

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

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24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

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39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
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44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

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9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
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65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

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10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
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10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell's Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue "sans vehicle conflict" for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn "sans pedestrian conflict". In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
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- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

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3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32
- Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;
- 34

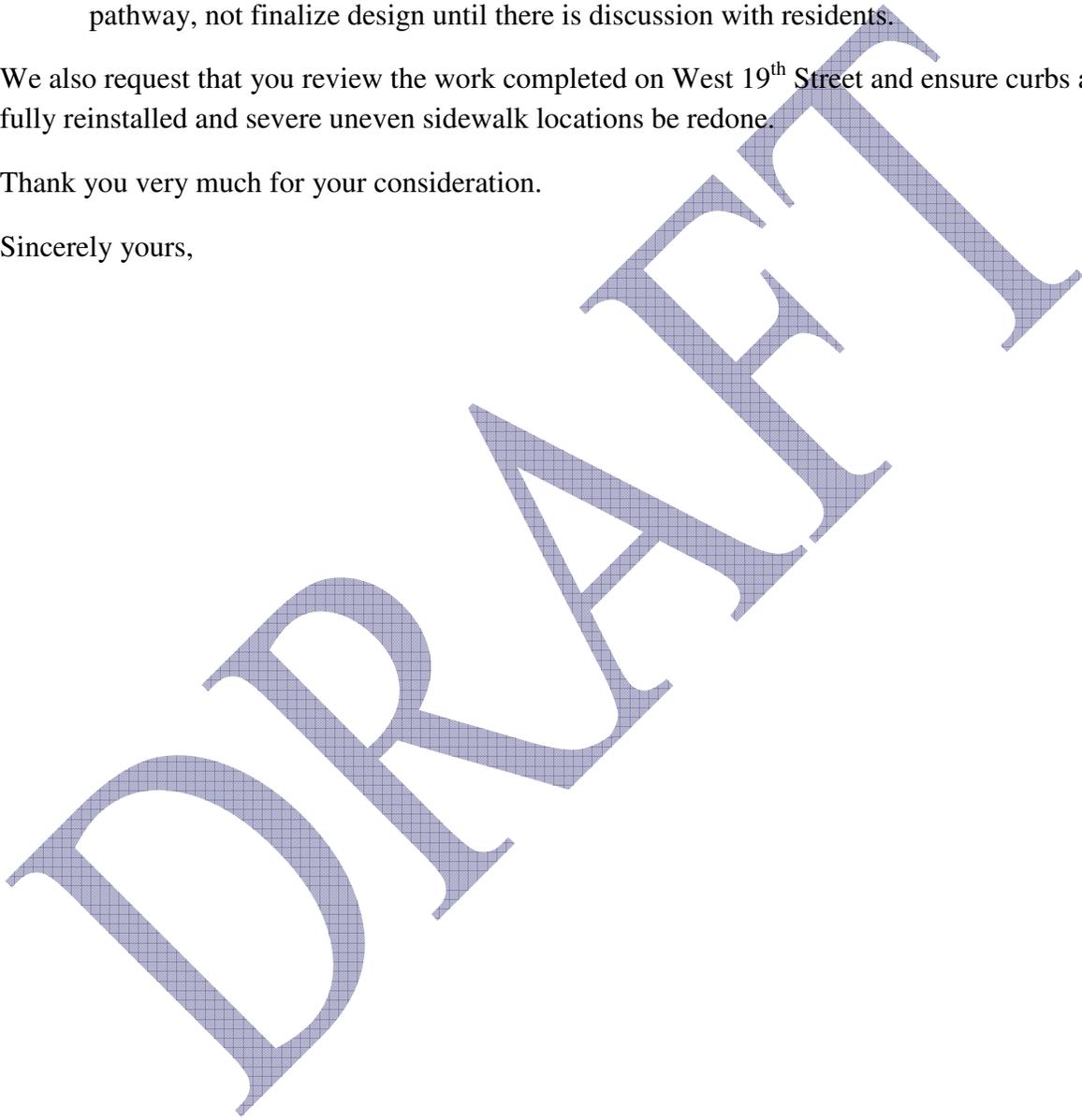
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
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10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

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23 Sincerely,

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3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

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10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

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3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

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10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

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17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

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5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

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<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

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47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

51

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DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.
- 63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell's Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue "sans vehicle conflict" for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn "sans pedestrian conflict". In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32
- Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;
- 34

- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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DRAFT

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

24

25

26

27

28

29

30

2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

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<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

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51

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DRAFT

1 **Landmarks Committee**

**Item #: 22**

2

3 September 26, 2013

4

5 Hon. Robert B. Tierney

6 Chair

7 Landmarks Preservation Commission

8 Municipal Building, 9th floor

9 One Center Street

10 New York, NY 10007

11

12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14

15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and
- 21 - the excavation of the cellar level to achieve further height.
- 22 -

23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33

34 Corey Johnson

35 Chair

36

Pamela Wolff

Chair, Landmarks Committee

37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell’s Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue “sans vehicle conflict” for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn “sans pedestrian conflict”. In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023

9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

34

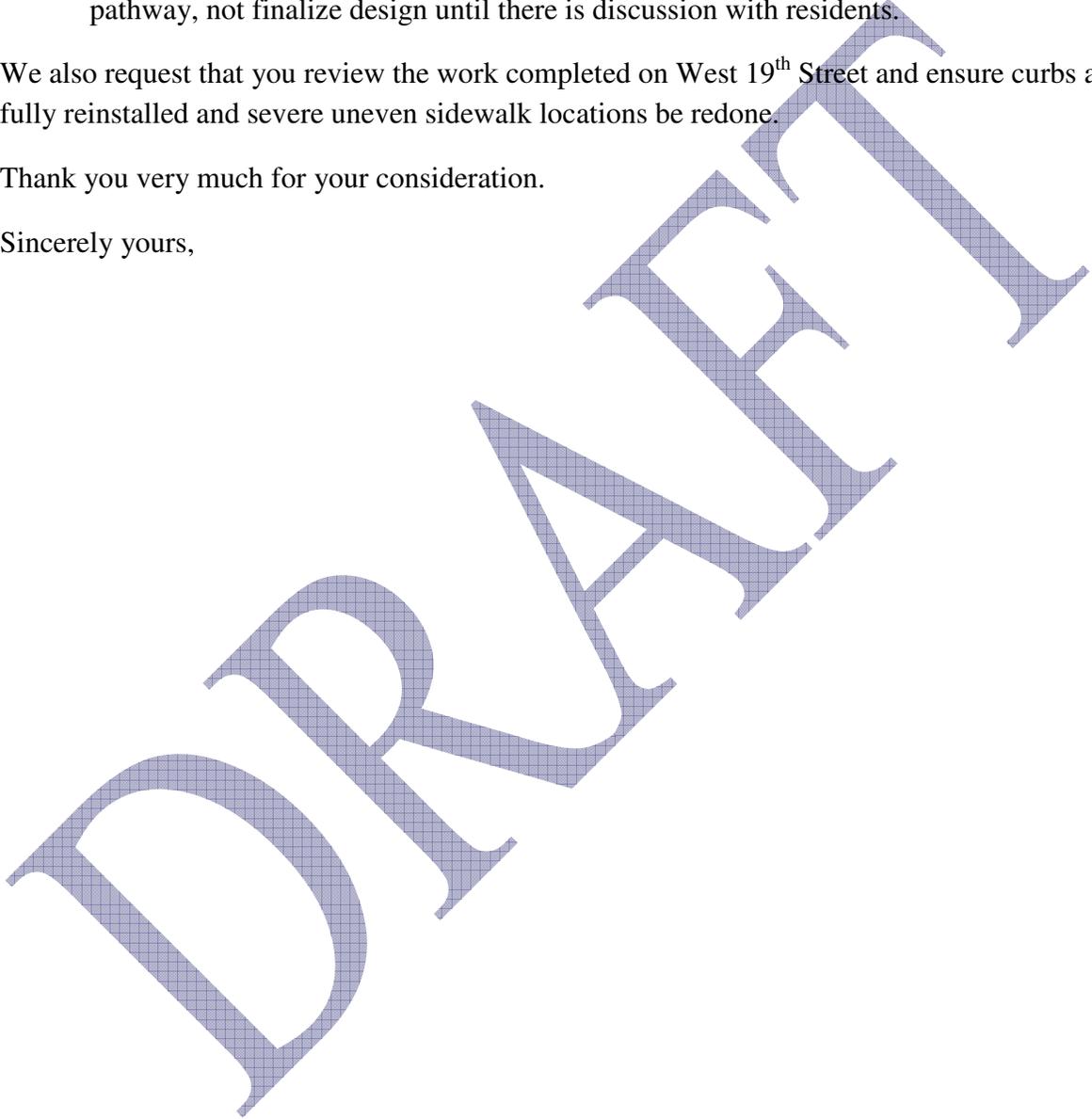
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

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2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

51

52

53

54

55

DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

---

<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.
- 63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms or less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell's Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue "sans vehicle conflict" for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn "sans pedestrian conflict". In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023

9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

34

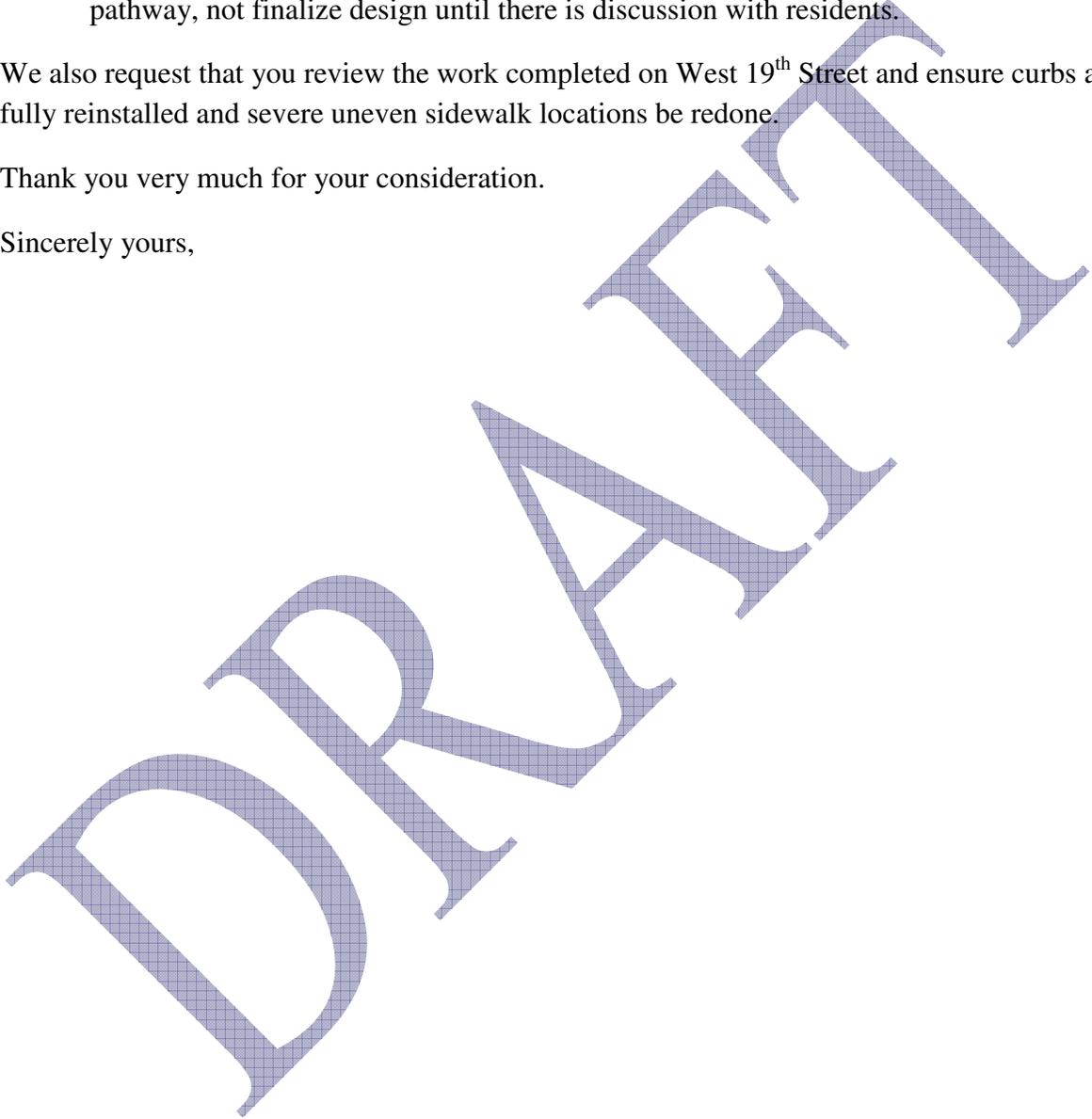
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

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2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

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55

DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

---

<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell's Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue "sans vehicle conflict" for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn "sans pedestrian conflict". In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

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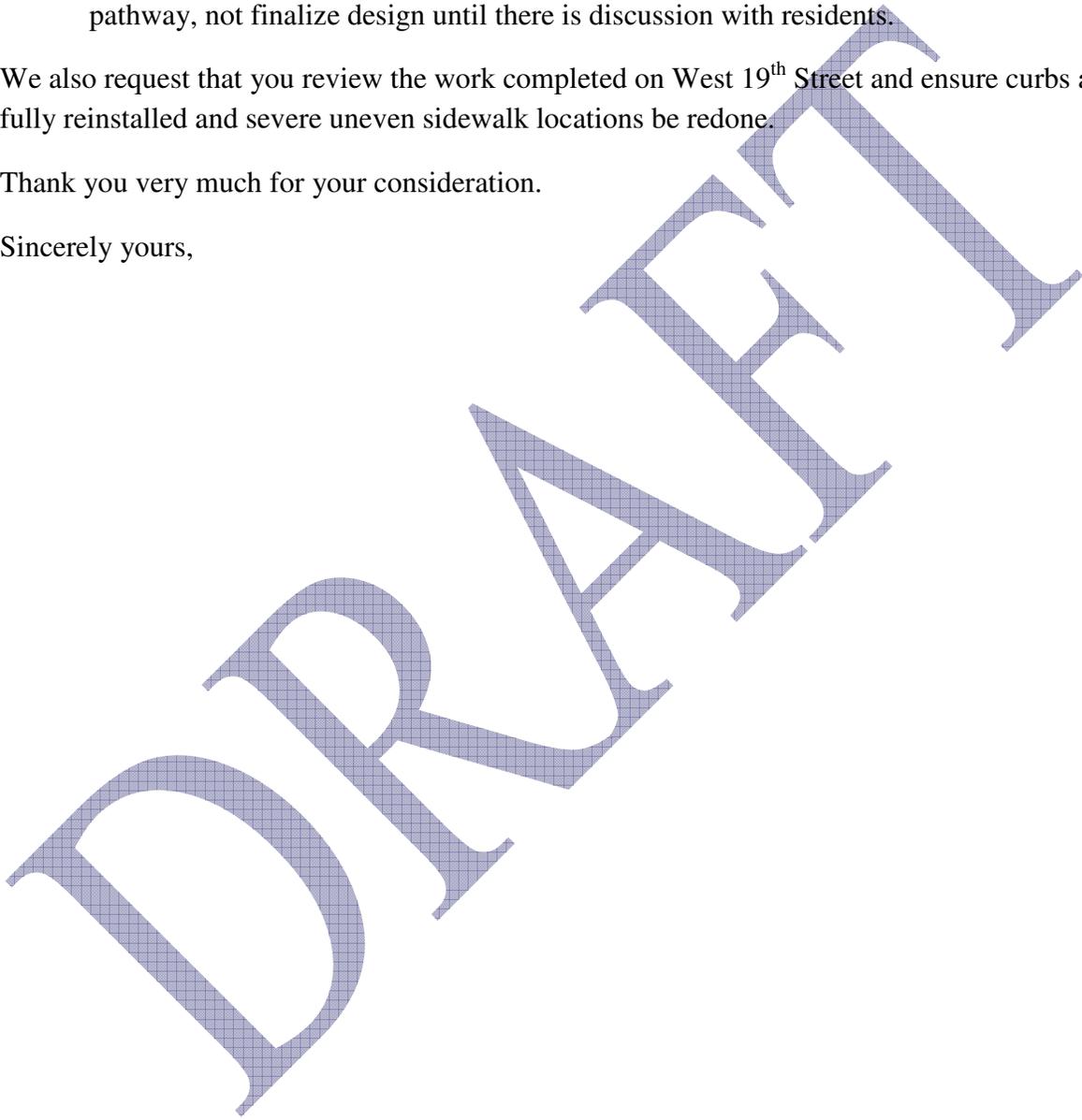
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

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3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

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DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

---

<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell’s Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue “sans vehicle conflict” for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn “sans pedestrian conflict”. In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023

9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

34

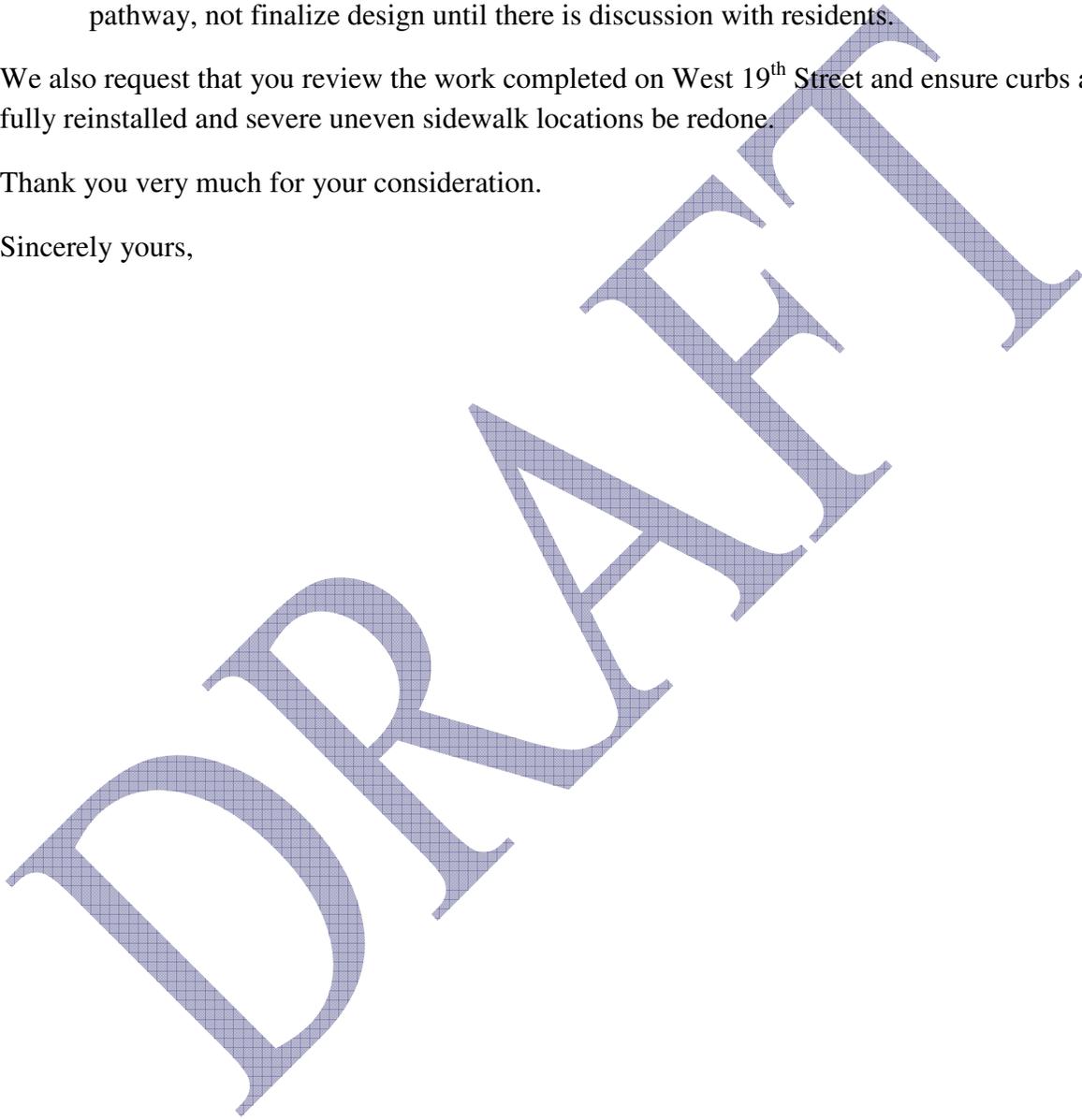
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

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2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005  
9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

51

52

53

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55

DRAFT

1 **Landmarks Committee**

**Item #: 22**

2

3 September 26, 2013

4

5 Hon. Robert B. Tierney

6 Chair

7 Landmarks Preservation Commission

8 Municipal Building, 9th floor

9 One Center Street

10 New York, NY 10007

11

12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14

15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and
- 21 - the excavation of the cellar level to achieve further height.
- 22 -

23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33

34 Corey Johnson

35 Chair

36

Pamela Wolff

Chair, Landmarks Committee

37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

---

<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell's Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue "sans vehicle conflict" for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn "sans pedestrian conflict". In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

34

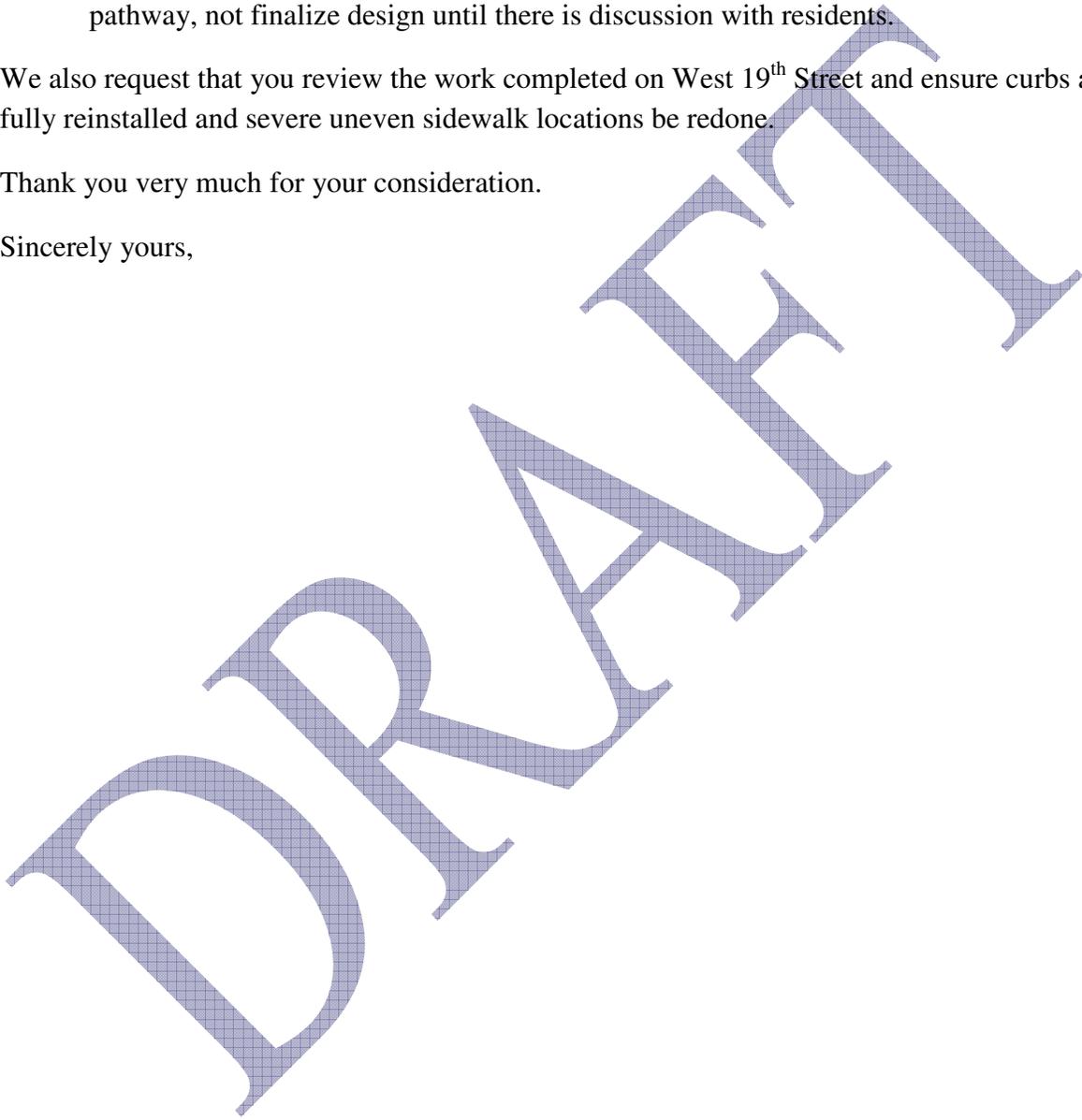
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

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2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

51

52

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55

DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

---

<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell’s Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue “sans vehicle conflict” for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn “sans pedestrian conflict”. In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32
- Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;
- 34

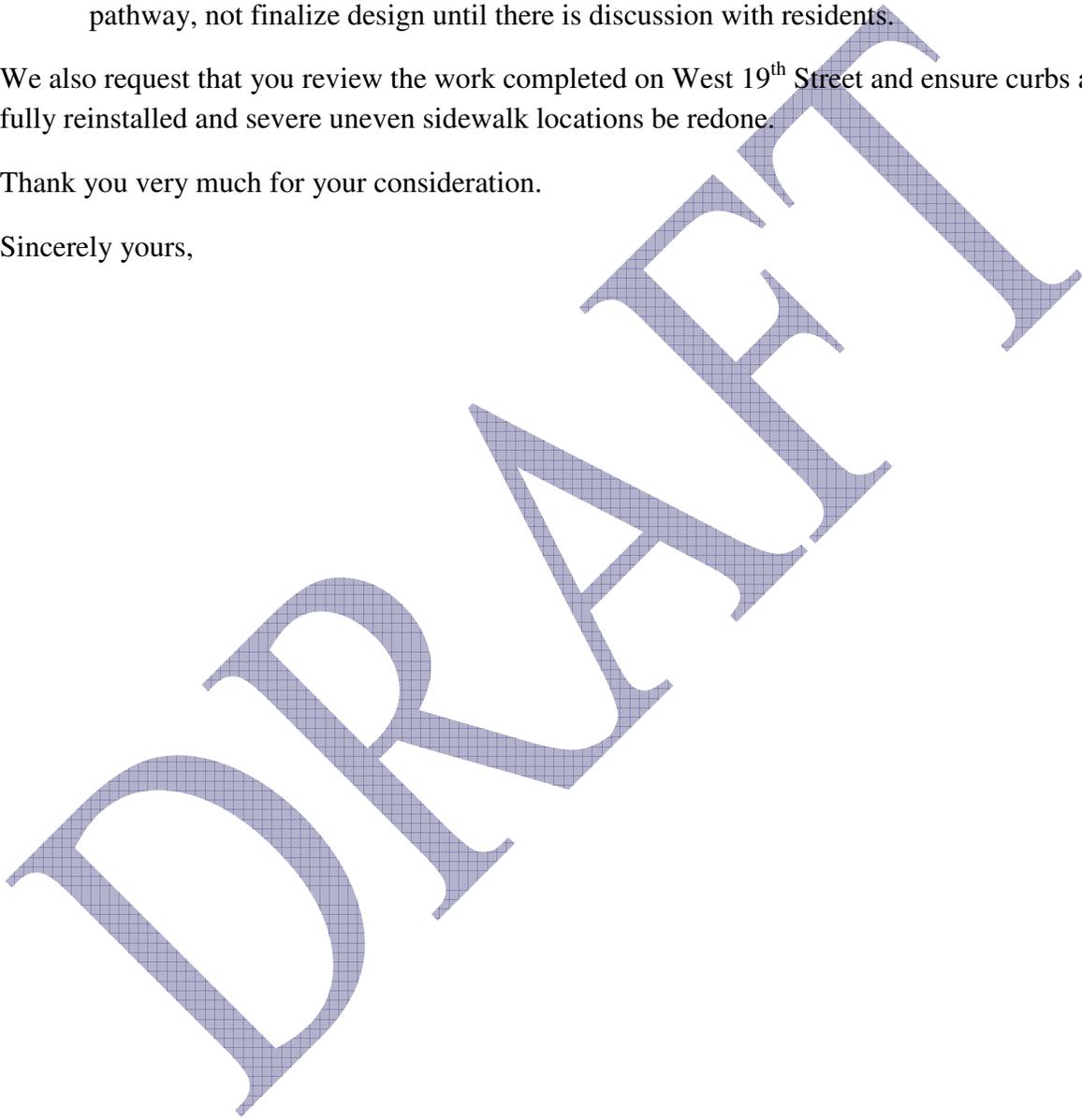
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

24

25

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2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

51

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53

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55

DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.
- 63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms or less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell’s Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue “sans vehicle conflict” for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn “sans pedestrian conflict”. In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

34

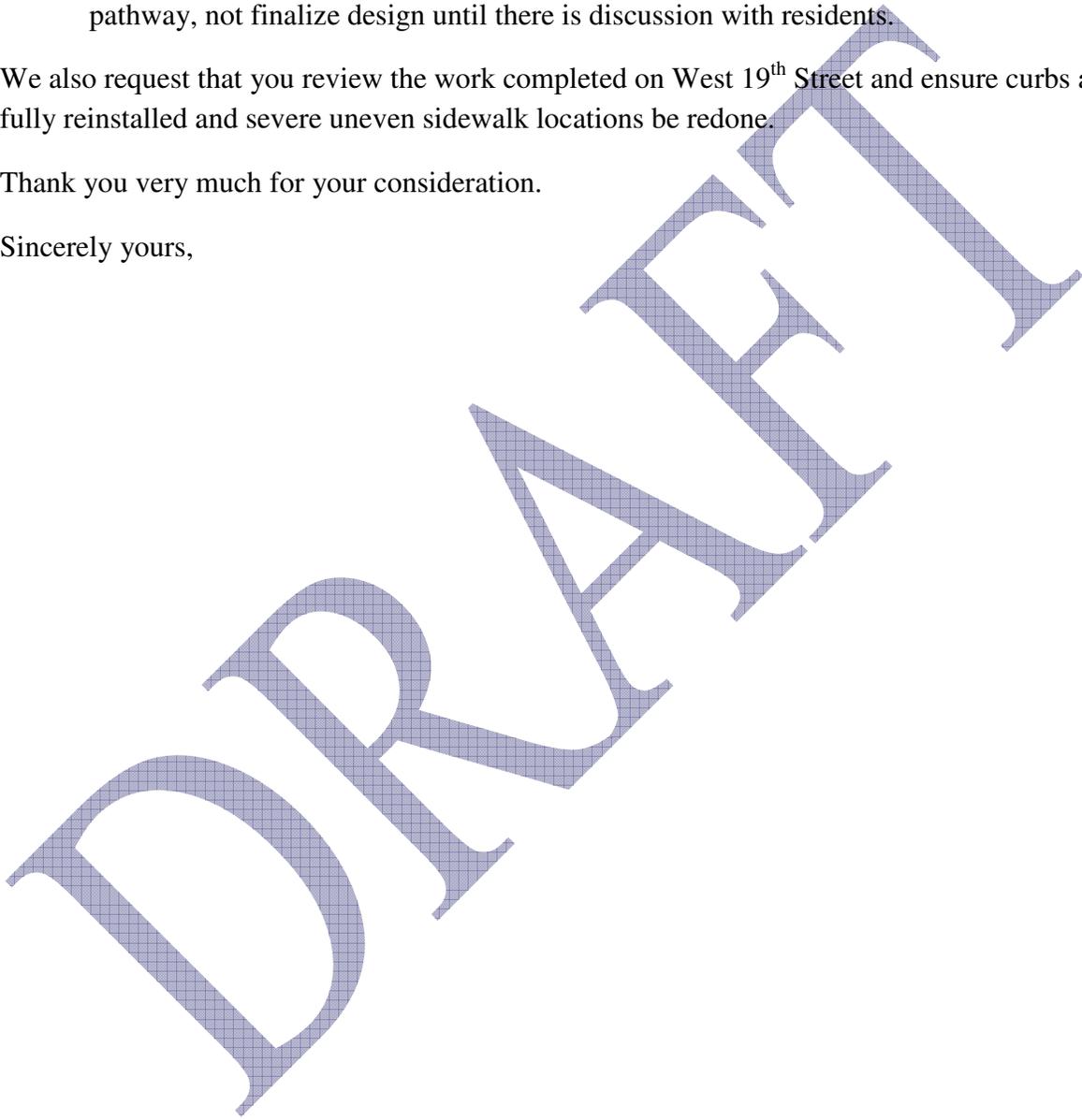
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

24

25

26

27

28

29

30

2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

51

52

53

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55

DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.
- 63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell's Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue "sans vehicle conflict" for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn "sans pedestrian conflict". In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

34

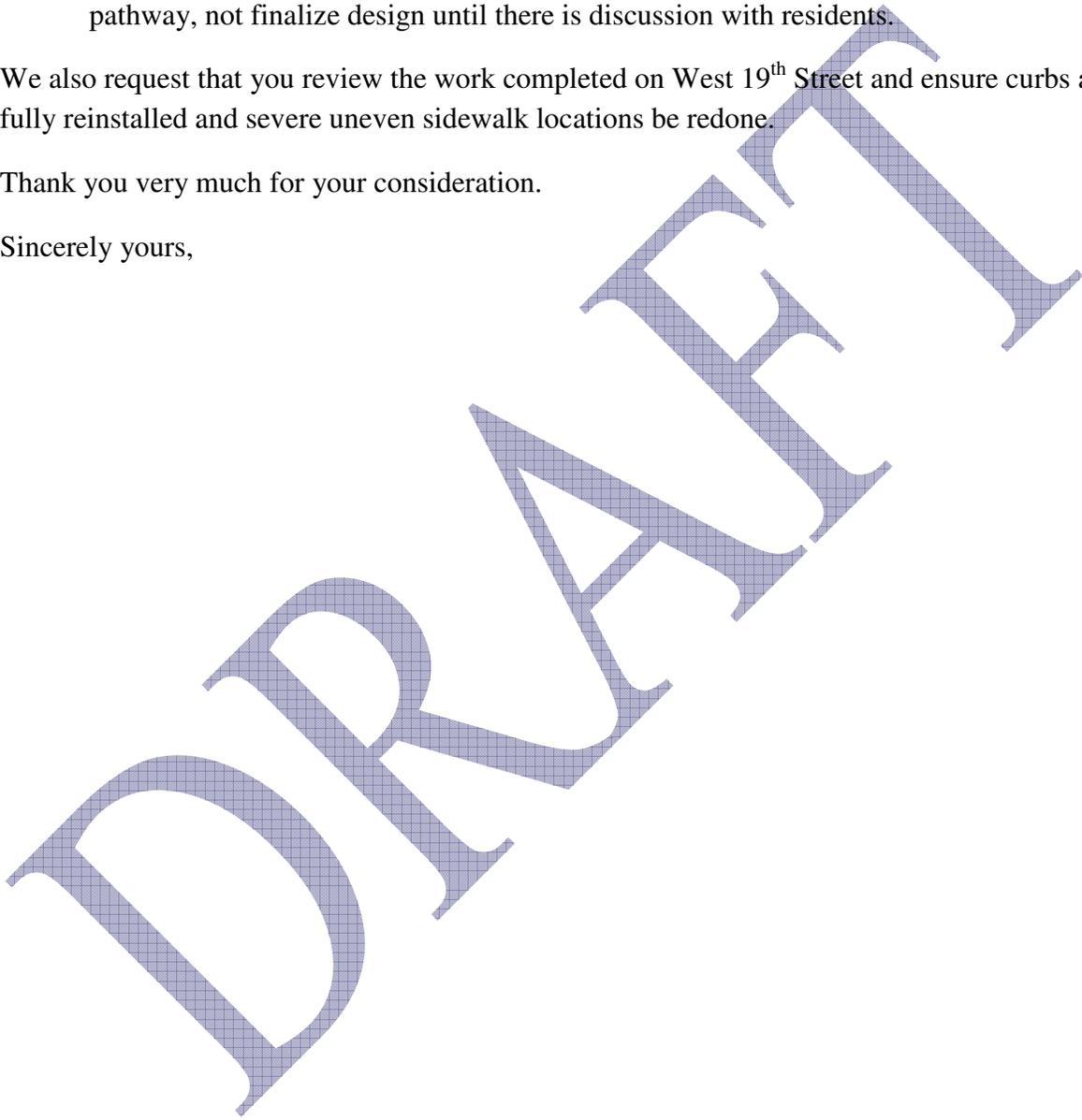
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

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2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

51

52

53

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55

DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell’s Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue “sans vehicle conflict” for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn “sans pedestrian conflict”. In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32
- 33 • Assign a staff person to act as a communication liaison with residents of streets affected  
34 by work;

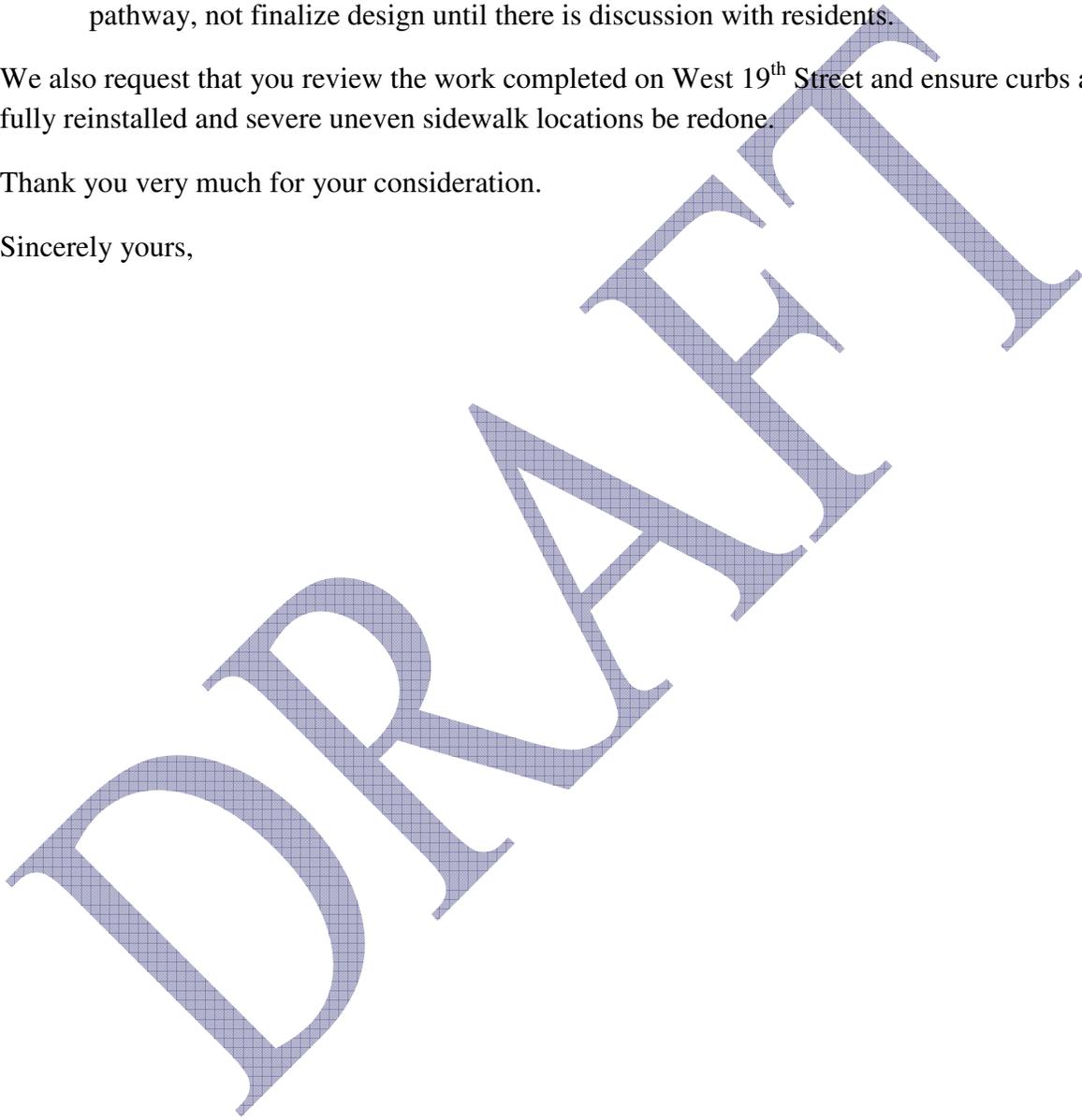
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

24

25

26

27

28

29

30

2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

51

52

53

54

55

DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.
- 63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell's Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue "sans vehicle conflict" for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn "sans pedestrian conflict". In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

34

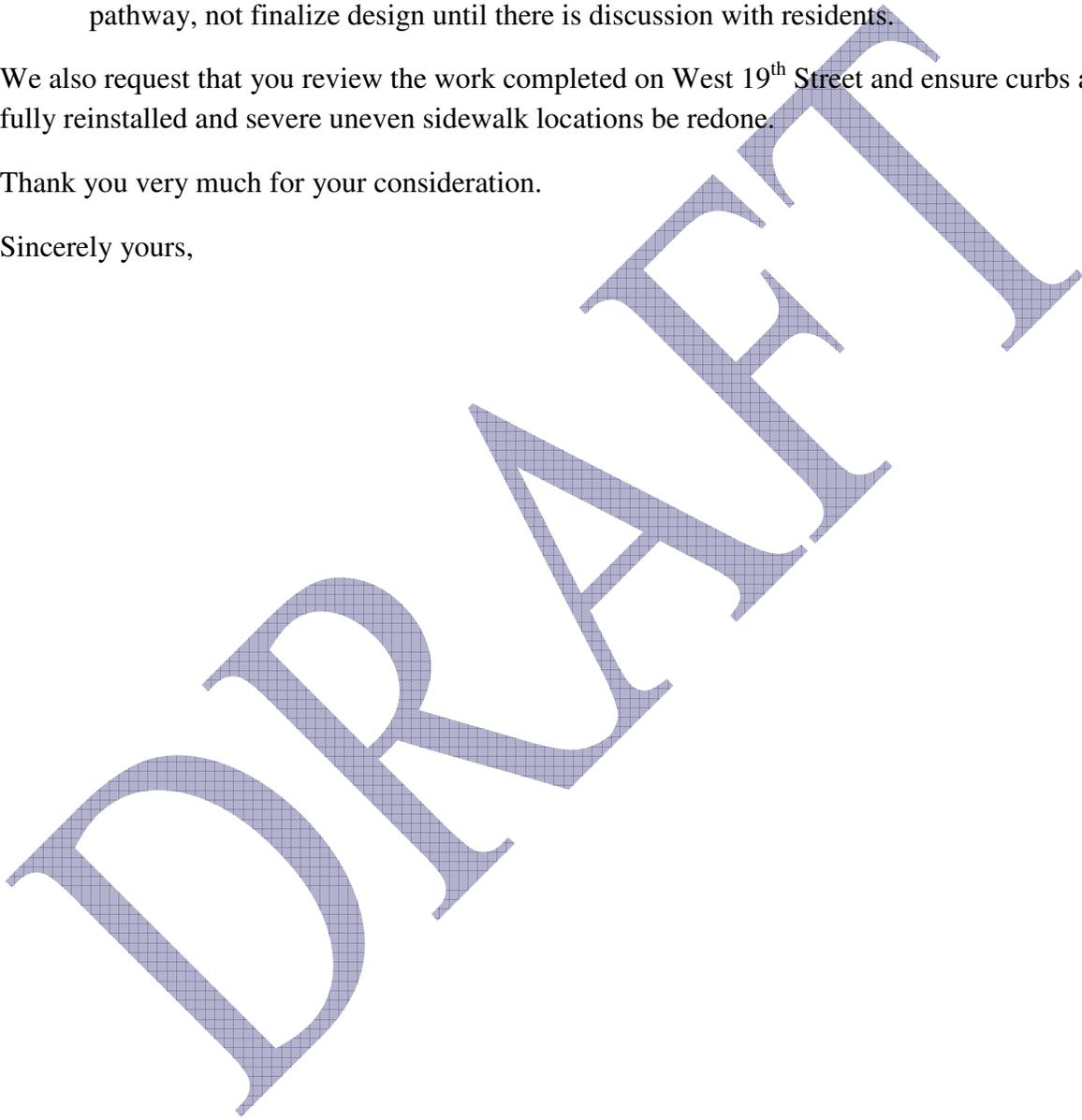
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

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27

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2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

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<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

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DRAFT

1 **Landmarks Committee**

**Item #: 22**

2

3 September 26, 2013

4

5 Hon. Robert B. Tierney

6 Chair

7 Landmarks Preservation Commission

8 Municipal Building, 9th floor

9 One Center Street

10 New York, NY 10007

11

12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14

15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and
- 21 - the excavation of the cellar level to achieve further height.
- 22 -

23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33

34 Corey Johnson

35 Chair

36

Pamela Wolff

Chair, Landmarks Committee

37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms of less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell's Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue "sans vehicle conflict" for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn "sans pedestrian conflict". In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32
- Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;
- 34

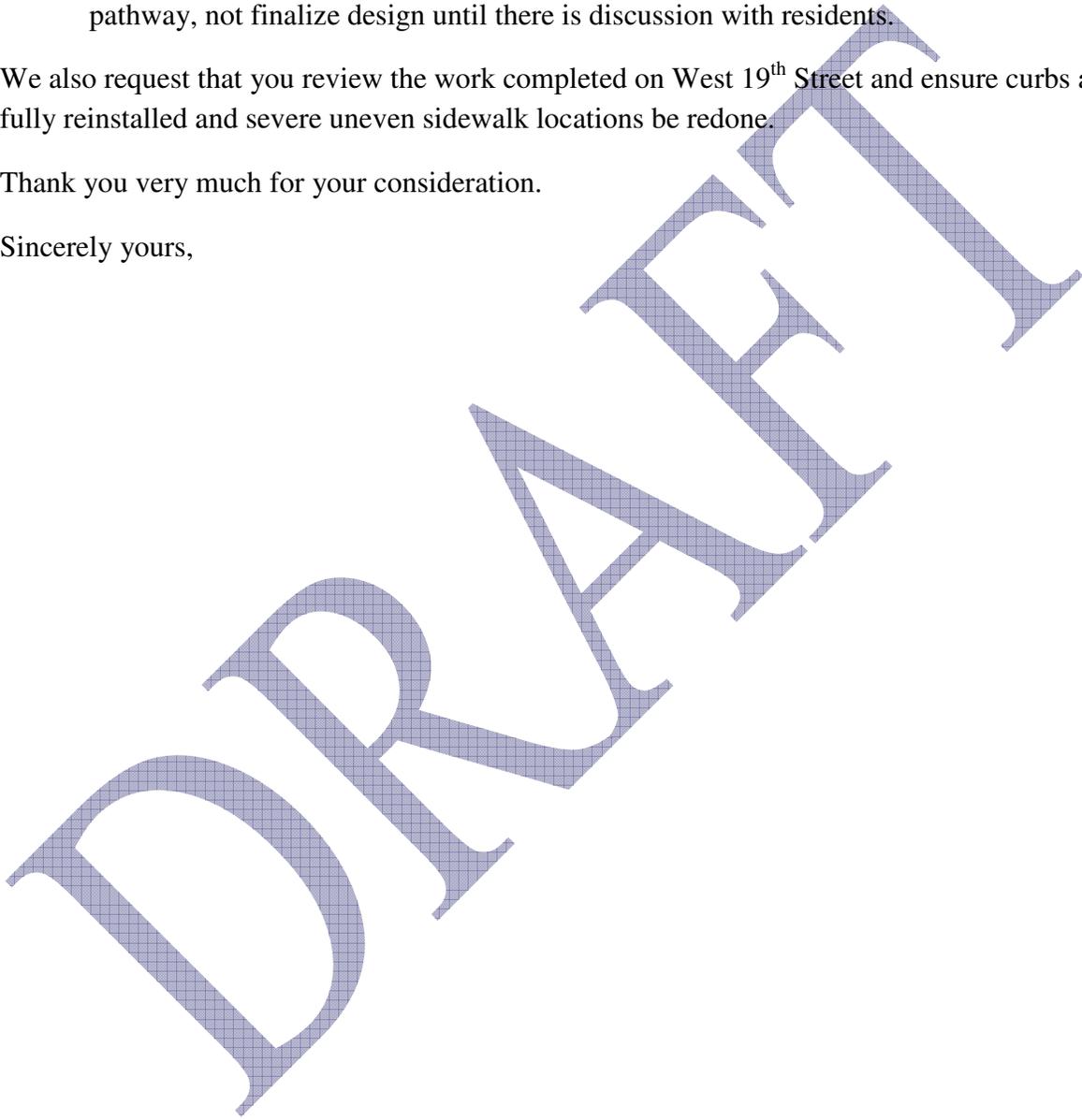
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

22

23 Sincerely,

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2

3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

34

2

3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

9

10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

---

<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

46

47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

50

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DRAFT

1 **Landmarks Committee**

**Item #: 22**

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, 9th floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and  
21 - the excavation of the cellar level to achieve further height.

22 -  
23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33  
34 Corey Johnson  
35 Chair

Pamela Wolff  
Chair, Landmarks Committee

36  
37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

25

26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

28

29

30

31

1 **Chelsea Land Use Committee (CLU)**

**Item #:1**

2  
3  
4 October 3, 2013

5  
6 Director Amanda M. Burden  
7 Department of City Planning  
8 22 Reade Street  
9 New York, New York 10007

10  
11 Michael Ben-Asher  
12 Legal Department  
13 Department of Consumer Affairs  
14 42 Broadway  
15 New York, New York 10004

16  
17 **Re: ULURP No. N130021ECM**  
18 **New York Fast Gourmet Premier, LLC**  
19 **DBA: New York Burger Co.**  
20 **470 West 23<sup>rd</sup> Street, Borough of Manhattan**

21  
22 Dear Director Burden and Mr. Ben-Asher:

23  
24 At the recommendation of its Chelsea Land Use Committee, Manhattan Community Board No.  
25 4, having held a duly noticed public hearing on ULURP application number **N130021ECM**,  
26 reluctantly recommends approval of the application by **New York Fast Gourmet Premier,**  
27 **LLC** for a renewal for an enclosed sidewalk café with **25 tables and 54 seats** to be operated at  
28 470 West 23<sup>rd</sup> Street, the southeast corner of the intersection of West 23<sup>rd</sup> Street and Tenth  
29 Avenue.

30  
31 Although we are fundamentally opposed to enclosed sidewalk cafes, and to this one in particular,  
32 we acknowledge that this operation has proved to be successful and is a great improvement over  
33 the decrepit structure we were accustomed to having on our sidewalk. Before we approved the  
34 applicant's original application in December 2010 this location had proven to be problematic for  
35 restaurant operators for more than twenty five years. Even with the benefit of an enclosed  
36 sidewalk café, a succession of restaurants had failed, at times leaving an abandoned, decaying  
37 structure on this prominent West Chelsea corner for years at a time.

38  
39 We are opposed to enclosed sidewalk cafes in general for three reasons:

- 40  
41 i. They are permanent structures that appropriate public property for private use without  
42 providing a public benefit;  
43  
44 ii. Unlike unenclosed sidewalk cafes which can add to community ambiance and create more  
45 vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the  
46 community; and

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iii. Since they are permanent structures, they are difficult to remove should that be warranted.

In addition to these general concerns, we are specifically opposed to an enclosed sidewalk cafe at this location because it leaves an unacceptably narrow 7'6" clear sidewalk on a heavily trafficked corner. The sidewalks of West Chelsea have become increasingly crowded as the area has developed over the last few years, spurred by the flourishing West Chelsea art district, Chelsea Piers, Chelsea Waterside Park, the new Hudson River Park and the High Line. It is not uncommon on a sunny weekend afternoon to encounter a lengthy queue waiting to pass through the bottleneck on Tenth Avenue created by this sidewalk café structure. The completion of Segment II of the High Line brought an access stair diagonally across the intersection, further increasing congestion, and the continued development of West Chelsea seems to increase pedestrian traffic on a daily basis.

We have long sought the removal of this intrusive structure and would like to note that 470 West 23<sup>rd</sup> Street was grudgingly included in the Chelsea Historic District Extension with the then newly-built sidewalk café structure in place. This regrettable decision makes removal of this unfortunately sited structure even more difficult.

Despite our opposition to enclosed sidewalk cafes in general, and to this one in particular, since the structure already exists we are faced with the choice between an operating restaurant and an abandoned structure. Until we succeed in having the structure removed, we are forced to choose the restaurant option and reluctantly recommend approval of the application.

Sincerely,

Corey, Lee, Betty

cc: NYC Council Speaker Christine Quinn  
NYC Council Speaker Quinn's Office –Melanie Larocca  
NYC Council Land Use Division – Danielle DeCerbo  
NYS Senator Brad Hoylman  
NYS Assemblyman Richard Gottfried  
MBP Scott Stringer  
MBPO – Brian Cook  
Applicant –

2 October XX, 2013

3 Margaret Forgione  
4 Manhattan Borough Commissioner  
5 NYC Department of Transportation  
6 59 Maiden Lane, 35<sup>th</sup> Floor  
7 New York, NY 10038

8  
9 **Re: Bolt Bus On Street Terminal Location**

10 Dear Commissioner Forgione:

11 At its October 2013 full board meeting, Manhattan Community Board 4 (CB4) voted by \_\_\_ in favor and  
12 \_\_\_ against to approve relocating two Long Distance Bus on Street Terminals (On Street Bus Loading and  
13 Unloading zone) to the north curb of West 33<sup>rd</sup> Street just west of Eleventh Avenue.

14 While CB4 agrees to approve a limited number of interim stops in appropriate locations, we continue to  
15 request that the city create a permanent bus terminal structure to accommodate this growing mode of  
16 transportation. Such a bus terminal was committed, as part of the 2005 Hudson Yards rezoning and this  
17 Community Board has advocated for its development since that time.

18 CB4 applauds the initiative to relocate two existing Bolt Bus on-street terminals from their present  
19 locations on West 33<sup>rd</sup> Street between Seventh and Eighth Avenues and West 34<sup>th</sup> Street just west of  
20 Eighth Avenue. These stops continue to be problematic for the neighboring businesses and for  
21 pedestrians. In addition, if the existing West 34<sup>th</sup> Street terminal is not relocated, it will obstruct the West  
22 34<sup>th</sup> Street Select Bus Service corridor currently under construction.

23 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as required  
24 by New York State law on this relocation and the fact that Bolt Bus, the applicant and DOT were willing  
25 to evaluate the West 33<sup>rd</sup> Street location proposed by the Transportation Planning Committee, as  
26 alternative to their initial choice of West 39<sup>th</sup> Street and Eleventh Avenue, that proved problematic to the  
27 community<sup>1</sup>. We are particularly pleased that DOT took the time and effort to expeditiously address  
28 community concerns and to research and provide the information necessary for CB4 to properly evaluate  
29 the site.

30 The proposed relocation would allocate an average of 41 daily departures and 42 daily arrivals to the west  
31 side of Manhattan, during the hours of 6:30 a.m. to 10:00 p.m. serving existing destinations  
32 (Greenbelt/Baltimore, Philadelphia/Cherry Hill, Washington, D.C.), and a new destination, Pittsburgh.  
33 During peak days departures at this new stop would reach 52 daily with up to six departures and three  
34 arrivals per hour.

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<sup>1</sup> The West 39<sup>th</sup> Street and Tenth Avenue location originally proposed by DOT and Bolt had insufficient space for queuing passengers, was adjacent to one of the very few parks in aouth Hell's Kitchen, was dangerous to pedestrians, and was challenging for bus egress.

35 Separately, fourteen departures and fourteen arrivals from the existing West 33<sup>rd</sup> and West 34<sup>th</sup> Street  
36 locations would be relocated to the East side of Manhattan serving Boston.

37 Buses will use Eleventh Avenue to arrive from the Lincoln Tunnel and the West Side Highway and West  
38 40<sup>th</sup> Street to leave for their destination, thus, having no impact on residential or more commercial streets.  
39 The applicant already uses a layover location on Eleventh Avenue.

40 The waiting area would be on a 300 foot long, 10 foot wide sidewalk, along the Javits truck marshaling  
41 yards, 4 feet of which would be used for loading, unloading and circulation, and 6 feet for passenger  
42 queuing. This allows for up to 200 passengers queuing, on a stretch of sidewalk currently mostly devoid  
43 of pedestrian traffic.

44 Bolt Bus provided a sidewalk location plan for waiting passengers. Bolt Bus has assured that they will  
45 have a minimum of two (2) staff people during all hours of operation and additional at peak hours. DOT  
46 will also require that they keep the sidewalk area free of litter and ensure on-going clean up. There seems  
47 to be sufficient space for food vendors to congregate at either end of the stop. We are concerned that DOT  
48 does not require applicants to make arrangements for rest room facilities, either through agreements with  
49 nearby businesses (in this location likely the Javits Center) or with Port-a-sans. Given our experience at  
50 other locations, we will be watchful of whether this policy is appropriate and may ask DOT to require on-  
51 site port-a-sans or linkages to area businesses for this and/or other locations. Bolt provides rest rooms on  
52 their buses.

53 CB4 has long expressed concern about private use of public spaces, including sidewalks. We thus feel  
54 that when a private entity uses public spaces they should be some related immediate area improvements  
55 and/or beautification to compensate for the loss of public space. We appreciate that DOT is requesting the  
56 city to remove surrounding graffiti. While beautification (e.g. improving nearby landscaping/installing  
57 additional trees) or additional public use benefits (e.g. installation and maintenance of public benches)  
58 may be limited for this location given its limited pedestrian use and being surrounded by major  
59 construction projects, we reserve this option for future proposed location.

- 60
- If feasible we request Bolt Bus install up to twelve trees further west along this sidewalk, to  
61 provide some shade in the summer and to beautify this public space they will occupy.
  - We further request that the above proposed operations plan and configuration for passenger  
62 waiting and departing sidewalk space be part of a written agreement between DOT and Bolt Bus.  
63  
64

65 According to the 2009 Western Rail Yards EIS, there were only 15 vehicle turning movements/hr. from  
66 Eleventh Avenue onto West 33<sup>rd</sup> Street at peak hours. While it likely has increased since then, it is still  
67 fewer than most corners in the area. As such the intersection is fairly safe for approaching travelers, who  
68 will mostly arrive via the West 34<sup>th</sup> Street SBS or the #7 subway train at West 33<sup>rd</sup> Street, once open.

69 Thank you for your partnership with CB4 in implementing practical and appropriate intercity bus location  
70 in our district.

71 CJ/CB/JM

72

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038

9

10 **Re: High Line Hotel – Loading Zone Request**

11 Dear Commissioner Forgione:

12 At its full board meeting, Manhattan Community Board 4 (CB4) voted by \_ in favor and \_ against, to  
13 deny the installation of parking signs allowing a 100’ loading zone in front of the High Line hotel, on the  
14 east side of Tenth Avenue between West 20<sup>th</sup> and West 21<sup>st</sup> Street.

15 The High Line hotel, located in the building formerly known as the Theological Seminary, occupies the  
16 whole frontage of the block between West 20<sup>th</sup> and West 21<sup>st</sup> streets. Its entrance is located on the  
17 southern portion of the block. The current parking regulation at the curb indicates: “No Standing 7 – 10  
18 AM, except Sunday” and “No Parking 7 AM – 7 PM except Sunday”.

19 For hotels of 100 rooms or less, the Department of Transportation (DOT) does not automatically grant a  
20 loading zone and requests Community Board review and recommendations. In our previous  
21 recommendations for smaller hotel loading zones, we have sought to accommodate both the business  
22 needs and surrounding parking/traffic needs of the area and residents. In this instance we do not find any  
23 pressing business needs and are concerned about the traffic implications

24 Based on our review, we do not feel the hotel business would be harmed by leaving the existing  
25 regulations. The applicant did not indicate substantial ticketing during no parking/no standing hours nor  
26 of substantial unavailable spaces in front of their entrance during parking permitted hours. Both resident  
27 and Transportation Planning Committee member observations reflected typical availability of spaces on  
28 the block. For the most part of the day, 7 a.m. to 7 p.m., parking is not permitted leaving ample room for  
29 delivery or taxis to load and unload. At night, or on Sunday, when parking is permitted, there is typically  
30 some parking/standing availability on that block.

31 We also are concerned that permitting Hotel Loading/Unloading would be a bad precedent to set, given  
32 the extensive (and increasing) traffic on Tenth Avenue and its role as a truck route linking the west side  
33 highway at West 14<sup>th</sup> Street, to the Lincoln Tunnel entrances on West 30<sup>th</sup> and West 40<sup>th</sup> Streets. It would  
34 also break the existing consistent parking regulations (no standing 7am to 10am and no parking 7am to  
35 7pm) continuously along the East side of the avenue from West 14<sup>th</sup> to West 22<sup>nd</sup> Streets.

36 CB4 thus recommends that this application be denied.

37

2  
3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: West 41<sup>st</sup> Street and Ninth Avenue safety improvements**

11 Dear Commissioner Forgione:

12 At its October full board meeting, Manhattan Community Board 4 (CB4) applauded and  
13 approved the proposed redesign and signal light changes for the intersection of West 41<sup>st</sup> Street  
14 and Ninth Avenue in response. We feel this is an appropriate and well-conceived response to the  
15 many collisions that have occurred there, to our requests as part of the Hell’s Kitchen Traffic  
16 Study, and especially to the collision in February 2013, that caused a second recent fatality.

17 However, CB4 asks that the Department of Transportation (DOT) research our questions related  
18 to the signage plan and come back to the transportation committee within two months from now,  
19 before implementation scheduled for the beginning of 2014.

20 The proposed configuration will provide a split phase signal on Ninth Avenue at W. 41<sup>st</sup> Street,  
21 with a red turn arrow stopping southbound turning vehicles to allow pedestrians to cross W. 41<sup>st</sup>  
22 street on the west side of Ninth Avenue “sans vehicle conflict” for 23 seconds and subsequently,  
23 a green turn arrow to allow vehicles to turn “sans pedestrian conflict”. In addition bulb outs will  
24 be installed at the north and south sidewalk to accommodate more pedestrians and slow the  
25 turning cars. CB4 is very pleased with this proposal that seems to address the concerns we have  
26 expressed and will bring much needed space and safety to the pedestrians at this difficult  
27 intersection.

28 Today, there are two turning lanes (one dedicated and one shared) between W. 42<sup>nd</sup> and W. 41<sup>st</sup>  
29 Streets to feed this entrance to the Lincoln Tunnel, which is restricted to buses from 4:00 P.M. to  
30 7:00 P.M. during weekdays. However, this restriction is poorly communicated and poorly  
31 enforced.

32 The DOT proposal for signal and traffic changes also includes dedicating two (instead of the  
33 current one) turning lanes between W. 41<sup>st</sup> and W. 42<sup>nd</sup> Street along Ninth Avenue and one left  
34 lane between W. 42<sup>nd</sup> and W. 44<sup>th</sup> Streets, to bus traffic during peak hour. This would help  
35 enhance the capacity of this segment, and reduce queuing at this entrance by redirecting cars and

36 trucks queuing for the Lincoln Tunnel to use the east side of Ninth Avenue until they are pass W.  
37 41<sup>st</sup> Street. Signage will help drivers to make the proper choice as soon as possible.

38 However the devil is in the details and we ask that the DOT explore solutions to the following  
39 concerns and return to the transportation committee within the next two months for the  
40 community to review the final plan before installation:

- 41 • Can accessible (audible) and countdown pedestrian signals be installed at the modified  
42 intersection?  
43
- 44 • In the morning, there is often back up at W. 41<sup>st</sup> Street and on Ninth Avenue because of  
45 trucks clogging the W. 41<sup>st</sup> Street entrance when it should be clear for buses leaving the  
46 Bus Terminal. Ninth Avenue is the major Lincoln Tunnel feeder used by vehicles leaving  
47 for New Jersey after matinee and evening Broadway theater performances. On the  
48 weekend, this entrance is overcrowded causing back ups up on Ninth Avenue. Why not  
49 restrict the W. 41<sup>st</sup> Street entrance to buses 24/7? It makes it much easier to create a habit  
50 for drivers, and it would simplify signage and enforcement.  
51
- 52 • Daily back ups on Ninth Avenue usually starts at W. 46<sup>th</sup> Street or further north. Could  
53 the dedicated bus lane be expanded north to W. 46<sup>th</sup> Street?  
54
- 55 • Will the dedicated bus lane be painted in red, as is the custom for new bus lanes? It  
56 would be self explanatory to cars and trucks.  
57
- 58 • We appreciate you will not suspend highway signage in the neighborhood. It may make  
59 sense to suspend smaller signs to all traffic signals south of W. 46<sup>th</sup> Street, indicating,  
60 “Cars & trucks keep left”. It may even be feasible to include such a message on the  
61 Variable Message Sign (VMS) at W. 41<sup>st</sup> Street.  
62
- 63 • A residential building is near completion between W. 38<sup>th</sup> and 39<sup>th</sup> Streets and the ramp  
64 “C” signage you showed seems too large for a residential context. There is another VMS  
65 at the northwest corner of W. 39<sup>th</sup> Street and Ninth Avenue. Would it be possible to use  
66 it to show “Lincoln Tunnel Only” with tow vertical arrows instead of adding another  
67 highway type sign on the block?  
68
- 69 • It will be critical to install new signs on side streets that are feeding into Ninth Avenue at  
70 W. 45<sup>th</sup>, W. 43<sup>rd</sup>, and W. 42<sup>nd</sup>, enjoining cars and trucks and through traffic to keep left,  
71 using the east lanes of 9<sup>th</sup> Avenue. Below W. 41<sup>st</sup> Street, it is common for drivers to turn  
72 in the left lanes and then try to enter the queues further south, blocking the flow of traffic  
73 on the avenue. The signs should indicate the path to the Lincoln tunnel as the right lanes  
74 or going straight. There is an old Lincoln Tunnel sign on the southeast corner of W. 39<sup>th</sup>  
75 Street that could be reused for that purpose or replaced.  
76

77 Again, CB4 is delighted with DOT’s proposal and the schedule of implementation. We are also  
78 pleased to hear that the W. 43<sup>rd</sup> Street and Ninth Avenue intersection will be equipped with a

79 similar split phase signal in early 2014. These are major steps toward a better and safer Ninth  
80 Avenue.

DRAFT

2

3 October XX, 2013

4 Kevin Jeffrey  
5 Manhattan Borough Commissioner  
6 NYC Parks Department  
7 24 W. 61<sup>st</sup> Street, 5th Floor  
8 New York, NY 10023  
9

10 **Re: Tree pit widening program**

11 Dear Commissioner Jeffrey:

12 Manhattan Community Board #4 requests that the Parks Department do additional community  
13 outreach and ensure on-going block resident communication and sufficient quality control  
14 whenever it does tree pit widening and ensure community participation in decision making when  
15 the widening leaves less than six foot pedestrian access and/or require extensive sidewalk  
16 replacement.

17 Earlier this year the Parks Department sent notices to residents of several blocks in Chelsea that  
18 they will be widening tree pits in the area to promote improved tree health and prevent tree roots  
19 breaking sidewalks. As long term advocates for street trees, Manhattan CB4 supports this effort.  
20 However, discussion with residents on West 19<sup>th</sup> Street between Eighth and Ninth Avenue leaves  
21 us with several concerns.

22 Residents of this block on West 19<sup>th</sup> Street received notices of the work, but were not consulted.  
23 The tree pit widening in front of homes with larger stoops left less than six foot passage, creating  
24 difficulties for the several wheelchair bound residents of the block. Some of the sidewalk  
25 replacement that they installed was severely sloped and/or uneven; also creating difficulty for  
26 wheelchair bound and disabled residents. Curb areas in parts were not replaced. Residents also  
27 indicate that they were not informed of the specific work or the timetable for completion and  
28 none of the workers on the site were responsible for resident communication or outreach. We  
29 appreciate that DOT Borough Commission Margaret Forgione has assisted to facilitate  
30 communications between the Parks Department and residents.

31 Manhattan CB4 thus requests that the Parks Department:

- 32 • Assign a staff person to act as a communication liaison with residents of streets affected  
33 by work;

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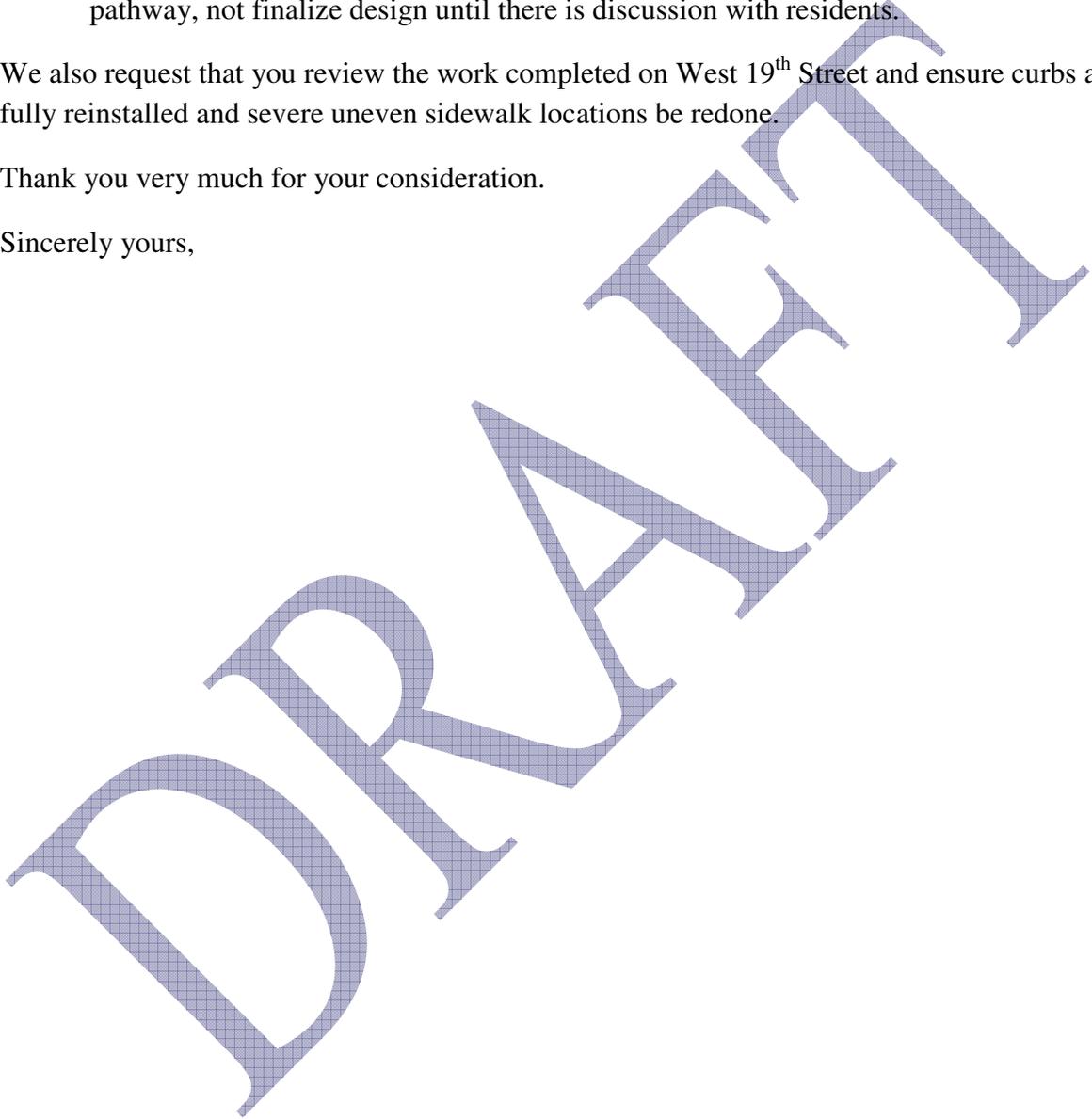
- 35 • Hold a block meeting in advance of beginning work on a street where they provide  
36 residents and property owners with a description and drawings of the work to be  
37 completed, the timetable for completion and the name and phone number of the  
38 community liaison to answer questions and address complaints of poor workmanship;  
39
- 40 • In cases where proposed tree pit widening will leave less than six foot pedestrian clear  
41 pathway, not finalize design until there is discussion with residents.

42 We also request that you review the work completed on West 19<sup>th</sup> Street and ensure curbs are  
43 fully reinstalled and severe uneven sidewalk locations be redone.

44 Thank you very much for your consideration.

45 Sincerely yours,

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3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: City Bench Removal Request - West 23<sup>rd</sup> Street (Sixth and Seventh Avenues)**

11 Dear Commissioner Forgione:

12 Manhattan Community Board #4 requests that the bench near the entryway of Selis Manor (135  
13 West 23<sup>rd</sup> Street) be removed. This is requested to improve resident entry and access.

14 Selis Manor is a 33 year-old, fourteen story resident for 200 blind individuals. Several residents  
15 and building management requested that the bench be removed since many residents are used to  
16 using the building line as a guiding post, using their walking sticks, and the bench is an obstacle  
17 to their passage and generally makes navigation more difficult. It is also, thus not used by many  
18 residents.

19 We understand, since the CB4 Transportation Committee voted to recommend this action to the  
20 full Community Board, DOT has agreed to remove the bench within the next couple of weeks.

21 We appreciate their expeditious consideration and action.

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23 Sincerely,

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3 October XX, 2013

4 Kristen Edwards  
5 Director, Homeless Outreach  
6 Goddard Riverside Community Center  
7 40 Exchange Place, Suite 777  
8 New York, NY 10005

9

10 **Re: West 46<sup>th</sup> Street at Tenth Avenue**

11 Dear Ms. Edwards:

12 Manhattan Community Board #4 appreciates the work of the Homeless Outreach workers of  
13 Goddard Riverside Community Center in our community. We request your assistance in working  
14 with a homeless woman who has frequently occupied the public bench on the northeast corner of  
15 Tenth Avenue and West 46<sup>th</sup> Street. We make this request based on the reports of residents of a  
16 nearby building who have indicated that her belongings often block the sidewalk and  
17 occasionally is rude. Reports to the police have not proven helpful as they will only remove  
18 belongings if no one is there to attend them.

19 We appreciate that the homeless outreach team has responded to both neighbor and resident calls  
20 to 311. Workers have reported that they have interacted with her on occasion and she has not  
21 accepted offer of services. She has not also been there several times they arrived after a phone  
22 call (response times can take up to an hour in periods of high volume).

23 We understand that the Outreach team takes an approach of seeking to build trust with homeless  
24 people who live on the street to encourage them to take advantage of services and/or enter  
25 shelter. We encourage you to make such an effort in this case.

26 While a resident requested that we remove the bench, we are concerned about setting a precedent  
27 of removing a bench for the purpose of displacing (likely to a nearby location) a homeless  
28 resident without first ensuring that services to mitigate any negative behavior and potentially  
29 encourage them to enter shelter. In addition, bench locations were decided based on resident  
30 request and after Community Board review and approval.

31 If problems remain we might feel it necessary to remove the bench, but ask for your assistance in  
32 addressing this situation in, hopefully, a more appropriate way.

33 Sincerely,

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3 October XX, 2013

4 Captain David Miller  
5 Manhattan 10<sup>th</sup> Precinct  
6 NYC Police Department  
7 230 West 20<sup>th</sup> Street  
8 New York, NY 10011

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10 Margaret Forgione  
11 Manhattan Borough Commissioner  
12 NYC Department of Transportation  
13 59 Maiden Lane, 37<sup>th</sup> Floor  
14 New York, NY 10038

15

16

17 Dear Captain Miller and Commissioner Forgione:

18 Manhattan Community Board #4 requests that both DOT and the NYPD increase their efforts to  
19 reduce illegal truck usage of West 15<sup>th</sup> Streets through West 22<sup>nd</sup> Streets, west of Seventh  
20 Avenue. This is in response from complaints of resident on West 15<sup>th</sup> Street, West 19<sup>th</sup> Street,  
21 and West 22<sup>nd</sup> Street in the last two months.

22 In 2007 and 2008 both DOT and the Police Department worked with the Community Board to  
23 address complaints from several block associations and the Chelsea Council of Block  
24 Associations. The high volume of truck traffic led to street noise on these low-rise building  
25 streets and higher levels of street deterioration, including busted water pipes on West 15<sup>th</sup> Street  
26 and frequent street repaving. Based on Block Association and Community Board requests,  
27 several “Local Truck Only” and “No Thru Truck” signs were installed and police ticketing  
28 increased. Both the block association and residents reported reduced truck usage during that  
29 time.

30 In the last couple of years, particularly with the increase of construction activity, residents are  
31 reporting a substantial increase in street non-local truck usage and construction trucks using local  
32 streets to get to avenues, rather than truck routes (West 14<sup>th</sup> and West 34<sup>th</sup> Streets). They also  
33 reported signs in several locations were removed for construction projects and not reinstalled or  
34 have become blocked by overgrown trees, including signs on Tenth Avenue near West 22<sup>nd</sup>  
35 Street and before Ninth Avenue on West 19<sup>th</sup> Street.

36

37 We thus request that, similar to 2007 and 2008, DOT and the Police Department work together to  
38 both install improved signage and increase enforcement. The Transportation Committee of the  
39 Community Board stands ready to work with you by identifying appropriate place for new or  
40 improved signage and specific streets for increased ticketing/enforcement.

41 We request that both agencies keep us informed of their efforts over the next month

DRAFT

2  
3 September 26, 2013

4  
5 Hon. Robert B. Tierney  
6 Chair  
7 Landmarks Preservation Commission  
8 Municipal Building, ninth floor  
9 One Center Street  
10 New York, NY 10007

11  
12 **Re: 508-534 West 26<sup>th</sup> Street**  
13 **West Chelsea Historic District**

**RATIFICATION**

14  
15 Dear Chair Tierney,

16 Community Board 4 is writing in response<sup>2</sup> to an application by the owner's architect for approval of  
17 proposed work at 508-534 West 26<sup>th</sup> Street, an early twentieth century reinforced-concrete loft building.

18 The work consists of the introduction of new ground-floor storefront glazing, entrance doors, and exterior  
19 stairs to openings that were previously entirely or partially blocked up. Two of these opening locations  
20 currently have a combination of opaque infill and service doors with exterior stairs, to be removed.

21 The proposed storefront would be of similar design to that which has already been installed on the ground  
22 floor of the loft building immediately to the west, extending a consistent treatment across much of the  
23 length of the block, and establishing a common thread between historically separate loft buildings which  
24 have otherwise distinct façade treatments, including two separate fenestration systems on their upper  
25 floors.

26 The Board recognizes this regularizing motive, but finds that it detracts from the two buildings' discrete  
27 architectural expressions. Their separate identities would be retained, to the enrichment of the block, if the  
28 new storefront framing pattern deviated from that of the building to the west. This could be achieved by  
29 as simple a change as omission of the horizontal division that creates a transom effect, and providing  
30 continuous glass lights from bottom to top of the masonry openings. Transoms might remain at door  
31 heads, to allow manageable door sizes and operation. As the proposed doors are recessed, their transoms  
32 would not add a jarring note of discontinuity to the otherwise unbroken vertical storefront glazing.

33 The Board makes a further recommendation to enlarge the ground floor masonry openings to match those  
34 on the building's upper floors, which forcefully express its structural system. Intermediate piers on the  
35 ground floor now create smaller openings within two adjacent column bays, weakening the structural  
36 clarity that is the building's greatest compositional merit. The current subsidiary openings appear to be of  
37 incidental, formerly functional origin rather than a reflection of the original architect's greater design  
38 vision. Substitution of broader glazing for the intermediate ground floor piers may be welcomed as an  
39 available option by the owner, and would contribute to the vitality of the street.

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<sup>2</sup> This letter is subject to ratification of Full Board at the Wednesday, October 2, 2013 meeting.

40 The Board recommends approval of this application, but would strongly prefer incorporation of the  
41 changes described above.

42 Sincerely,



43  
44 Corey Johnson

45 Chair

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47 cc: NYC Council Speaker Christine Quinn

48

49 **Attachments A and B:** Revised drawing by applicant's architect illustrating MCB4's recommendation

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DRAFT

1 **Landmarks Committee**

**Item #: 22**

2

3 September 26, 2013

4

5 Hon. Robert B. Tierney

6 Chair

7 Landmarks Preservation Commission

8 Municipal Building, 9th floor

9 One Center Street

10 New York, NY 10007

11

12 **Re: 58-60 Ninth Avenue**  
13 **West Chelsea Historic District**

14

15 Dear Chair Tierney:

16 Community Board 4 is writing in response to an application by the owner's architect for approval  
17 of proposed work at 58-60 Ninth Avenue.

18 The property is comprised of two buildings, which are connected at both the ground floor and the  
19 cellar floor. The work consists of:

- 20 - an addition of one entry door at the ground floor level of the façade, and
- 21 - the excavation of the cellar level to achieve further height.
- 22 -

23 As it pertains to the first item we are informed that the drawings were already reviewed by the  
24 preservationist, who has stated that it presents no issue. We agree with this determination.

25 It is the second item that needs a recommendation from us. Although this work is entirely  
26 interior it goes seven feet underground and any work that goes that far below ground must go  
27 before the landmarks Preservation Commission.

28 The applicant has informed us the neighboring buildings have been notified and meet with along  
29 with the requisite engineers. We have no objections to this work provided the neighboring  
30 buildings are not adversely affected and provided that all the necessary prep work and  
31 Department of Building permits (and any other required permits) are granted.

32 Sincerely,

33

34 Corey Johnson

35 Chair

36

Pamela Wolff

Chair, Landmarks Committee

37 cc: NYC Council Speaker Christine Quinn

1 **New Business**

**Item #: 23**

2

3 October XX, 2013

4 Margaret Forgione  
5 Manhattan Borough Commissioner  
6 NYC Department of Transportation  
7 59 Maiden Lane, 35<sup>th</sup> Floor  
8 New York, NY 10038  
9

10 **Re: Restaurant Row Improvement Project**

11

12 Dear Commissioner Forgione:

13 Manhattan Community Board #4 reiterates its support for the Times Square Alliance proposed  
14 improvements for Restaurant Row, including in-ground solar powered low-level lighting and restaurant  
15 listing signs near the intersection. Restaurant Row members and MCB4 supported this project last year  
16 and were pleased by the extensive outreach, communication and design improvements undertaken by the  
17 Times Square Alliance.

18 We request the assistance of the Department of Transportation in ensuring the project is expedited. We  
19 understand this may mean that the allocated funding be transferred to EDC or another agency and hope  
20 you might be able to assist streamline this process.

21 Both Restaurant Row Association and Times Square Alliance are valuable resources and community  
22 members and we appreciate their partnership with MCB4 on this and other projects.

23 We thus appreciate DOT's assistance in ensuring can be implemented in a timely fashion.

24 Sincerely,

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26 cc: Manhattan Borough President, Scott Stringer

27 Ellen Goldstein, Times Square Alliance

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