN: I have to object to  
22 your use of the phrase "put it to bed." We  
23 haven't reached the deadline for comments on  
24 the previous versions of the MOA.  
25           JOHN HOTOPP: I know that. But

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1 what I'm saying, Joel, the things that are not  
2 particularly controversial we would like to get  
3 them off the table so we can really focus on  
4 the ones of interest. That's what I'm really  
5 talking about.  
6 CHARLENE VAUGHN: I think that  
7 we talked about it, but just as a point of  
8 clarification and to go on record, I had  
9 suggested to the SHPO that consulting parties  
10 have a more extended period of time to review  
11 documents. As it was written, I think they  
12 were given 14 days, and I thought that was just  
13 too abbreviated given that they meet with  
14 boards and everything.  
15 TIMOTHY STICKELMAN: We are  
16 changing it to 21 days.  
17 CHARLENE VAUGHN: I just wanted  
18 to clarify that.  
19 ROBERT KORNFELD: One comment on  
20 the tower perimeter remnants and the footprint  
21 areas. We really haven't dealt with Two World  
22 Trade Center at all.  
23 I think there are a lot of  
24 issues there, you know, of what's covered,  
25 what's intended to be demolished, what's going

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1 to go there, how the mezzanine level interacts  
2 with the memorial above and that kind of thing.  
3 I don't think we've even scratched the surface  
4 on Two.  
5 JOHN HOTOPP: I agree. The real  
6 focus of the whole meeting has been on One  
7 because there we have a whole footprint that  
8 reads, and it's very easy to understand what  
9 you are seeing, and the two towers are  
10 difficult to understand what you are seeing.  
11 I think, for that reason, they  
12 haven't focused much on Two. I don't know that  
13 there will be a whole lot of impact beyond what  
14 they have made -- than what we've already had.  
15 ROBERT KORNFELD: I don't think  
16 we've really determined what the impacts are.  
17 BILL WONG: We've made  
18 representations.  
19 ROBERT KORNFELD: Does that mean  
20 that you are destroying everything that's not  
21 out in the -- that's everything east of that  
22 line or the PATH track or where the platform  
23 is?  
24 JOHN HOTOPP: No.  
25 That's the issue. Are parts

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1 going to be visible, are parts going to be  
2 preserved but covered?  
3 BILL WONG: They are going to be  
4 obscured. I think we outlined that in the  
5 original discussions back in June, and that's  
6 kind of the level of development.  
7 I don't think that there's ways  
8 we can really look at to address the same issue  
9 that -- or address the same solution as we have  
10 in One World Trade; that's an extraordinary  
11 circumstance where we understood that there's a  
12 concern about the entire footprint. This is a  
13 different type of area in the south tower where  
14 we probably can't do the same type of solution.  
15 JOEL KLEIN: I think the  
16 engineering constraints are clearly much  
17 greater where the south tower is involved, and  
18 obviously the facility is going to be on top of  
19 that portion of the footprint.  
20 But I think the MOA needs to be  
21 more specific in at least addressing the  
22 process for how those will be built. Right now  
23 I think it's fairly silent on discussion of the  
24 south tower footprints.  
25 JOHN HOTOPP: Yes, you are

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1 right. I think the real focus has been on the  
2 north tower.  
3 BERNIE McNEELY: John, the draft  
4 MOA currently speaks to three items that relate  
5 to the south tower. One is the historic  
6 recordation process, which is going to occur.  
7 The second is that there have  
8 been identified with Platform D three column  
9 base remnants that could be either temporarily  
10 or permanently impacted.  
11 And the third is the stipulation  
12 about providing architectural treatments, not  
13 only for Platform D, but for all the platforms  
14 that are within the footprint of the south  
15 tower.  
16 That is information that's all  
17 currently in the draft MOA, and then from there  
18 it would be to solicit any comments that relate  
19 to those three things.  
20 I think those are the three  
21 major things that relate to that south tower  
22 currently.  
23 JOHN HOTOPP: Okay.  
24 BILL LOVE: I have a half-dozen  
25 comments on the documents. Should I give them

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1 as we go through?  
2 JOHN HOTOPP: Probably.  
3 BILL LOVE: I have one comment  
4 on the section relating to the column remnants.  
5 This is on page 8 -- starts on  
6 page 8 where it discusses the efforts to  
7 preserve, in this case, 80 column base remnants  
8 in the north tower and 39 in the south tower.  
9 There's language in there that  
10 is -- I think, provides the Port Authority  
11 flexibility, and it refers, for example, in  
12 paragraph B(1), to "Shall, to the maximum  
13 extent feasible, given project information  
14 requirements, preserve in place."  
15 So there's a recognition that  
16 certain circumstances could change as we go  
17 through here and there's some flexibility built  
18 in.  
19 I'm wondering, on page 9, in  
20 paragraph 6, you shouldn't also have some sort  
21 of conditional language. That basically says  
22 that the total extent of the north tower  
23 footprint at elevation 242 will not exceed  
24 4 percent of the north tower footprint area.  
25 And then the last line there,

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1 "will not exceed 53 percent of the south tower  
2 footprint area."  
3 What happens, for example, if  
4 you are going through and working on the  
5 east-west corridor and something happens that  
6 would require a change in the location, maybe  
7 an impact on another historic building, maybe  
8 something to do with the Hudson River bulkhead,  
9 shouldn't there be some conditional language  
10 similar to what's in paragraph 1 and 2 to  
11 recognize that that might -- there might need  
12 to be some flexibility there, otherwise you  
13 might find yourself in an impossible situation.  
14 So that's my one comment.  
15 JOHN HOTOPP: Good point.  
16 ANTHONY GARDNER: Can I just  
17 say, for the record, we are absolutely opposed  
18 to that. We see the point of the MOA is to  
19 spell out specific percentages that you will be  
20 preserving, not more wiggle-room language.  
21 LOUISE LO PRESTI: This is a  
22 design issue, and you need to resolve the  
23 design issue.  
24 And Tim Stickelman, last week --  
25 and it is highly foreseeable that even the

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1 existing work that you have in scope will have  
2 far greater impact than what you are  
3 indicating. It's only realistic and you need  
4 to account for that.  
5 JOHN HOTOPP: Yeah, well we've  
6 become pretty specific.  
7 LOUISE LO PRESTI: It's not  
8 specific enough.  
9 JOHN HOTOPP: These agreements  
10 are normally drafted far in advance of  
11 construction and you can't see where you are  
12 going. We are much closer here, and I think we  
13 have a much more complete document than you  
14 would normally find in a memorandum of  
15 agreement.  
16 LOUISE LO PRESTI: That's nice,  
17 given the fact that this is the site of the  
18 largest attack of the United States in history;  
19 yeah, it would be nice if you were accurate and  
20 took adequate measures.  
21 BERNIE McNEELY: If you could  
22 offer us some specific comments that relate to  
23 your question and concern, that would be  
24 helpful to us so that we could finalize the  
25 MOA.

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1 LOUISE LO PRESTI: Yes. I do  
2 have a comment that I made to Tim Stickelman  
3 last week, namely, I have the utmost respect  
4 for the technical team at the Port Authority.  
5 However, a project like this is not, by any  
6 means, within your normal mandate.  
7 And I don't believe that,  
8 despite the excellent skills you have in doing  
9 your day-to-day job, that you are equipped to  
10 handle this.  
11 And I suggested to Tim --  
12 TIMOTHY STICKELMAN: Louise, I  
13 want to stop you.  
14 I know what you are saying, but  
15 you were a little late. You missed the first  
16 part when Lou went over the Platform D analysis  
17 and the different treatments, because they met  
18 this week, so what I will do, after this you  
19 will get the --  
20 LOUISE LO PRESTI: Does this  
21 address my concern to you?  
22 TIM STICKELMAN: Yes, it does.  
23 LOUISE LO PRESTI: And will I be  
24 happy with it?  
25 TIMOTHY STICKELMAN: I don't

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1 know, Louise.

2           LOUISE LO PRESTI: My suggestion  
3 to Tim was that we consult with Mr. Calatrava,  
4 being one of the finest architects in the  
5 world, to come up with a suggestion. If you  
6 addressed that, that's wonderful; that  
7 alleviates at least 50 percent of my concerns.

8           KEN LUSTBADER: This raises the  
9 issue that the LMDC expressed and Charlene  
10 convoluted to this morning, that this project  
11 needs someone who has experience in historic  
12 preservation.

13           I know you had Steve Weintraub  
14 consulting on this, but I think the MOA has to  
15 include that someone from the Secretary of  
16 Interior Standards for historic preservation  
17 be part of the cultural resources management  
18 team, or whatever we want to call it, and  
19 that's kind of codified in the document.

20           I know that we talked about it,  
21 but just all these issues, the east-side subway  
22 entrance, how is it going to be interpreted,  
23 those are all questions that I have and we  
24 can't answer right now because it's a design  
25 issue, but we can at least make sure that the

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1 should have to sign on to something, whether  
2 it's a separate document or this document, that  
3 discusses specifically their projects's impact  
4 on the remains of the footprints so that you  
5 could coordinate.

6           I think it would make your job  
7 as designers much easier if you knew, Well,  
8 LMDC is doing this on this section, and they  
9 could make those perimeter lines visible and  
10 accessible from here, so we could maybe do this  
11 and have it fit and work like one project.

12           And until you address the  
13 cumulative effects, we're not going to be  
14 satisfied in any way, because as far as we  
15 know, you're working towards a good -- you are  
16 going in a good direction where you've  
17 acknowledged that the remains of the footprints  
18 are significant, you are trying to mitigate  
19 against your project's adverse effects.

20           We have LMDC on the other end  
21 where all we have is a vague commitment saying  
22 they are going to provide appropriate access.  
23 That could be three columns and 5 percent of  
24 each footprint, and, frankly, that's not good  
25 enough.

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1 solutions or the technical expertise for that  
2 type of solution is in place.

3           CHARLENE VAUGHN: I agree with  
4 you whole-heartily. I think that in  
5 formalizing the agreement that the Port  
6 Authority will have a qualified preservationist  
7 on the design team. And I think they probably  
8 do, informally, I think it just needs to be  
9 codified.

10           JOHN HOTOPP: I think that was  
11 spelled out with the assistant city  
12 engineer, for example, and the operational  
13 impacts. We have it in that section, but I  
14 think it could be expanded -- the role could be  
15 expanded.

16           CHARLENE VAUGHN: Okay.

17           JOHN HOTOPP: But that's a good  
18 point.

19           ANTHONY GARDNER: Bernie wanted  
20 some suggestions about making things more  
21 concrete language. And I think we've said this  
22 so many times I can't even remember how many.

23           Ken Lustbader's preservation  
24 league, I know they've expressed this. You  
25 have to address cumulative impacts. And LMDC

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1           The remains of the footprints  
2 should have a national designation of  
3 protection, and it's only because they are  
4 prime New York Manhattan real estate that that  
5 hasn't happened yet, and it's a shame.

6           So you guys are moving in the  
7 right direction, but we really feel strongly  
8 that LMDC is just going to reverse all of this  
9 work, all of the time we are putting in here,  
10 by not signing on to an agreement.

11           JOEL KLEIN: Another comment  
12 relating to that very quickly.

13           We heard earlier today that the  
14 decision has been made that LMDC would not ask  
15 to be a signatory to the memorandum of  
16 agreement, and the explanation given for that,  
17 according to Charlene, was because the Port  
18 Authority does not have a specific role and  
19 responsibilities.

20           Well, flip that around. The  
21 concerns that we have of the fact that the  
22 existing programmatic agreement with LMDC  
23 essentially gives LMDC the final say over  
24 access to the footprints and how they are going  
25 to be interpreted.

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1           When comments went out on that  
2 document, it was specifically suggested that  
3 the Port Authority become a signatory as the  
4 property owner, which was pointed out here  
5 under the Advisory Council's regulation.  
6           The Port Authority had a right  
7 to be a signatory to that document and was not  
8 committed or refused to sign it.  
9           As a result, the Port Authority  
10 essentially relinquished control that they  
11 could have maintained to the LMDC, and that's  
12 the root of the problem we're having here now,  
13 and that's why we've asked that LMDC be made a  
14 party to this agreement.  
15           If that can't happen, we would  
16 strongly urge you to approach the LMDC and  
17 reopen the programmatic agreement to allow  
18 the Port Authority to become a signatory, so  
19 that any commitments that the Port Authority  
20 makes would have to be honored by LMDC as well.  
21           PETER GOELZ: Charlene, did you  
22 have one more thing on this?  
23           ALBERT CAPSUTTO: It's just --  
24 did I just see throughout this document,  
25 through all of it, you have coordination,

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1 historic properties, and it says -- and you  
2 have it here:  
3           "The Port Authority shall  
4 coordinate treatment of these historic  
5 properties with LMDC."  
6           If you want to put a paragraph  
7 to state that even more explicitly, fine, but  
8 to go through all of this -- I think you  
9 already have it enough in this document that  
10 there is going to be coordination with LMDC.  
11           So I don't see exactly the main  
12 sticking point that if they have to be a  
13 signatory, if legally you say that LMDC doesn't  
14 have certain participatory situations in the  
15 Port Authority attachment area, then that's the  
16 situation, that's the legal situation.  
17           If they are signing on that they  
18 concur to this document, and if you have,  
19 throughout this document, that's there going to  
20 be coordination with LMDC, that should be  
21 sufficient.  
22           LOUISE LO PRESTI: Albert, this  
23 is law school 101. You are a businessperson.  
24 You know you can state whatever you want that  
25 another party is going to do X, Y and Z, but

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1 unless that party is a signatory to the  
2 agreement, they are not bound to it.  
3           CHARLENE VAUGHN: You know with  
4 the LMDC agreement, I'm sorry, the Port  
5 Authority didn't signed and they didn't --  
6           LOUISE LO PRESTI: I say the  
7 same thing about that.  
8           CHARLENE VAUGHN: Yeah, but I  
9 think we need to be clear about the Port  
10 Authority's role and rights and privileges with  
11 this site, period.  
12           And, you know, maybe I'm a  
13 little dumb here, but why are we putting  
14 billions of dollars in redevelopment and  
15 there's the perception that these agencies are  
16 going to work at cross-purposes?  
17           I'm lost here. Maybe you all  
18 know something that I'm not getting because I  
19 don't live here, and help me understand that.  
20           But I'm trying to figure out why  
21 we're expecting each of these agencies not to  
22 coordinate at some point. Why is there the  
23 expectation that they are going to undermine  
24 one another?  
25           JOEL KLEIN: Charlene, you were

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1 at the same meeting we attended when the Vesey  
2 Street stairs were discussed and the  
3 Port Authority made a very nice presentation  
4 about how they were going to preserve them, and  
5 when they were specifically asked about how  
6 LMDC's project would affect them, their  
7 response was "We don't know; it might be  
8 affected by LMDC's project."  
9           If that is an example of the  
10 kind of coordination and cooperation, we are in  
11 a very sore state.  
12           CHARLENE VAUGHN: Maybe they  
13 didn't know.  
14           TIMOTHY STICKELMAN: We should  
15 cut this off. I know everyone wants an  
16 opportunity to talk, but Joel and everyone else  
17 here should know that the Port Authority, as  
18 the owner of the site, is going to be involved  
19 in every step of the process, because they  
20 don't know what's going to be built in the  
21 northeast corner, which they are talking about,  
22 so we will be involved in that.  
23           It's just that it's not going to  
24 be part of the PATH project, and that's what we  
25 were saying way back when, when we said we were

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1 not affecting the northwest stairs that  
2 everyone was talking about.  
3 PETER GOELZ: John, please go  
4 on.  
5 JOHN HOTOPP: All right.  
6 CHARLENE VAUGHN: Just one  
7 minute, John.  
8 I think Anthony did bring up the  
9 whole concept of cumulative effect. I did not  
10 hear how that would be addressed.  
11 Let's take away the coordination  
12 and concept of cumulative effects. I think  
13 that has some validity, and if you feel it's  
14 addressed in this agreement, tell us where and  
15 how, because I'm not finding it.  
16 JOHN HOTOPP: Well, Tim made the  
17 point this morning again that the  
18 Port Authority is the owner of the site and  
19 there will not be anything occurring on the  
20 site where the Port Authority is not involved  
21 in, Charlene.  
22 CHARLENE VAUGHN: I don't think  
23 we are talking about involvement per se, I  
24 think we are talking about planning for the  
25 potentiality of things to happen incrementally

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1 that we just could not have anticipated at this  
2 point, because a lot of this is going to  
3 unfold. This is just the nature of  
4 development.  
5 So as we see these, you know,  
6 encroachment on neighborhoods or other factors  
7 coming into play that we just did not consider  
8 at this point in time, what provision is in  
9 this agreement for us to have some ability to  
10 address that on a going-forward basis?  
11 It's an unknown; I can see that.  
12 But yet, we still don't have a process for  
13 dealing with it.  
14 Property owners, what, if after  
15 this is all built they look and have, you know,  
16 some impact on their neighborhood that clearly  
17 was never anticipated, and it's a  
18 preservation-related issue. How did they  
19 address that? They could just come and address  
20 that with the Port Authority on their own? Is  
21 there a provision in here to deal with that?  
22 I think that we need to think of  
23 what the process will be, recognizing that, at  
24 best, we can lay out some steps for the future.  
25 But there's just nothing here that addresses it

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1 fully, as I see it.  
2 JOHN HOTOPP: Okay. Thank you.  
3 Do we have one more comment?  
4 ROBERT KORNFELD: Yes. On  
5 Section B, where it lists specific numbers of  
6 column remnants and that kind of thing, I think  
7 that you really need to show the total number  
8 of core columns, along with perimeter columns,  
9 and other features of the site.  
10 Once you get that specific, then  
11 basically you are saying that anything that is  
12 not specifically mentioned is excluded, as I  
13 would interpret it. In other words, if it's  
14 very general, that's one thing.  
15 And with Two World Trade Center,  
16 I think you need to talk about the total number  
17 of column remnants that are there.  
18 It's understood that the portion  
19 where the PATH tracks and station are, are not  
20 going to be exposed as a historic site in the  
21 same way that One World Trade Center would be.  
22 But I think you need to deal with those  
23 numbers.  
24 And instead of just saying 39  
25 and plus 3 are being impacted, that's not

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1 really the case, there are dozens. I mean the  
2 whole -- you know, other parts of the north and  
3 south perimeters and the entire east perimeter,  
4 and portions of the core.  
5 So I think that's part of the  
6 mitigation, is how those things are addressed.  
7 In other words, if they are covered in a way  
8 that protects them rather than demolishing them  
9 so that at some point in the indefinite future  
10 someone could uncover the site if they wanted  
11 to.  
12 I think with a site with this  
13 level of significance that this is a concern,  
14 and I think it should be addressed.  
15 JOHN HOTOPP: A lot of this site  
16 is going to be intact and it's going to be  
17 preserved underneath things. So again, you are  
18 pushing and pushing beyond where I think the  
19 designers are with a lot of it.  
20 The Port Authority and the PATH  
21 station design is close, and so we can talk  
22 about the impact we are making to the platforms  
23 and how many things we've got to cover or  
24 whatever. But you are right. The rest of the  
25 site, the rest of the footprints, I don't know

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1 where we are yet. I don't have that  
2 information.  
3 ROBERT KORNFELD: The language  
4 in the document doesn't describe it.  
5 JOHN HOTOPP: I don't know quite  
6 how to address that. We focused on the  
7 language that the PATH station is going to have  
8 on the project.  
9 ROBERT KORNFELD: But that's  
10 what I mean. That's still one of the main  
11 impacts, even though no one is disputing that  
12 the tracks may impact the east portion of Two  
13 World Trade Center.  
14 I think you still need to say  
15 what's there, what's going to happen to it. No  
16 one disputed the fact that you are not going to  
17 uncover that portion due to having operating  
18 tracks and construction and so on.  
19 But I think you need to document  
20 what's there, on drawings, if not physically  
21 uncovering it and say what's happening to the  
22 resources there.  
23 JOHN HOTOPP: Part of the  
24 documentation will be just that, it's to  
25 compare the drawings and photographs and make

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1 everything kind of give as we work through the  
2 documentation of the site. But there will be a  
3 record created.  
4 BILL LOVE: I have a couple of  
5 comments. Are we moving on to the next  
6 section?  
7 JOHN HOTOPP: Yes.  
8 BILL LOVE: The penetration of  
9 the east-west slurry walls. Page 12 talks  
10 about the design providing visibility from  
11 within the terminal to a portion of the east or  
12 west slurry wall and of certain criteria met.  
13 And I hope when this design is  
14 done that the designers will be sensitive to  
15 the concerns that have been expressed here  
16 before by others and by myself about the fact  
17 that residents and people who work in a lot of  
18 the buildings like the World Financial Center,  
19 who experienced trauma on 9/11, don't  
20 necessarily want to be reminded on a daily  
21 basis as they go back and forth, being forced  
22 to confront views of the slurry wall.  
23 In fact, if you ask residents  
24 what they are interested in with respect to  
25 that passengerway, they will about retail more

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1 than anything else. So I hope the designers  
2 will be sensitive to that.  
3 I noticed in the paper this  
4 weekend there was an article about the plane  
5 crash that took place in November of 2001 in  
6 Far Rockaway, and it's interesting, some of the  
7 same conflicts have arisen there that have  
8 arisen here. Some of the families went back,  
9 and they had built -- I guess the plane went  
10 down in a neighborhood and they rebuilt houses  
11 there, and they moved the memorial some  
12 distance away.  
13 The thing that caught my eye  
14 about that article was a quote in there from  
15 someone who was a manager of a local restaurant  
16 who also lost his brother in the World Trade  
17 Center. He said, "We were hit real hard on  
18 9/11, and people around here don't want to keep  
19 seeing more grief when they walk out of their  
20 homes every morning; they want to move on."  
21 And I thought that captured the  
22 feelings of a lot of residents down here who  
23 were traumatized on 9/11. So I just want to  
24 make that comment.  
25 Also, within that same section,

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1 it's not directly related to the slurry wall,  
2 but there's confusing language in there on  
3 what's supposed to happen to the steel beams  
4 and cross-form.  
5 Page 13 says that these will be  
6 "relocated to Hangar 17 at JFK, or an alternate  
7 location, where the object will remain in  
8 custody and control of the Port Authority  
9 pending final disposition of the artifacts."  
10 And that was my understanding.  
11 But then, if you go over to page  
12 18, I believe it is, "Temporary relocation of  
13 historic elements," there it talks about the  
14 historic elements potentially anticipated to  
15 be, and they mention steel beams and cross-form  
16 as being temporarily relocated to protect them  
17 from damage during construction of the project.  
18 Then on the next page, page 19,  
19 paragraph 2, item C talks about returning the  
20 elements to the World Trade Center site.  
21 That seems contradictory to me.  
22 In one case it talks about returning it, and in  
23 another case, it talks about staying out there  
24 pending final disposition.  
25 So I don't know if that's a

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1 conflict or not, but I would certainly voice  
2 opposition to returning what is clearly a  
3 religious symbol for one particular religion to  
4 the site--I just think it's just  
5 inappropriate--if that is the intent. But I  
6 hope that language can be revised. It does  
7 seem to be in conflict.  
8         Those are my comments on that  
9 section.  
10         JOHN HOTOPP: Thank you.  
11         We were talking about artifacts  
12 off the site being impacted by the construction  
13 activities, and we have a mechanism now to put  
14 them in the hangar, keep them there, preserve  
15 them, protect them, whatever, until the  
16 decision is made as to what to do with them.  
17 Basically that's what we are talking about  
18 here.  
19         BILL LOVE: This second set of  
20 language seems to suggest, by including them in  
21 that list, that they will be brought back to  
22 the site. So maybe that just needs to be  
23 corrected.  
24         JOHN HOTOPP: I appreciate  
25 that.

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1         If you remember, we had a ruling  
2 from the Register that objects at Hangar 17,  
3 when they come back to the site, will go back  
4 in to being a significant portion of the site.  
5         That was an issue early on, was  
6 what happens to the stuff that's off-site.  
7         You had a question?  
8         ROBERT KORNFELD: I have a  
9 question about artifacts.  
10         A large number of artifacts were  
11 removed from the site prior to its being  
12 returned back over to the Port Authority under  
13 DAC and Bovis, and that was an issue -- a lot  
14 of things were distributed to, you know,  
15 I don't know, museums, firehouses, churches,  
16 all around the country, and I'm just wondering  
17 if anyone has followed up on what happened.  
18         I've seen a lot of those items;  
19 I don't know where they went and I don't know  
20 exactly how it worked.  
21         But a lot of those were very  
22 significant items, and it seems to me, when  
23 someone is putting together a memorial center,  
24 that they should be able to consider all of the  
25 items -- I don't know the details of ownership,

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1 what kind of chain of custody. I'm not trying  
2 to get anyone in trouble, but a lot of  
3 significant items were removed from the site,  
4 and maybe people --  
5         JOHN HOTOPP: As people donate  
6 them back to the Port Authority, they are being  
7 included in the inventory as that goes along.  
8 But that may be a vehicle.  
9         JOEL KLEIN: I think we would  
10 like to see the Port Authority make a  
11 commitment to being a little more proactive in  
12 identifying artifacts removed from the site.  
13         TIMOTHY STICKELMAN: If anyone  
14 gives us anything back, the Port Authority will  
15 add it to the inventory.  
16         But the Port Authority is not  
17 going to search for every item that left the  
18 Trade Center when we were not in control of the  
19 site.  
20         ROBERT KORNFELD: But there is a  
21 -- it wasn't done just chaotically. I believe  
22 that there is a list that was maintained of  
23 what was given to whom, and it seems that in,  
24 whatever, eight months or something, it should  
25 have been possible to maintain that list.

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1         JOHN HOTOPP: I think a lot of  
2 what we've been talking about would be the  
3 exhibit designers would be able to collect that  
4 kind of information because they have to put  
5 the final place together and they may find that  
6 very useful as well.  
7         BRUCE EARHMAN: In answer to  
8 that question, the Memorial Advisory Committee  
9 dealt with that and there is a stipulation in  
10 the final document, which is on the Web site of  
11 the LMDC, that a group is now seeking out every  
12 item that might have been distributed, and what  
13 isn't currently cataloged is -- attempts are  
14 being made to catalog every item that went out  
15 and where it is.  
16         JOHN HOTOPP: Good.  
17         BRUCE EARHMAN: I just want to  
18 make some general comments about the discussion  
19 so far, and I'm sure my friend Albert will stop  
20 me via filibuster. But I've been thinking  
21 about this an awful lot since the last meeting.  
22         I, for the first time, tried to  
23 discuss with my wife the discussion that was  
24 here last time, and, you know, just this --  
25 that discussion of the discussion brought her

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1 to tears.  
2 I mean, we are longtime  
3 residents here, and I just think that perhaps  
4 because the way the Port Authority has  
5 perceived this, having dealt with the citizens  
6 over the year in a sort of peremptory way, that  
7 there is a perception that the Port Authority  
8 needs to be -- needs to have its feet held to  
9 the fire in this instance.  
10 That being said, I just think  
11 there is an ongoing misapprehension or  
12 misperception between victims and victimizers.  
13 Last time we were here, this  
14 preservationist, who discussed having seen a  
15 train station in Germany, which has a  
16 memorial -- where a lot of -- where a  
17 concentration camp was or was near, or  
18 deportation center, it turns out that this  
19 station, which was not mentioned in the  
20 meeting, is not a regularly used station. It's  
21 a train station, but it's not a regularly used  
22 commuter platform.  
23 And I think this kind of subtle  
24 revisionism has been going on in this  
25 discussion.

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1 We need to separate here for the  
2 larger good, not just for a faction of family  
3 members, but for the general good.  
4 We need to separate what defines  
5 victims from victimizers.  
6 Saying it's the largest attack  
7 in U.S. history overlooks the fact that if you  
8 want to preserve much of North and South  
9 Dakota, for instance, because we slaughtered  
10 Native Americans, we were the victimizers, they  
11 were the victims, it makes sense.  
12 If you want to preserve every  
13 concentration camp in Germany, that every  
14 generation of Germans, yes, should understand  
15 what happened, yes, they were the victimizers.  
16 Jews, gays, Eastern Europeans, et cetera,  
17 Catholics, were the victims.  
18 I can spin this out indefinitely.  
19 Here, New Yorkers were the  
20 victims, not the victimizers. In fact, the  
21 victimizers were not even from our soil. In  
22 fact, the victimizers have not even been  
23 caught.  
24 So to conclude that every  
25 commuter, that every resident, that every child

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1 who lived through this should be oppressed by  
2 this station and all remnants of the disaster  
3 is to conclude that somehow the victims have  
4 become the victimizers and should feel  
5 oppression and horror every time they commute  
6 down here.  
7 I am as irrevocably against that  
8 concept as the son of a family who had to flee  
9 Germany and whose great grandparents died in  
10 the Holocaust, as this group is irrevocably  
11 committed to leaving it as tragic as possible.  
12 We have created a beautiful  
13 memorial, we have spent months and years on  
14 this project, and there is an insatiable desire  
15 to make this -- and the preservation community  
16 I might add is divided on this issue, while the  
17 head of the HDC, for instance, tends to want  
18 full preservation, the vice president of the  
19 HDC, who lives here, has difficulty, Roger  
20 Vyrem.  
21 KEN LUSTBADER: That's not the  
22 preservation committee, though.  
23 ROBERT KORNFELD: That's also an  
24 excuse. HDC is my organization, okay? I  
25 represent the board here. The opinions of one

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1 member do not represent the board.  
2 The board has duly authorized me  
3 to represent them at these groups. I do not  
4 want you misrepresenting what the HDC is on  
5 record saying.  
6 And I would like to say, also,  
7 okay, I am not a family member.  
8 Most of the people here that are  
9 pro-preservation are preservation groups, not  
10 family members.  
11 I also happen to have had the  
12 experience being an eyewitness. My office was  
13 the city's prime engineering consultant for the  
14 emergency. I spent 2000 hours on the site  
15 during the emergency in a hard hat and jeans  
16 and hiking boots, going around, going through  
17 your buildings, office buildings, apartment  
18 buildings, seeing what needed to be done to  
19 secure them and make them safe for people to go  
20 back into. I probably breathed incredible  
21 amounts of asbestos, my lungs are probably full  
22 of heavy metals.  
23 I'm just saying, you are  
24 portraying this like it's the residents versus  
25 the family members.

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1 I see this very clearly as a  
2 preservation issue. This is one of the most  
3 important historic sites in our nation.  
4 To me, the feeling of coming  
5 here and fighting for its preservation in a  
6 meaningful way is no different than going to  
7 the site when it was seven stories of flaming  
8 wreckage. I feel the same sense of dedication.  
9 And I'm actually shocked that so many of the  
10 residents see it as being something foreign.  
11 It's usually the residents who come forward  
12 trying to preserve something meaningful in  
13 their community, and it surprises me.  
14 BRUCE EARHMAN: If I can respond  
15 to that?  
16 PETER GOELZ: I would like John  
17 to finish.  
18 BRUCE EARHMAN: Okay.  
19 PETER GOELZ: And I would like  
20 the tour to depart, and if people want to stay  
21 and talk about this -- you know, this is an  
22 important philosophical issue and important  
23 debate, I'm willing to stay.  
24 CHARLENE VAUGHN: But as the  
25 agency that facilitates this whole thing, I

1 think I would be remiss not to clarify that we  
2 are here because, in 1966, Congress passed a  
3 law that said when federal agencies were going  
4 to expend federal funds or have any federal  
5 oversight over a project, they had an  
6 obligation to look at the impacts on historic  
7 preservation.  
8 And as part of that, you brought  
9 in other stakeholders who had related issues.  
10 But this is all about historic  
11 preservation, and somehow we are getting  
12 confused because other factors come in this is  
13 a vibrant community, a modern society, and you  
14 have to integrate this.  
15 FTA can't release a dollar of  
16 this money until we finish a project about  
17 historic preservation.  
18 So that's in the public's  
19 interest, which means that everybody's issues  
20 have equal weight. There's not one that  
21 prevails over another. And for the  
22 residents -- my son lives here, my daughter. I  
23 can appreciate all the feelings of being a  
24 resident.  
25 As a preservationist, I can also

1 see that this is a site unlike any we'll ever  
2 encounter again, and if we don't approach this  
3 in a balanced manner with public interest as  
4 the prevailing and overarching goal, we are  
5 going to regret it, because right now we have  
6 these buildings and five, ten years from now  
7 you cannot go back and resurrect or reclaim  
8 it. So we've got to work together.  
9 BRUCE EARHMAN: But I must  
10 respond now and then I will be silent.  
11 Because you are addressing the  
12 chair of the Landmarks Committee, Community  
13 Board One, and its monthly meeting is tonight  
14 where this is all we do, and we are well known  
15 throughout New York as one of the most rigorous  
16 preservationist neighborhoods, I have to  
17 address your surprise that the neighborhood  
18 feels this way.  
19 We are, as I said, extremely  
20 preservationist. But the microcosmic  
21 examination, as the law requires of us on the  
22 site on what needs to be salvaged and what  
23 doesn't, in the context of the greater good, is  
24 an example of the preservationist community in  
25 40, 45 years, having gone from one of the most

1 progressive -- one of the most progressive  
2 movements in New York City which save  
3 incalculable treasures after incalculable  
4 treasures were lost, like Penn Station, to  
5 becoming, in some respects, one more -- one  
6 more special interest group, whose tiny focus  
7 is the preservation of every iota, to the  
8 extent that some of the greatest architects in  
9 the city, including Calatrava, have said that  
10 great architecture has been shunted out of New  
11 York City for years.  
12 So that's my response to the  
13 surprise that downtown residents aren't more  
14 preservationist.  
15 LOUISE LO PRESTI: This is very  
16 counterproductive.  
17 PETER GOELZ: John, please.  
18 JOHN HOTOPP: I'm going to shift  
19 gears to the Hudson River bulkhead, which is  
20 one more stipulation that we've got, will be to  
21 run our trench through it, test it, see what's  
22 there, we don't know, and if it is there, we  
23 will do a recordation of it, it will probably  
24 be under the HAER standards, because it will be  
25 more of an engineering -- it will be a Historic

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1 American Building Survey -- provision in here  
2 and we will test it, see what's there and then  
3 record it.  
4 BILL LOVE: I will just add our  
5 group is supportive of trying to preserve this.  
6 I'm actually very surprised that  
7 we haven't heard much on preserving this  
8 resource from the preservationist community.  
9 This is something that would -- and I'm not  
10 knowledgeable on these matters, but would at  
11 least seem to be clearly a historic resource.  
12 I know McClellan wasn't a great  
13 general, I don't know how he was at bulkheads.  
14 But all this focus on preserving the  
15 destruction, and here's something that has real  
16 historic meaning to it, and we've heard very  
17 little from the preservationist community on  
18 it.  
19 JOHN HOTOPP: We will get a  
20 good look at it, because we don't have a lot of  
21 information about it. We have drawings and  
22 things like that, but we don't, really, have a  
23 lot of information about it.  
24 KEN LUSTBADER: The groups that  
25 I respect, the LMPF, are on the

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1 record objection to the -- (inaudible) -- for  
2 the 9A project and specifically the one that  
3 deals with how it's mitigated here.  
4 JOEL KLEIN: I will point out  
5 there are other projects that have been  
6 involved with affecting the Hudson River  
7 bulkhead. The Cross Hudson Table Project  
8 recently had to develop a memorandum of  
9 agreement.  
10 There's extensive documentation  
11 and drawings available including an excellent  
12 study by Michael Greenberg, so you really have  
13 to do -- (inaudible) -- baseline available for  
14 dealing with impacts.  
15 And I suspect that's the reason  
16 that some of the preservationist community has  
17 not been spending time on this.  
18 JOHN HOTOPP: It would be nice  
19 to get an assessment of condition.  
20 JOEL KLEIN: It's also a  
21 resource that's not visible.  
22 JOHN HOTOPP: -- (inaudible) --  
23 impacted, so we are not sure, and this goes  
24 back to the coordination issue that Charlene's  
25 concerned about. So we are going to see that

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1 going back and forth.  
2 That leads me to other  
3 archaeological resources. That's our standard  
4 paragraph that there is a lot out there we may  
5 or may not know about and some areas where  
6 we've done testing and this provides a vehicle  
7 for collecting information to evaluate the  
8 resource and to see if it meets the criteria  
9 and, if so, what we are going to do about it.  
10 It's not terribly detailed  
11 because, again, that whole section is not  
12 terribly detailed. We are not quite sure how  
13 that's going to go. It's pretty far out in the  
14 future.  
15 And that gets me back to the  
16 earlier comments about LMDC and where we are.  
17 They are not where we are, they  
18 are way behind where we are, and that's one of  
19 the difficulties we are having now is to  
20 coordinate the agencies back and forth and  
21 their impact, which they haven't figured out  
22 what -- I think the advantage we have is that  
23 we are the Port Authority, and we will be  
24 involved in our projects from soup to nuts.  
25 Last point, temporary relocation

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1 of historic elements.  
2 I believe you addressed that?  
3 BILL LOVE: Right.  
4 JOHN HOTOPP: I've cleaned the  
5 language up. That's basically just a vehicle  
6 to get things off site and then return them,  
7 if that's what the museum desires.  
8 BILL LOVE: I will just give you  
9 my last two comments on the agreement.  
10 On page 22 there is a Section B,  
11 "Public comments and dispute resolution."  
12 This seems to be a somewhat  
13 confused section in that usually these sections  
14 will clarify exactly how disputes get resolved.  
15 For example, the previous one on  
16 the prior page, "Objections to plans or reports  
17 about signatories," after talking about who  
18 will consult with who, has, at the end, "FTA  
19 will then take these comments into account in  
20 reaching a final decision concerning the  
21 dispute." But there is no such language in the  
22 Section B "Public comments and dispute  
23 resolution."  
24 There's a lot of talk about who  
25 should consult, but there's no indication who

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1 would make the final decision. So maybe the  
2 answer is FTA again. If it is, I think you  
3 should repeat the sentence. But it leaves it  
4 sort of in a muddle.

5 And also, some of the language  
6 doesn't make it clear how the process goes.

7 Paragraph 1 says,  
8 "Port Authority will consult with the  
9 objector." I mean, does that mean a personal  
10 meeting?

11 And then paragraph 2 says,  
12 "Port Authority shall respond to the commenter  
13 within thirty days." So it's a bit muddled  
14 there where they talk about face-to-face  
15 meetings. So that's my comment on that  
16 paragraph.

17 My next comment relates to the  
18 point that was made earlier about who is the  
19 signatory to the agreement. And I know the  
20 intent is to not make -- or the apparent intent  
21 is for the LMDC not to be a signatory.

22 But on the other hand, if you  
23 just look at it physically, here's a page in  
24 the agreement, as part of the agreement, and  
25 they are signing. And the agreement should

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1 make it clear who the parties are and who the  
2 signatories are.

3 In fact, the same language --  
4 the different words are used to refer to the  
5 same parties between pages 20 through about 23.

6 For example, on page 20, it  
7 talks about each party "agrees to cooperate  
8 with the other parties." But when you turn to  
9 the next page, they talk about the signatories.

10 So I think the way to solve  
11 that, if you are referring to the same groups,  
12 just use the words "parties" throughout and  
13 eliminate the word "signatories." That way,  
14 you cure that ambiguity, because you don't want  
15 it to be ambiguous.

16 And then what you could do, back  
17 on page 5 of the agreement -- I'm sorry, page 6  
18 of the agreement, in the "Now, therefore"  
19 clause, where you say "FTA, SHPO, ACHP, and the  
20 Port Authority," you could insert the phrase,  
21 "as the parties to this agreement," just to  
22 really make it clear.

23 What I'm talking about is not  
24 substantive, it's just legal drafting. But  
25 there's no reason leaving legal ambiguities as

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1 to the role of the LMDC, and it's ambiguous  
2 now.

3 LOUISE LO PRESTI: I agree with  
4 that.

5 BRUCE EARHMAN: I agree with  
6 that.

7 CHARLENE VAUGHN: And I think a  
8 related comment.

9 B3 on page 22.

10 What happens if there is a  
11 dispute and the SHPO and the Port Authority  
12 can't resolve it and it goes to FTA, I think it  
13 should be clear what happens there.

14 And what basically happens is  
15 the matter is referred to the advisory council  
16 by the federal agency. We have no veto  
17 authority, so we would look at the issue and  
18 either issue staff comments or report to our  
19 board, as you would, and those comments go to  
20 the head of the agency, at which time the  
21 agency makes the final call. This is advisory  
22 in nature, and I think it's important to have  
23 that clarified here, what our role is, the  
24 people's expectations are.

25 JOHN HOTOPP: Okay. Thank you.

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1 What we've done is moved beyond  
2 stipulations, and I appreciate that because  
3 there are a lot of pieces of the document you  
4 haven't seen from earlier iterations and I  
5 appreciate the feedback.

6 PETER GOELZ: Comments are due  
7 the close the business on the 19th.

8 JOHN HOTOPP: I hate to come  
9 back to this, but we're going to do a  
10 35 percent design, and we are going to put that  
11 information out, so that all of you people will  
12 be able to look at it and see it and add your  
13 comments as you do, because we felt it was  
14 important that you stay involved in the process  
15 as we're working on it.

16 Also, the 75 percent design  
17 later on.

18 CHARLENE VAUGHN: That's why I  
19 had made a comment earlier that there needs to  
20 be, maybe, a smaller working group. You know,  
21 we've suggested that you hire a qualified  
22 preservationist or preservation architect to be  
23 involved in the earlier stages of fleshing out  
24 design concepts. But it still may not be a bad  
25 idea to have a smaller group that you work with

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1 for the 35 percent design, just so as not to  
2 have to drag this out and have a lot of  
3 conflicts.

4 If you know up front what  
5 people's issues are and try to work through  
6 them, I think it's much better than using that  
7 35 percent design review to deal with a lot of  
8 horror where you are at.

9 JOHN HOTOPP: Okay. Thank you.

10 BRUCE EARHMAN: By the way, in  
11 terms of hiring a consultant, I agree with that  
12 too. And I just might suggest that you not  
13 hire a consultant in this instance because the  
14 consultant will be with you.

15 I do suggest that you consult  
16 the preservationist group for an architect,  
17 because I think if you hire an outside  
18 consultant, such as -- I'm just giving an  
19 example, he's a wonderful preservation  
20 architect, Bill Higgins, whose job it is to try  
21 to get things passed through community boards,  
22 it would be counterproductive. I think to hire  
23 the consultant, it really should be a  
24 preservationist architect.

25 PETER GOELZ: Okay.

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1 and about a dispute resolution that was  
2 invoked.

3 We feel there's a very strong  
4 conflict of interest with Bernadette Castro in  
5 both roles as the vice chair of the Advisory  
6 Council on Historic Preservation and the head  
7 of New York State SHPO.

8 She said, back in January when  
9 this process began, she was going to recuse  
10 herself from one of those roles. She never  
11 did.

12 Frankly, we don't have very --  
13 we don't have a lot of confidence in the SHPO,  
14 especially when we sit in all these meetings  
15 and hear comments that there's no place for  
16 them in these types of meetings, and they don't  
17 even set the record straight. I think that's  
18 very frustrating for us.

19 And I appreciate what Charlene  
20 Vaughn did.

21 ALBERT CAPSUTTO: I think there  
22 needs to be a comment about what happens in  
23 public comments and dispute resolution when one  
24 of the parties then gets into a lawsuit and  
25 then does the process move forward or not.

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1 JOHN HOTOPP: We are going back  
2 to the comment period.

3 We have extended that 21 days  
4 instead of 14, with the plan being that I would  
5 still like to have the SHPO have everybody's  
6 comments for at least a week before they render  
7 their final decision at their point, because I  
8 don't want them not to get the information and  
9 not be able to incorporate it into the  
10 decisions. But there will still be a 30/21  
11 kind of split on that.

12 ANTHONY GARDNER: With all due  
13 respect, it's our position that the SHPO should  
14 recuse itself from this role and the National  
15 Conference of SHPO should take over.

16 We invoked a dispute resolution  
17 through LMDC's programmatic agreement, we  
18 didn't get a response for eight weeks. We were  
19 forced to file a lawsuit.

20 We got a letter over the weekend  
21 that SHPO will not speak to us because the  
22 issues that we want to address with them are  
23 involved in the litigation issue.

24 The SHPO will not -- is refusing  
25 to speak with consulting parties about concerns

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1 I would like to see, at the very  
2 least, if you have a way or a place to have  
3 dispute resolution within this document, that,  
4 you know, the people who then file a lawsuit  
5 doesn't prevent the process from going forward.

6 Because we have a situation here  
7 where you have people who are party to a  
8 process, who then file a lawsuit on that  
9 process, and then that process essentially gets  
10 stopped. And I think not all the consulting  
11 parties is to that interest.

12 ANTHONY GARDNER: It's never  
13 stopped.

14 CHARLENE VAUGHN: The point you  
15 make is one point, and most agreements under  
16 this resolution or public comments, it  
17 clarifies that all other aspects of the project  
18 that are not subject of the dispute proceed.

19 And I think in this particular  
20 scenario we need that level of clarity, so that  
21 if there is an aspect where there is conflict  
22 it doesn't hold up the project in its entirety.

23 RUTH PIERPONT: I would also  
24 like to say that that letter came from our  
25 chief counsel, so obviously this is a legal

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1 issue.  
2 We have reviewed this very  
3 carefully, we have given comments to Tim on  
4 that; we've had conversations with him.  
5 The letter that you sent, as I  
6 recall, and I wouldn't swear to it, but it was  
7 specific to the issue that is in legal dispute  
8 right now, which is what -- I believe that's  
9 what he didn't want to speak to.  
10 ANTHONY GARDNER: He spoke to  
11 the larger issue of concerns with the  
12 redevelopment, and particularly this  
13 disposition of the remains of the footprints,  
14 and that was clearly something that you should  
15 be able to continue to discuss with our groups.  
16 RUTH PIERPONT: And we have been  
17 discussing it here. I mean, we have been  
18 talking to Tim about it and having discussions.  
19 CHARLENE VAUGHN: And Anthony,  
20 just for the record, and also I think this  
21 might be useful for the FTA to know, we feel  
22 that the council's involvement in this probably  
23 will be more long-term than we anticipated,  
24 just on the basis of the LMDC agreement.  
25 It's clear to me you can't do

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1 this and then run away and retreat, which is  
2 typically what we do. So we need to talk  
3 internally about what mechanisms we may have to  
4 work with SHPO on the design review.  
5 We have council members who are  
6 architects and everything, so we may just need  
7 to talk to our chairman about opportunities to  
8 work them on this project with us, and that's  
9 something that we are willing to explore in the  
10 next week or two before this agreement is  
11 finalized.  
12 I don't think it needs to be  
13 written in here, per se, but you all should  
14 know what our intent is to have an ongoing and  
15 continuous presence in the follow-up and  
16 post-MOA reviews.  
17 PETER GOELZ: If we could, I  
18 think we've got to move to Lou Menno.  
19 John, are you about done?  
20 JOHN HOTOPP: No.  
21 But very quickly, the E train  
22 and so forth. Every one of these --  
23 PETER GOELZ: Because people  
24 want to go on this tour, I assume. That's a  
25 high priority.

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1 JOHN HOTOPP: Where are we?  
2 JOEL KLEIN: John?  
3 JOHN HOTOPP: A final treatment  
4 plan --  
5 JOEL KLEIN: One item, real  
6 quickly.  
7 JOHN HOTOPP: Yes.  
8 JOEL KLEIN: I would like you to  
9 consider some alternative mechanism besides  
10 just posting things on the Web site.  
11 That, I can see all kinds of  
12 potential problems with. We are talking about  
13 large scale drawings and people not being able  
14 to print them out to work with.  
15 I really would urge you to, at  
16 the very least, make available, to consulting  
17 parties who request it, hard copies. I don't  
18 necessarily want to burden you with sending  
19 them out to people who may not be interested in  
20 seeing them. But if requested, really,  
21 something better than the Web site.  
22 JOHN HOTOPP: I see. Once  
23 things have been posted on the Web site, then  
24 people who are really interested could call in  
25 or write in.

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1 JOEL KLEIN: Exactly.  
2 JOHN HOTOPP: This is the same  
3 thing for archaeology. This is pretty much a  
4 recap of everything we were talking about.  
5 Again, the elements being removed temporarily.  
6 On the 19th, you owe us some  
7 comments. We've got a very extensive rewrite  
8 to do to this draft, and we've gotten an awful  
9 lot of good feedback from an awful lot of  
10 people, so we will be working pretty hard on  
11 this one.  
12 So there we are. We are heading  
13 towards the final, and we are probably an  
14 iteration or two away, I'm not sure. But we  
15 are a lot further along.  
16 ANTHONY GARDNER: Two quick  
17 comments.  
18 We think it would be important  
19 for you to include an inventory, once you  
20 complete the recordation of the remains of the  
21 footprints, to include that somehow in the MOA,  
22 because right now in the MOA you only discuss  
23 the individual columns that outline the  
24 footprints and there's no discussion of the  
25 core column remnants or other artifacts that

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1 are within the outlines of the footprints.  
2 And also, I would ask that you  
3 have a meeting for the consulting parties when  
4 you take in all our comments and you create a  
5 final version so we could all come together and  
6 discuss it as well, because I know a lot of us  
7 were very frustrated with the way LMDC's  
8 agreement was signed, without giving us a  
9 chance to go in and see what comments they  
10 incorporated and be able to comment on that  
11 further.  
12 JOHN HOTOPP: Okay. Thank you.  
13 I'm going to give it back to  
14 Lou.  
15 KEN LUSTBADER: If you could go  
16 back to the other slide.  
17 TIMOTHY STICKELMAN: For the  
18 contact information.  
19 JOHN HOTOPP: I'm sorry.  
20 PETER GOELZ: Peter, can you  
21 come up and we'll get this tour going?  
22 PETER RINALDI: Thank you.  
23 I'm Peter Rinaldi. We've been  
24 working trying to clean the footprints off, we  
25 had a little bit of a setback the other day, on

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1 Friday, the weather, we had quite a bit of  
2 rain.  
3 I will tell you right now that  
4 the site is still partially under water, it's  
5 been draining over the Weekend and we've been  
6 pumping the site, but there's quite a bit of  
7 ponded water, especially since we've removed  
8 hundreds of yards of fill where the water used  
9 to accumulate below and drain. So right now  
10 there's a lot of low areas on the site.  
11 So we will take you down today.  
12 I will make another date available this week.  
13 This week's supposed to be fairly dry, so  
14 hopefully the site will dry out a little  
15 better, and I'd like to schedule and make a  
16 date available on Friday morning or afternoon,  
17 if morning or afternoon is better a indication  
18 for those.  
19 BRUCE EARHMAN: Afternoon.  
20 PETER RINALDI: We can try to  
21 make it in the early afternoon on Friday. It  
22 should be fairly dry by then.  
23 What I would like to do now is  
24 we will leave here, we will meet by Gate 7,  
25 which is, if you go down Liberty Street, which

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1 is right out in front of the building across by  
2 the corner of the site, follow that down as far  
3 as you can go, there is a gate there, Gate 7,  
4 we will meet in there and assemble and take you  
5 down into the site.  
6 I will tell you that the site is  
7 very rough, so be careful. Those of you that  
8 don't have boots on, we have rubber boots, and  
9 you can avail yourselves of those, in terms of  
10 water, and then we will escort you around.  
11 We will show you what we have  
12 cleaned off so far, and as we've been cleaning  
13 it -- the water has been there so it's been  
14 quite muddy, but some of the features are  
15 exposed on the footprints and some of the core  
16 columns and some of the areas we've discussed  
17 you can begin to see.  
18 I will tell you that you are  
19 going to see a lot of areas there that are  
20 muddy in soil. That's because the footprint  
21 area was partially destroyed during the  
22 collapse of the Trade Center, so in areas where  
23 there was no slab, it got destroyed, so there's  
24 actually gravel there and soil, and in some  
25 areas there is the slab and you will see that

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1 combination. You can't sweep and clean off the  
2 areas where there is no slab; it's just soil  
3 and gravel.  
4 CHARLENE VAUGHN: Is there any  
5 way to get a visual from this? I forgot all  
6 about the tour, not getting the e-mail. Is  
7 there any way to look out the window and get a  
8 panoramic view?  
9 PETER RINALDI: You will  
10 probably see the details closer up today.  
11 You can, when it's swept a  
12 little bit, see an outline of the details as it  
13 gets clean this week.  
14 CHARLENE VAUGHN: But not now.  
15 PETER RINALDI: It would be  
16 difficult.  
17 BRUCE EARHMAN: I didn't get an  
18 e-mail follow-up.  
19 ALBERT CAPSUTTO: A lot of us  
20 didn't.  
21 BRUCE EARHMAN: It seems very  
22 important. I get huge attachments, but for  
23 this tour there was no follow-up, which is  
24 bizarre.  
25 TIMOTHY STICKELMAN: We sent it

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1 three times. Apparently there was a problem  
2 with the e-mail. We sent it from a different  
3 office, I forwarded them, so I don't know if  
4 there is something wrong on our end. We are  
5 looking into it to find out what happened.  
6 BRUCE EARHMAN: So for the next  
7 one, can you make sure that people received it,  
8 like putting a received option on your e-mail?  
9 BILL WONG: I would suggest  
10 that if you have questions -- there is no  
11 problem with us getting incoming e-mails. If  
12 there's any further issues, please e-mail your  
13 questions to Margie Morera.  
14 BRUCE EARHMAN: Let's pick a  
15 time today and also a contact. Is that  
16 possible?  
17 BILL WONG: I don't know if  
18 there are other consulting parties that are not  
19 here today that may have other preferences, but  
20 early Friday afternoon, based on some of the  
21 feedback.  
22 PETER RINALDI: 1:00 p.m. Friday  
23 afternoon.  
24 BRUCE EARHMAN: 1:00 p.m.  
25 Where do we meet?

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1 PETER RINALDI: At the same  
2 place.  
3 BRUCE EARHMAN: We won't be  
4 there, so I don't know where we are meeting.  
5 PETER RINALDI: Gate 7, which is  
6 at Liberty Street and Washington Street. There  
7 is a gated entrance there.  
8 CHARLENE VAUGHN: Tim, I would  
9 like to suggest something for expediency sake.  
10 After the 19th, is there any way  
11 you could all try to summarize the comments you  
12 received and share them with the consulting  
13 parties so that as we see future iterations of  
14 the MOA we will have some sense of what any  
15 changes or revisions are based on?  
16 Because, in the absence of that,  
17 it requires us to do too much talking and  
18 coming together. I like meetings, but I think  
19 they should be very focused, and I think a  
20 summary of the comments and then how you  
21 revised or didn't address them in the agreement  
22 helps them, and then we, like Betsy, can  
23 participate by phone.  
24 BETSY MERRITT: Okay.  
25 TIMOTHY STICKELMAN: Okay.

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1 CHARLENE VAUGHN: And then  
2 having a time frame for when we could expect  
3 those would also let those of us who are moving  
4 into the holiday plan around it and anticipate  
5 receiving documents from you.  
6 TIMOTHY STICKELMAN: When we get  
7 all the comments we will see what they are and  
8 we will figure out a way to summarize them.  
9 CHARLENE VAUGHN: Great.  
10 ANTHONY GARDNER: Charlene, you  
11 mentioned if you are able to view the  
12 footprints from afar and see the outlines.  
13 At least the day of the closing  
14 ceremony, May 30th, 2002, that was possible.  
15 We've heard that they have filled in portions  
16 of the (inaudible) columns with concrete.  
17 So far as filling in individual  
18 columns remnants, we are a little concerned how  
19 pronounced the outlines are.  
20 But I would just hope -- where  
21 is Mr. Hotopp? -- I would just hope -- and I'm  
22 sure this is a no-brainer, you are not doing  
23 the recordation until the site's -- the  
24 conditions are perfect; right?  
25 JOHN HOTOPP: You are right. It

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1 is a no-brainer.  
2 ANTHONY GARDNER: I don't want  
3 you doing it now while it's half flooded.  
4 PETER GOELZ: Okay. Let's pick  
5 a time certain. 12:30.  
6 BILL WONG: Anybody that needs  
7 to pick up the hard copies of the documents, they  
8 are here.  
9 - - -  
10 (Consulting Parties Meeting Adjourned.)  
11 - - -  
12  
13  
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