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COMMUNITY BOARD No. 2, MANHATTAN

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December 28, 2009

William T. Castro
Manhattan Borough Commissioner
NYC Department of Parks
Arsenal West, 24 61st St.
New York, New York 10023

Robert Redmond,
Director of Capital Budget
NYC Department of Parks
Arsenal West, 24 61st St.
New York, New York 10023

Dear Manhattan Borough Commissioner Castro, Mr. Redmond:

At its Full Board meeting on December 17, 2009, CB#2-Man., adopted the following resolution:

NYU Application for Tree Removals. A resolution requesting that the Parks Department deny the request to remove six trees on Thompson Street in connection with underground pipe installation and construction of the Interfaith Center.

Whereas New York University has applied to the Parks Department to remove six trees from the east side of Thompson Street between Washington Square South and West 3rd Street; and

Whereas representatives of NYU appeared before the committee to explain why they are requesting removal of the trees; and

Whereas at the request of the Parks Department NYU proposes to transplant four of the six trees in other locations and they would prefer locations within CB-2; and

Whereas NYU proposes removal of the three trees on the north end of the block to accommodate construction of a vault and shoring structure required to install hot water pipes on publicly owned land under the sidewalks; and

Whereas these pipes, which provide heat to several NYU buildings, previously passed through the basement of the Catholic center and could have been installed within the basement of the new Interfaith Center; and

Whereas NYU proposes to remove the three trees from the south end of the block to protect them from possible damage during construction of the Interfaith Center; and

Whereas underground construction always poses some risk to nearby trees but also understands that transplanting mature trees may also pose an equal or greater risk to the trees; and

Whereas these trees have a good chance of survival if work on building foundations is performed with care and in accordance with a professionally developed and supervised plan; and

Whereas NYU stated the removal of the trees for the installation of the hot water pipes is urgent so that the temporary heat source located in a trailer on Washington Square South can be removed and the pipes restored to service prior to the onset of winter; and

Whereas NYU stated that the removal of the trees to be transplanted is urgent because the planting season would end in mid-December and after that the trees could not be saved; and

Whereas the recommendations from the Parks Department to transplant trees were based on a decision by NYU to install the pipes under the trees; and

Whereas the Parks Department recommendation was reasonable given construction plans presented to them; and

Whereas NYU stated they plan to plant five new trees on this street when construction is complete in 2012; and

Whereas these six trees are mature and healthy and mirror trees of similar size and maturity on the other side of Thompson Street; and

Whereas the special streetscape provided by the healthy and mature trees of the same size on both sides of the street cannot be reproduced by planting young trees in 2012; and

Whereas the special beauty of this block has particular importance because of its association with Washington Square Park and Judson Memorial Church; and

Whereas these trees can be saved with different pipe routing and careful construction of the new building; and

Whereas there is ample space between the foundation and the trees to operate pile drilling equipment and tree limbs can be temporarily tied back for protection if needed; and

Whereas NYU did not advise CB-2 of its intent to remove these trees until required to do so as part of the Parks Departments application process; and

Whereas any urgency with respect to removal of the trees was created by failure to advise CB-2 promptly and delays in getting information to CB-2 after a request was made; and

Whereas after CB-2 expressed preference for saving these trees and before Parks Department approval of the removals, the contractor proceeded to excavate immediately adjacent to the trees, damaging their roots and endangering their health and stability; and

Whereas NYU representatives did not present any alternatives to the proposed pipe locations and did not give a reasonable explanation of why alternatives would not work; and

Whereas CB-2 believes every effort to save these trees in their current location is worthwhile and that NYU has not yet demonstrated a commitment to such effort; and

Whereas there was no apparent effort made during building design and pipe routing to save these trees; and

Whereas the urgency of the pipe work cannot be considered a reason to proceed without making every effort to avoid destruction of this special streetscape; any urgency now was caused by a failure to bring this important proposed change to the streetscape to CB-2 in a timely manner; and in any case an alternate plan that protects the trees can be developed and implemented in a timely manner;

Therefore it is resolved that CB-2 urges the Parks Department to deny this request; and

It is further resolved that CB-2 urges NYU route the pipes through the basement of the new building; and

It is further resolved that CB-2 urges NYU to implement construction procedures as required to perform the foundation work with minimum risk to the trees; and

It is further resolved that CB-2 urges NYU to survey all its properties within CB-2 to develop a plan for protection of existing trees and planting as many new trees as possible in coming years; and

It is further resolved that CB-2 urges NYU to make every effort to save trees in the course of construction projects, including all projects associated with distribution of hot water from the co-generation plant; and

It is further resolved that CB-2 asks the Community Task Force on NYU Development to pay attention to the importance of street trees to quality of life and the urban environment, and to consider the need for a plan for distribution piping associated with the co-generation plant; and

It is further resolved that CB-2 requests that NYU agree to give ample notice to CB-2 for committee and full board review if and whenever an application is made to the Parks Department for removal of trees; and

It is further resolved that CB-2 expresses appreciation for the efforts of the Parks Department to save the trees and specifically for requesting review of this application by CB-2.

Vote: Unanimous, with 35 Board members in favor.

Please advise us of any decision or action taken in response of this resolution.

Sincerely,



Jo Hamilton, Chair
Community Board #2, Manhattan



Tobi Bergman, Chair
Parks, Recreation & Open Space Committee
Community Board #2, Manhattan

JH/gh

cc: Hon. Jerrold Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Scott Stringer, Man. Borough President
Hon. Christine Quinn, Council Speaker
Hon. Alan Jay Gerson, Council Member
Hon. Rosie Mendez, Council Member
Lolita Jackson, Manhattan Director, CAU

