



Michael G. Murphy
15th Floor
477 Madison Avenue
New York, NY 10022-5802
Direct: (212) 702-5436
Fax: (212) 702-5450

February 14, 2017

Via FedEx and Email (info@amodernli.com)

Edward M. Dumas, Vice President
Market Development & Public Affairs
Long Island Rail Road Expansion Project
MTA Long Island Rail Road, MC 1131
Jamaica Station Building
Jamaica, NY 11435

Re: Long Island Rail Road Expansion Project – Draft Environmental Impact Statement (“DEIS”): MTA/LIRR’s Failure to Bring Floral Park Station in Compliance the Americans with Disabilities Act

Dear Mr. Dumas:

The letter is being submitted on behalf of the Incorporated Village of Floral Park. Floral Park has joined with the Incorporated Villages Garden City and New Hyde Park to submit combined comments on the Draft Environmental Impact Statement (“DEIS”) issued by the Metropolitan Transit Authority (“MTA”)/Long Island Rail Road (“LIRR”) concerning the proposed Long Island Rail Road Expansion Project – Floral Park to Hicksville (“Project”). This submission concerns an issue of unique importance to Floral Park. Specifically, it addresses MTA/LIRR’s continuing disregard for the Floral Park community and its failure to bring the Floral Park Station into compliance with Americans with Disabilities Act (“ADA”) standards.

The issue is not new. Village officials and community representatives have long called upon MTA/LIRR to bring the Floral Park Station into compliance with the ADA. Those calls have been repeated in every meeting between Floral Park officials and MTA/LIRR representatives since this Project was announced. It was greatly frustrating when these same officials started to hear rumors suggesting otherwise. Those rumors were false.

Trustee Dr. Lynn Pombonyo submitted a statement for the record during the SEQRA scoping process that “since the Floral Park station is not handicapped accessible, the DEIS must also address ADA compliance. The only elevator is built for freight and is currently in disrepair.

February 14, 2017

Page 2

It is our expectation that all of the public hearing comments and concerns will be given significant attention in the upcoming DEIS.” Mayor Thomas Tweedy made it clear in his statement at the DEIS hearings that “independent of this project” MTA/LIRR was under an obligation to “implement[] improvements at the Floral Park Station to make it fully compliant with the ADA standards.¹ To repeat, at every meeting about this Project between Village officials and MTA/LIRR, the issue of ADA noncompliance has been raised. No Village Trustee or official has ever wavered or backed down from this position.

This is personal for many Floral Park residents. George Lawlor, a longtime resident of Floral Park, submitted written comments to the DEIS (copy attached hereto). He recounts how his disabled daughter was forced to make her way to Queens to catch an express bus to get to work in the City because the Floral Park Station was inaccessible for her. He states: “This is unacceptable as it is hindering her as well as many other disabled and elderly residents.”

I was present at the January 19th afternoon session of the DEIS hearings when Floral Park resident and Hillcrest Civic Association President, Nadia H. Ortiz, spoke eloquently on this issue. Her full statement is available online,² but several points she made are worth repeating here:

The \$27 billion 2015-2019 MTA Capital Program was approved by the MTA Board on April 20, 2016 with objectives that include enhancements such as ADA compliance, yet the Floral Park train station is not part of the equation. . . . The New Hyde Park Station, Merillon Avenue Station, Mineola Station, Carle Place Station, and Westbury Station are ALL being brought up to ADA compliance under this ambitious enterprise, but this plan starts just east of the Floral Park station. And as most recently as January 10 of the new year, Governor Cuomo announced an additional \$120 million to “enhance” 16 train stations in Nassau and Suffolk counties with state-of-the-art technology including new facilities, Wi-Fi, charging stations, public art, new platform waiting areas, general station renovations and improved signage. But the Floral Park train station will remain in the 1960’s with no ADA compliance.

Our train station is 58 years old and has NEVER seen an improvement or renovation project. The facade is crumbling, concrete is breaking away, and rust can be seen from top to bottom. Access to the tracks are by 12 metal staircases, each comprised of 40 steps from street to track level. One escalator, for platform B, leads to one westbound track on the Hempstead line and one eastbound track on the Mainline. There is no public elevator.

...

If I might cite some statistics about Floral Park residents from the 2010 US

¹ Available at <http://fpvillage.org/wp-content/uploads/2017/01/Statement-from-Mayor-Tweedy.pdf>.

² Available at <http://fpvillage.org/wp-content/uploads/2017/01/Statement-from-Hillcrest-President-Nadia-Holubnyczyj-Ortiz.pdf>

February 14, 2017

Page 3

Census. The population was approximately 16,000. Of that, 2,348 were over the age of 65. 761 were disabled and under the age of 65, including me. And 920 children under the age of 5 resided in Floral Park. That's a total of 4,029 residents, exactly 25%, or one quarter of our total population.

Up to twenty five percent of the Floral Park community is impacted by the decades long failure make the Floral Park Station reasonably accessible, and yet MTA/LIRR proposed, as part of this Project, **substantial upgrades to every station within the Project area except the Floral Park Station.**

One of Ms. Ortiz's statements should be clarified. She stated that this Project "starts just east of the Floral Park station." Floral Park retained The Vertex Companies, Inc. to review the state of the Floral Park Station's compliance with ADA standards. Their report accompanies this letter. Vertex confirms that the Project, even at this preliminary design stage, will in fact necessitate work on the primary function area of the Floral Park Station (the platform) and very likely will require modifications to nearby pedestrian pathways.

Further, it is evident that the Project design process is still in its infancy. As the Project design matures, the scope of work required at Floral Park Station likely will become more expansive and intrusive. Vertex points to the physical constraints in proximity to the Floral Park Station, the complexity of tying a Main Line third track into the existing Hempstead Line at the Floral Park station, and the possible need to include a high speed switch at that location. It is also a fact that MTA/LIRR has conducted construction activities at the Floral Park Station in the past, including work on existing stairways. Despite this, no ADA improvements were implemented then, and none are proposed now.

The DEIS (at p. 12-12) states that the Project "would accommodate the new third track, enhance pedestrian access and ADA accessibility, improve platforms and passenger waiting areas, and meet the requirements of the LIRR station guidelines and applicable codes." The fact is that the Floral Park Station will have to be modified to "accommodate the third track." Yet, MTA/LIRR **will not** "enhance pedestrian access and ADA accessibility, improve platforms and passenger waiting areas, and meet the requirements of the LIRR station guidelines and applicable codes" at the Floral Park Station.

The Vertex ADA Report found clear deficiencies in terms of the Floral Park Station's basic accessibility, including:

- Of major concern, the Floral Park Station does not have an accessible route from the street level to the train platform. Access to the platform is achieved by several stairways and a single escalator, none of which meet the minimum requirements for wheelchair accessibility. There is no ramp, let alone an ADA compliant ramp or elevator at the Floral Park Station.

February 14, 2017

Page 4

- At the street intersections at and proximate to the Floral Park Station, most of the pedestrian signals are missing or non-compliant.
- All sidewalk ramps are non-compliant and in several locations, the ramps are missing altogether.
- There are obstructions and tripping hazards located along many of the pedestrian pathways at the Floral Park Station.

The photographs attached to the Vertex ADA Report illustrate the level of non-compliance with ADA standards.

It is noteworthy that MTA/LIRR touts a projected increase in ridership as a reason for the third track along the Main Line. While the claim is of questionable merit, what cannot be denied is the reality that there are disabled residents on Long Island who are ready to work, but cannot do so because too many of LIRR's stations are not ADA complaint. As Ms. Ortiz explains, there are "over 6,000 disabled residents who are employable but are unemployed in Nassau and Suffolk counties, who could potentially use the LIRR to commute to work, are being denied access at stations that are archaically inaccessible to them." For those stations in the Project area, this no longer will be an issue **unless they live near and need to rely on the Floral Park Station.**

Regardless of whether this Project proceeds, MTA/LIRR must make a commitment to bring the Floral Park Station into compliance with the ADA so that all residents of Floral Park have reasonable access to the LIRR system.

Sincerely,


Michael Murphy

Enclosures

cc: Hon. Thomas J. Tweedy, Mayor, Village of Floral Park
Village Board of the Village of Floral Park