

1 **CHELSEA LAND USE COMMITTEE**

Item #: 1

2
3 December XX, 2013

4
5 Hon. Meenakshi Srinivasan, Chair
6 Board of Standards and Appeals
7 40 Rector Street New York, NY 10006

8
9 **Re: BSA No. 264-13 BZ; Special Permit at 257 West 17th Street, Manhattan**

10
11 Dear Ms. Srinivasan:

12
13 On the recommendation of its Chelsea Land Use Committee, and after a duly noticed public
14 hearing at the regular Board meeting on December 4, 2013, Manhattan Community Board 4
15 voted (____) to deny the granting of a special permit pursuant to ZR 73-03 to Brick Crossfit for a
16 Physical Culture Establishment (PCE) at 257 West 17th Street unless the conditions discussed
17 below are met.

18
19 **Background**

20
21 The Brick Crossfit gym opened in August 2013 before obtaining the required BSA special permit
22 for a Physical Culture Establishment. The applicant filed the application to BSA on September 6,
23 2013 and notified CB4 that same day.

24
25 According to the applicant, the facility consists of a total of 8,397 square feet, with 6,457 square
26 feet on the ground floor and 1,930 square feet in the cellar. “Brick Sport Performance” is a
27 fitness approach which focuses on gymnastics, weightlifting, strength training and varied
28 workouts performed at a high intensity. Developing community-building among members is also
29 a goal. The gym’s hours are:

30 Monday – Thursday: 6 am to 9 p.m.

31 Friday: 6 a.m. to 8 p.m.

32 Saturday: 8 a.m. – 2 p.m.

33 Sunday: 9 a.m. to 1 p.m.

34
35 The gym, which currently has 500 members, is accessed from its own entrance on the ground
36 floor. Condominium residences are located directly above the gym on floors two through ten.

37
38 At the October 21st and November 18th CB4 Chelsea Land Use Committee meetings [and
39 December 4th CB4 public hearing], residents at 257 West 17th Street complained that the noise
40 from the gym was unbearable and the vibrations shook their apartments (see below). They hired
41 an acoustical consultant who issued three reports (August, September and October 2013,
42 attached) on noise levels in apartments caused by the gym. Brick Crossfit gym also had an
43 acoustical consultant test noise and vibrations from the gym in apartments; that consultant issued
44 a report (October 2013, attached).

45

46 At the November 18th CB4 Chelsea Land Use Committee meeting, the two Brick gym owners
47 and their attorney stated that they are committed to modifying the gym so that residents would no
48 longer be disturbed by sounds and vibrations, and want to set up a dialogue with residents to
49 address issues.

50
51 The 257 West 17th Street Condominiums brought a lawsuit about the gym's disturbing noise and
52 vibrations to the New York Supreme Court. On November 15th, the judge issued an interim court
53 order that the gym is not to have classes before 7:30 a.m. or after 8:30 p.m. Condo owners are to
54 allow access to their apartments for additional sound and vibration testing. The case is to be
55 reviewed by the judge on December 4th.

56 57 **Issues**

58
59 The gym has been operating illegally since it opened in August before obtaining a special permit
60 pursuant to Section 73-36 of Zoning Resolution for a new health club.

61
62 At the October and November Chelsea Land Use Committee meetings and at the December 4th
63 CB4 public hearing, residents stated the following:

- 64
65 ▪ Gym members drop heavy weights; the thudding sounds are heard in apartments. These
66 sounds wake residents up between 5:30 and 6:30 a.m. The bangs are not occasional but
67 occur every 20 to 30 seconds. Children are disturbed doing their homework in the
68 evening from these thumping sounds.
- 69 ▪ The vibrations from the weights dropping shake the entire building. China rattles on
70 shelves. The vibrations travel to the 6th floor.
- 71 ▪ Bass noise is heard from music; instructors' directions are also heard.
- 72 ▪ Joggers gather in the morning in front of the building and jog on the sidewalks, blocking
73 pedestrians, creating an unsafe condition for pedestrians.
- 74 ▪ Residents would allow access to their apartments for sound/vibration testing on a regular
75 schedule.

76
77 Consultants' acoustical testing findings:

- 78
79 ▪ *Acoustilog* (Condo residents' consultant): The impulsive sound (and vibration) levels
80 from the weight drops are unreasonable and violates the Noise Code in every tested
81 apartment." "...the primary weight drop sound transfer is structure borne to all of the
82 floors through the inside of the building. Weight drop sound from the 1st floor to the 2nd
83 floor is also partly airborne." (September 2013 report)
- 84
85 ▪ *Shen Milsom Wilke* (Brick gym's consultant): "...weight drops were clearly audible all
86 the way up the building. Vibration from the weight drops was also perceptible in the
87 apartment floors. Typical music noise levels in the gym were not clearly audible in the
88 2nd floor apartments, and results showed no increase over the ambient levels when the
89 music was off." "...it appears that typical drops of the 135 lb barbell frequently exceeds
90 the code limits for impulsive noise on the 2nd floor, and while not as frequent, can exceed
91 code limits on the upper floors." (October 2013 report).

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Both acoustical consultants have suggested various solutions to correct the noise/vibration problem and to bring Brick gym into noise compliance. These modifications include:

- Adjusting the first floor floating floor by disconnecting it from adjacent building elements such as walls and columns
- Changing the spring or increasing airspace beneath the first floor floating floor
- Adding a lightweight wood floating floor on springs to the first floor and basement
- Adding soundproofing to the walls and ceilings of the first floor and basement
- Adding a heavy acoustically-isolated dropped ceiling to the first floor
- Disconnecting the basement slab from the surrounding structure
- Adding rubber padding or flooring on top of the floating floor
- Lowering music levels
- Prohibiting the dropping of weights.

Both consultants cannot confirm that any of the above mitigations would be sufficient to reduce noise levels enough to be code compliant.

CB4 Recommendations

The Board does not believe that the current Brick gym meets the findings in ZR 73-03 (a):

"...the hazards or disadvantages to the community at large of such special permit #use#...are outweighed by the advantages to be derived by the community by the grant of such special permit. In each case the Board shall determine that the adverse effect, if any, on the privacy, quiet, light and air in the neighborhood of such special permit #use#...will be minimized by appropriate conditions governing location of the site, design and method of operation."

Clearly the current facility is having an adverse impact on the residents at 257 West 17th Street. They do not have quiet in their apartments. Their homes vibrate. It is unclear whether or not the gym can mitigate this condition. Therefore, CB4 voted to deny the granting of the special permit for PCE unless the following conditions are met:

1. The sound and vibrations levels from the Brick gym, as measured in the residential units above, comply with the New York City Noise Code.
2. Noise and vibration levels are satisfactory to the condominium board.
3. The interim court ordered restrictions be maintained: no lifting of weights or classes before 7:30 a.m. or after 8:30 p.m.
4. Gym members who jog in groups no longer block city sidewalks.
5. A regular, structured communication system is established and utilized between building residents and the Brick gym.
6. The above conditions are in place before the BSA grants approval of the special permit for the Brick gym.

138 CB4 does not accept that operating a health club without the required special permit is “business
139 as usual” as the applicant’s attorney stated. This Brick gym application is a perfect example of
140 why the BSA review process is important. Perhaps some of the condo residents’ aggravation
141 could have been avoided if proper sound and vibration testing had occurred before the gym
142 opened. Effective mitigations might have been put into place before members began using the
143 facility.

144
145 Sincerely,

DRAFT

1 **CLINTON / HELL'S KITCHEN LAND USE COMMITTEE**

Item #: 2

2
3 December XX, 2013

4
5 Amanda M. Burden, Chair
6 City Planning Commission
7 22 Reade Street
8 New York, New York 10007

9
10 **Re: 606 W. 57 LLC c/o TF Cornerstone Inc.**
11 *C 130336ZMM (zoning map change)*
12 *N130337ZRM (zoning text amendment) Special Regulation in Northern Subarea C1*
13 *N130338ZRM (zoning text amendment) Inclusionary Housing Designated Areas*
14 *C 130339ZSM (Special Permit) Parking Garage*
15 *N130340ZAM (Authorization) Curb Cut*

16
17 Dear Chair Burden,

18
19 At its full board meeting on December 4, 2013, Manhattan Community Board 4 (MCB4)
20 reviewed an application by 606 W. 57 LLC (the "Applicant") for land use approvals to facilitate
21 the development of a portion of the block bounded by West 56th Street, West 57th Street,
22 Eleventh Avenue, and Twelfth Avenue in Manhattan with a new, mixed use residential and
23 commercial development which may include community facility, public parking and automotive
24 sales and service uses (the "Project" or the "Proposed Project").

25
26 The proposed actions include a rezoning of a portion of the block, an amendment to the Zoning
27 Resolution to designate the Project Area an Inclusionary Housing area, two text amendments to
28 the Zoning Resolution, a special permit for a public parking garage, and an authorization to
29 permit a curb cut.

30
31 The Board by a vote of ___ in favor, ___ opposed, ___ abstain, and ___ present but not eligible
32 **recommended approval** of the proposed rezoning, the amendment for Inclusionary housing,
33 and authorization for a curb cut, **recommended approval with a condition** on the text
34 amendment to allow an automotive showroom as it relates to the base residential floor area, and
35 **recommended denial** of the special permit for a garage **unless** the parking is accessory with a
36 maximum of 400 spaces.

37
38 **The Project**

39 The Project Area is located along the west side of Manhattan, on the northern edge of the Special
40 Clinton District and covers a portion of Manhattan Block 1104 bounded by Twelfth Avenue
41 (Route 9A) to the west, Eleventh Avenue to the east, West 56th Street to the south, and West 57th
42 Street to the north. The portion of the Project Area consisting of Block 1104, Lots 31, 40, 44, and
43 55 is owned by the Applicant and referred in the Board's letter as the "Development Site."

44
45 Immediately to the north of the Project Area is a C4-7 commercial district, the same district
46 proposed in this application. A portion of this block is developed with the Helena, a 38-story

47 residential building with 597 dwelling units, built in 2003. The remained of the block was
48 recently rezoned from an M1-5 district to a C6-2 district to permit the development of a new
49 high-rise, mixed-use residential and commercial building, a rehabilitated and expanded
50 residential building a small community facility building. This block is expected to be built to its
51 full adjusted maximum FAR of 8.80.

52
53 The block directly to the south of the Development Site is zoned M1-5 and M2-3 and contains a
54 five-story mixed office and retail building, a six-story building housing music studios, and
55 several two- to three-story commercial buildings. To the southeast, the portion of the block
56 between West 54th and West 55th Streets, zoned as an R9 residential district, is developed with a
57 38-story mixed residential and commercial building.

58
59 To the west of the Development Site is a large M2-3 district that extends from Route 9A into the
60 Hudson and includes Hudson River Park and several piers.

61
62 The applicant proposes development of the Proposed Project would provide new residential uses,
63 including affordable housing units, in the neighborhood, complement the existing residential
64 uses surrounding the Development Site and revitalize the vacant portions of the Project Area
65 with a mixed-use building.

66
67 **The Building**
68 The proposed land use actions would facilitate the development of an approximately 450-foot
69 high mixed-use building on the Development Site. The building would occupy the entire
70 Development Site and could include a maximum of approximately 999,636 zoning square feet in
71 total. The applicant expects to construct approximately 956,636 zoning square feet of residential
72 space (up to 1,189 residential units of which 20% or up to 237 units would be affordable), up to
73 approximately 106,900 square feet of public parking and approximately 42,000 zoning square
74 feet of retail or community facility uses.

75
76 The Mixed-Use Building is designed to include four distinct elements. It will rise to a maximum
77 of 450 feet (42 stories). On the eastern half of the Development Site would be two towers, each
78 up to 28 stories tall. These two towers would be perpendicular to one another and connected by a
79 20-foot wide glass bridge on all floors, which would take residents from the core in the
80 north/south tower to the apartments in the east/west tower. The glass bridge would create a visual
81 separation between the towers. A 14-story cube would sit atop the two towers. Atop the cube
82 would be a 20-foot tall parapet enclosing mechanical equipment. A fourth building element on
83 the western portion of the site would be oriented parallel to West 57th Street and designed to be
84 17 stories tall, with a setback at the seventh floor.

85
86 **Proposed Actions And MCB4 Comments**

87
88 1. Rezoning of a portion of the block bounded by West 56th Street, West 57th Street, Eleventh
89 Avenue and Twelfth Avenue in Manhattan from the existing M2-3 and M1-5 districts to a C4-7
90 commercial district.

91
92 *The Board recommends approval.*

93
94 The proposal would rezone the majority of the Project Area from an M2-3 manufacturing district
95 to a C4-7 commercial district. A small, southwestern portion of the Project Area (covering
96 approximately 15% of the area to be rezoned) would be rezoned from an M1-5 light
97 manufacturing zone to a C4-7 commercial district.
98

99 2. An amendment to the Zoning Resolution of the City of New York ("ZR" or "Zoning
100 Resolution"), section 23-90, Appendix F, to designate the Project Area an Inclusionary Housing
101 designated area.

102
103 *The Board recommends approval only in conjunction with the second action (inclusionary*
104 *housing).*

105
106 The Applicant proposes an amendment to Appendix F of the Zoning Resolution to designate the
107 Project Area an Inclusionary Housing Area in order to incorporate the benefits of the
108 Inclusionary Housing Program in the Proposed Project. Through the provision of affordable
109 housing, the Applicant would be permitted to build up to 12.0 FAR, up from a base residential
110 FAR of 9.0 without the bonus.

111
112 The Board is pleased that the development will result in at least 237 permanently affordable
113 units. The board asks that the applicant agree in writing to distribute the affordable unity
114 throughout 80% of the building and that the fixtures and finishes will be the same as the finishes
115 for the market-rate units. The Board also asks that all tenants be allowed to use any amenities
116 and that a reduced fee schedule be available to the affordable unit renters.

117
118 3(a) A text amendment to allow an automotive showroom with repairs, applicable to the Project
119 Area in the "Other Area" (Northern Subarea C1) in the Special Clinton District;

120
121 3(b) a text amendment to allow Zoning Resolution §96-34, applicable to the Project Area in the
122 "Other Area" (Northern Subarea Ca) in the Special Clinton District to provide a base residential
123 floor area ratio of 9.0 with affordable housing equal to 20% of the residential floor area on the
124 Development Site required to achieve the Inclusionary Housing bonus, which facilitates more
125 than one floor of commercial and community facility uses.

126
127 *The Board recommends approval of 3a.*

128
129 The proposed text amendment to ZR §96-34 would allow for a maximum base residential FAR
130 of 9.0 plus a FAR equal to 0.25 times the non-residential FAR provided on the zoning lot, up to
131 10.00 FAR, with the potential to reach up to 12.0 FAR only through the provision of affordable
132 housing pursuant to ZR § 23-90 (Inclusionary Housing).

133
134 *The Board recommends approval of 3b with a condition.*

135
136 The Board supports the auto showroom with repairs but strongly believes that when providing a
137 base FAR for the residential that the inclusionary housing be measured from 20% of the entire
138 floor area (residential and commercial) and not just the residential. Otherwise the community is

139 getting less affordable units for such a large project.

140

141 4. A special permit pursuant to ZR §13-45 for a public parking garage which would contain up to
142 500 spaces or, depending on the ground floor uses, up to 395 spaces.

143

144 *The Board recommends denial unless the garage is accessory parking only and the maximum is*
145 *400 spaces.*

146

147 In order to allow the Applicant to build the Proposed Garage with either 395 or 500 public
148 parking spaces as part of the Proposed Project, the Applicant is seeking a special permit pursuant
149 to ZR § 13-45 for both alternatives.

150

151 The Proposed Garage would replace the 1,000-space public parking garage being demolished as
152 part of the Proposed Project. The Proposed Garage would include either include 500 spaces on
153 three levels with entrances on both West 57th and West 56th Street, or 395 spaces with a garage
154 entrance and either 500 spaces on three levels with entrances on both West 57th and West 56th
155 Street, or 395 spaces with a garage entrance and exit on West 57th Street.

156

157 The Board also urges the Applicant to work with DOT to install split phase traffic lights on West
158 57th and Eleventh Avenue. The Applicant states that it will work with the Durst project across
159 57th Street to see if jitney service can accommodate both developments.

160

161 5. Authorization pursuant to ZR§ 13-441 to permit a curb cut on a wide street in Manhattan
162 Community District 4.

163

164 *The Board recommends approval.*

165

166 In order to accommodate ingress and egress from the Proposed Garage, the Applicant is
167 requesting an authorization to permit the extension of an existing curb cut along West 57th Street
168 by approximately 8 feet, from 14 feet to 22 feet and to remove all other curb cuts.

169

170 In addition, the applicant has agreed to plant more trees around the entire perimeter of the
171 proposed rezoning area as per the plan dated XXX and to work with Con Ed on the proper
172 placement of Con Ed vaults so to prevent the loss of space on the sidewalk for greening
173 purposes.

174

175 Along West 57th Street, there are six existing curb cuts on the Development Site, each measuring
176 between approximately ten feet and 63 feet, and one additional curb cut for the DSNY Garage.

177 The westernmost curb cut is approximately 157 feet from Twelfth Avenue and the easternmost
178 curb cut is approximately 100 feet from Eleventh Avenue. Along West 56th Street, there are two
179 curb cuts on the Development Site located in the mid-block, measuring approximately 17 feet
180 and 22 feet, respectively.

181

182 Thank you,

183 Corey/JD

184

1 **CLINTON / HELL'S KITCHEN LAND USE COMMITTEE**

Item #: 3

2
3 December XX, 2013

4
5 Amanda M. Burden, Chair
6 City Planning Commission
7 22 Reade Street
8 New York, New York 10007

9
10 Dear Chair Burden:

11
12 Manhattan Community Board 4 (MCB4) voted to approve in concept proposed changes in a text
13 amendment to the sliver law at it relates to Subareas D4 and D5 in the Special Hudson Yards
14 District (SHYD)*. The proposed text amendment would add those two subareas to the exemption
15 that already exists in the rest of the SHYD, but only in cases where the building would be
16 adjacent to an existing taller building.

17
18 MCB4's Clinton/Hell's Kitchen Land Use and Zoning Committee met three times to review the
19 proposed change and ultimately found the proposal reasonable, given the understanding that
20 there is no intent to seek exceptions to the FAR, height, and setback regulations of the underlying
21 R8A contextual zoning for a Quality Housing building.

22
23 The text amendment would allow a narrow building on a narrow street to have a height up to that
24 of the taller of the two adjacent buildings, as is already allowed on wide streets. In no event
25 could a building be taller than the 120' height limit of the underlying zoning.

26
27 The justifications are twofold:

28
29 (1) A narrow building becomes an unsightly "sliver" only when it is free-standing, i.e., only
30 when it is taller than the buildings on both sides of it. When it is equal to or shorter than the
31 building on either side, it cannot appear as an isolated sliver.

32
33 (2) The sliver law has the unintended consequence of deterring the development of small sites.
34 By effectively lowering the FAR of narrow lots only, and hence reducing their value as separate
35 development sites, small landowners are strongly incentivized to sell their property to developers
36 of adjacent sites who are assembling larger parcels. This might be positive in locations where
37 large assemblages are desirable, but that is certainly not the case where a 'finer grain' is
38 preferred, such as mid-block sites on side streets.

39
40 Sincerely,
41 CJ/JD

42
43 * David Solnick, a member of Manhattan Community Board 4 and the Clinton/Hell's Kitchen
44 Land Use and Zoning Committee, will be an applicant to this proposed text amendment and
45 owns property within Subarea D4 of the SHYD. He has openly disclosed his interest and did not
46 vote on this matter at either the Committee or the Full Board.

1 **TRANSPORTATION PLANNING COMMITTEE**

Item #: 4

2
3 December XX, 2013

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

10
11 **Re: Parking Regulation – 500 West 43rd Street**

12
13 Dear Commissioner Forgione:

14
15 Manhattan Community Board 4 (CB4) supports Canard Catering’s request to create a “Truck
16 Loading Zone” at 500 West 43rd Street, opposite their building located at 503 West 43rd Street.

17
18 West 43rd Street had been changed from a one way westbound street to a two-way street to
19 accommodate the Fire station located in the middle of the block. There is one moving lane
20 westbound, , and one car lane eastbound and a parking lane entirely dedicated to Authorized Fire
21 Vehicles . Because of this configuration Canard Catering cannot accommodate deliveries in and
22 out of its business, which are critical to its operation.

23
24 The Fire station has parking spaces reserved for its private vehicles on the entire length of the
25 block, which seems to exceed the amount customarily reserved at other stations. The proposed
26 change is located 300 feet away from the Fire Station.

27
28 We are requesting that on the south side of the street, approximately 100 feet west of Tenth
29 Avenue, the regulation be changed from “No Standing Any Time, except for Authorized Fire
30 Vehicles” to “No Standing Except Truck Loading and Unloading 8AM to 7PM except Sunday,
31 for a length of 30 feet between the Hertz garage and the Travel Inn Service entrance.”

32
33 The owner of the company has agreed to train its drivers to be vigilant to bicyclists at this
34 location where a bike lane shares the westbound car lane.

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37 Sincerely,

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1 **TRANSPORTATION PLANNING COMMITTEE**

Item #: 5

2
3 December XX, 2013

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

10
11 **Re: Parking Regulation 548 West 48th Street**

12
13 Dear Commissioner Forgione:

14
15 Manhattan Community Board 4 (CB4) supports Comfort Inn Midtown West's request to create a
16 "Hotel Loading Zone" at 548 West 48th Street, in front of the hotel.

17
18 The current regulation is "No Standing Except Truck Loading and Unloading 8 AM to 7PM
19 except Sunday. We are requesting that the regulation be changed to "No Standing, Hotel
20 Loading Zone" for 30 feet in front of the hotel.

21
22 The 47/48 Street block association and adjoining businesses have expressed support to the
23 change. The hotel has agreed to plant two trees in front of their property and to participate in
24 CB4 Job Program by posting open positions on CB4 website.

25
26 We welcome this new neighbor and ask you to expedite this request.

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29 Sincerely,

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1 **TRANSPORTATION PLANNING COMMITTEE**

Item #: 6

2
3 December XX, 2013

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

10
11 **Re: Parking Regulation Change – 275 Seventh Avenue at West 26th Street**

12
13 Dear Commissioner Forgione:

14
15 Manhattan Community Board 4 (CB4) supports the Unite Here building’s request to change the
16 parking regulation on the southeast corner of West 26th Street at Seventh Avenue to
17 accommodate a drop off and pickup for patients and handicapped persons accessing the large
18 medical facilities housed in the building.

19
20 275 Seventh Avenue, also known as the Unite Building, houses the medical offices of the Union
21 Health Care Center, and New York Cardiovascular Associates. The hundreds of patients using
22 these facilities arrive by ambulance, ambulette and access a ride services. Currently, such
23 vehicles double-park on Seventh Avenue with patients often having to navigate between parked
24 cars to access the curb.

25
26 To alleviate the problem, the building management is creating a new lobby dedicated to medical
27 services patients on West 26th Street around the corner. To make this arrangement effective, they
28 request that the daytime regulation “3 hour metered parking, Commercial Vehicles only, Others
29 no standing, Monday- Friday 8AM to 7 PM” and the night time regulation “No Standing 1AM –
30 7AM all days” be changed to: “No Standing Except Authorized Vehicles, Ambulette 7AM –
31 7PM Monday to Saturday” on West 26th Street for a length of 60 feet going east from Seventh
32 Avenue.

33
34 Residents have expressed concerns that the street is very congested and the vehicles will have to
35 park properly close to the curb and not idle. The applicant has committed to have a security
36 guard at all time to ensure there is no traffic obstruction or idling.

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38 Sincerely,

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1 **TRANSPORTATION PLANNING COMMITTEE**

Item #: 7

2
3 December XX, 2013

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

10
11 **Re: Seventh Avenue at West 25th Street**
12 **Bus stop relocation and change in parking regulation**

13
14 Dear Commissioner Forgione and Mr. Campbell:

15
16 Manhattan Community Board 4 (CB4) supports the Chelsea Mercantile Condominium Board's
17 request to relocate the bus stop and change the parking regulation on their block on the east side
18 of Seventh Avenue between West 24th and West 25th Streets.

19
20 This part of Chelsea east has experienced an explosive growth in the last 10 years. The Chelsea
21 Mercantile is home to 1,000 residents including 200 children. Whole Foods occupies the entirety
22 of the commercial spaces on the block frontage except for the entrance to the condominium.

23
24 There is a hydrant at the corner of West 25th Street, then going south, a bus stop and four parking
25 spaces at the corner of West 24th Street with a "No Standing 4PM to 7PM Monday thru Friday, 1
26 Hour parking 8AM to 4PM except Sunday" regulation.

27
28 The armored cars delivering Whole Foods cash to the bank often park illegally in front of the
29 hydrant and prevent buses to come close to the curb. Taxi drivers often drop-off customers in the
30 bus stop. The bus usually cannot access the curb and let off passengers in the street. When
31 handicapped persons get off the bus in the street, they have to navigate in the traffic to one of the
32 pedestrian ramps at either end of the block. The residents feel this situation is dangerous and
33 will lead to injuries if not corrected.

34
35 We request that the Bus stop be moved to a more traditional location, at the northwest corner of
36 Seventh Avenue and West 24th Street. The four parking spaces would be removed to make place
37 to the bus stop.

38
39 Simultaneously, we request that a new regulation of "No Standing Except Truck Loading and
40 Unloading" on the curb between the end of the bus stop and the hydrant.

41
42 Whole Foods and the condominium board both support his change that will improve
43 convenience and safety for bus riders and other users of the street.

44
45 Sincerely,

1 **TRANSPORTATION PLANNING COMMITTEE**

Item #: 8

2
3 December XX, 2013

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

10
11 **Re: Improvements to Long Distance Bus Permitting Process**

12
13 Dear Commissioner Forgione:

14
15 Manhattan Community Board 4 (CB4) has now reviewed two requests by the Department of
16 Transportation for Long Distance Bus Stops under new regulations to implement a state law
17 requiring city approval and Community Board review for intercity bus locations. Based on this
18 short experience, we would like to request some adjustments to this brand new procedure.

- 19
- 20 • A more holistic approach to granting bus permits in our area;
 - 21 • A complete set of information including the copy of the original application;
 - 22 • The use of both legal and commercial names on the web, the permit and the stop sign;
 - 23 • The publication of the full terms of each permit on the web as mandated by the rules.

24 **Planning**

25
26 Our foremost concern is the reactive and one-off nature of the current process, while the scale of
27 the problem calls for holistic planning:

- 28
- 29 • We were asked to approve a permit in a location shared with another bus company. Since
30 most of the issues are cumulative between the two companies, we had expected to receive
31 information about both in order to make a proper determination.
 - 32 • Our neighborhood harbors both long distance and commuter shuttles companies. Without
33 considering all the permits to be granted and the existing supply of spaces, we may
34 approve stops for long distance buses in locations that would be more appropriate for
35 commuter shuttles.

36 CB4 requests that for any permit on a shared curb space, or where there are already approved
37 stops (departures or arrivals), DOT provides information for all the companies on that block's
38 curb.

39
40 CB4 also requests that as much as possible, the permit applications be grouped together and
41 DOT work in advance with CB4 to identify suitable locations.

42
43 **Information**

44
45 A second concern and a critical one, is the incomplete information CB4 receives for each
46 request.

47 Subdivision d of section 4-10 of Chapter 4 of Title 34 of the Rules of the City of New York
48 provides that (i) An application for new Intercity Bus Permit(s) or for the renewal of Intercity
49 Bus Permit(s) must be submitted on a form provided by the Department, which will include, but
50 not be limited to, the following information:

51 (A) Name, address, telephone number, e-mail address and motor carrier number of the
52 intercity bus owner or operator, United States Department of Transportation number
53 and/or New York State Department of Transportation number for each bus that would use
54 the proposed location(s).

55 (B) Proposed on-street bus stop location(s) and two or more alternative locations for each
56 proposed location.

57 (C) Number of bus trips per day that would use the proposed location(s).

58 (D) Proposed intercity bus schedule for the proposed location.

59 (E) Final destination(s) of proposed bus service.

60 (F) Number of passengers per bus anticipated for each bus trip.

61 (G) Planned garage or other parking location of the bus during periods when the bus is
62 not being used to pick up or drop off passengers.

63
64 The information provided to CB4 has not included (B) two or more alternative locations
65 proposed, (F) the proposed number of passenger on each bus, and (G) the garage or parking
66 locations for layover. Some of the other data had to be requested separately.

67
68 In addition, we had previously indicated that the following information would be very useful for
69 the Community Boards to evaluate this and future applications:

- 70
- 71 ▪ Total peak arrival and departures permitted daily, and number of buses loading and
72 unloading per peak and non-peak hours; per company and per terminal location;
 - 73 ▪ Schedule of departures and arrivals for this application per company and per terminal;
 - 74 ▪ Location of layover buses (per company and per terminal);
 - 75 ▪ Routes used to reach city exits;
 - 76 ▪ Estimated size of area (in square feet) required to accommodate passengers
77 waiting/loading during peak and non-peak hour (using a reasonable estimated square feet
78 per passenger and passenger arrival time based on statistics at peak hours) per company
79 and per terminal;
 - 80 ▪ Estimated size of area (in square feet) required to unload arriving buses and to sell tickets
81 during peak and non-peak hour per company and per terminal;
 - 82 ▪ Current overall basic safety rating by the Federal Motor Carrier Safety Administration
 - 83 ▪ Current vehicle and vehicle turn counts at nearby intersections;
 - 84 ▪ Sidewalk location plan for passenger waiting/departing and food vendor carts (food
85 vendor carts typically locate near intercity bus loading/unloading areas) for this company
86 and others using the stop;
 - 87 ▪ Plan for rest room accommodations for waiting passengers;
 - 88 ▪ Number of staff allocated to manage the ground operation.
- 89

90 CB4 requests that a full copy of the Application be forwarded to the Community Board along
91 with the notification letter. This is a common procedure used by other agencies like DCA, or the

92 SLA. The balance of the information would be most useful to properly evaluate potential
93 impacts on the community of curbside terminal locations for intercity buses.

94 95 **Naming and Permitting**

96
97 There is currently much confusion about which company is actually permitted at a given stop.
98 One example is the company MCIZ being permitted at West 31st Street (between Eighth and
99 Ninth Avenues) but the buses stopping there are all marked GoBus.com. The same is true of
100 Gunther Buses, with all buses marked as Tripper.

101 This labeling poses a few problems:

- 102 ▪ What is the relationship between the permitted company and the bus operator? It was our
103 understanding that the law 's provision "bus permit applications include identification of
104 the intercity bus company, identification of the specific buses to be used," intended to
105 clarify those relationships for safety and accountability purpose;
- 106 ▪ How are customers to recognize the stop for the company if it is labeled with an obscure
107 corporate name? Currently companies install illegal sandwich boards to the stop for their
108 customers to recognize them;
- 109 ▪ How are customers to verify the safety information for a Tripper bus, if the bus company
110 registered and permitted is Gunther?
- 111 ▪ How are local residents to verify that GoBus.com is permitted at a location when the stop
112 bears the name of MCIZ? Would a 311 call be recognized by DOT to complain about
113 GoBus.com?

114
115 CB4 recommends that the names that appear on the buses and are known to the public appear
116 along the corporate name on all documents: street signs, the license issued the application
117 approved and the on-line list of approved stops.

118 119 **Transparency**

120
121 According to the Subdivision d of section 4-10 of Chapter 4 of Title 34 of the Rules of the City
122 of New York provides that (iii) The Department will post on its website all approved on-street
123 bus stop locations and a copy of all approved applications within thirty days of approval. We
124 were not able to find the copy of any approved applications on line.

125
126 CB4 appreciates the difficulty of putting in place new permits and procedures. We look forward
127 to continue working with DOT to make the process simpler and more effective for the public.

128
129 Sincerely,

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131
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136

1 **TRANSPORTATION PLANNING COMMITTEE**

Item #: 9

2
3 December XX, 2013

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

10
11 **Re: Gunther Bus Long Distance Curbside Terminal – West 31st Street**

12
13 Dear Commissioner Forgione:

14
15 At its December 4, 2013 Full Board meeting, Manhattan Community Board 4 (CB4) voted to
16 oppose a Long Distance Bus Curbside Terminal (On street Bus Loading and Unloading zone) for
17 Gunther Bus (DBA Tripper) on the north curb of West 31st Street just west of Eighth Avenue.
18 CB4 requests that the Department of Transportation (DOT) study a preferred alternative: that the
19 terminal be located on West 33rd Street between Tenth and Twelfth Avenues or to expand the
20 length of the West 31st Street terminal to three-bus lengths (210 feet).

21
22 There is an existing one-bus (70 feet) length terminal on the North side of West 31st Street along
23 the Post office, opposite 320 West 31st Street. Two companies Tripper and MCIZ (DBA
24 GoBus.com) share the terminal. GoBus.com is continuing its operation and Tripper is requesting
25 a new license, after two years of operation at this location. The stop is marked “temporary
26 construction regulation” so it is not clear where the permanent stop would be located on that
27 curb.

28
29 The proposed permit would allow 35 departures to Virginia/Maryland and 35 arrivals for Tripper
30 at that location. This would represent an average of 170 departures/arrivals per week for both
31 companies, with a peak of 32 on Fridays during the hours of 8:00 a.m. to 12 p.m. serving
32 existing destinations.

33
34 CB4 opposes the new license for several reasons.

- 35
- 36 ■ The available space is insufficient to accommodate the anticipated volume of buses
37 arriving and departing at the same time. There are many (14) occurrences, including at
38 peak traffic hours, when the schedule of arrival and departures of the two companies
39 necessitate two-bus stops. In one case, three-bus lengths would be required when two
40 departures and one arrival are scheduled at the same time. The West 34th Street
41 partnership has documented such situation, where three buses are seen parked at curbside.
42 The applicant indicated that when there is conflict, the buses circle around the block until
43 the space becomes available.
 - 44
45 ■ The traffic in this area is intense: West 31st Street is a single lane street that feeds directly
46 into the Lincoln Tunnel entrance on Dyer Avenue. There are significant back ups on

47 West 31st Street and on the Eighth Avenue turn lane, all the way to West 30th Street as it
48 sometimes takes ten minutes for a single car to turn onto West 31st Street from Eighth
49 Avenue. Navigating the bike lane at this intersection is truly hazardous. Buses cruising
50 around the block, on Ninth Avenue, West 30th Street, Eighth Avenue and back add to the
51 back-ups that plaguing this area due to the exit from the Lincoln Tunnel at West 30th
52 Street. In fact, Penn South residents have often reported that long distance buses use their
53 residential streets (West 28th to West 23rd) to the south as a detour. It would be poor
54 planning to institutionalize such illegal behaviors.
55

- 56 ■ No layover location has been identified. Again, Penn South residents have often
57 complained that their residential streets are being used illegally for bus parking. There are
58 no designated bus parking spaces in the vicinity that would be appropriate to serve this
59 terminal.
60
- 61 ■ There is construction underway at the Northwest corner of West 31st Street and Eighth
62 Avenue. This is part of the larger construction just starting for the Post Office building.
63 We expect the construction zone to expand. It seems preferable to relocate this bus
64 company once instead of multiple times in the coming months.
65
- 66 ■ Buses have been observed idling continuously during loading and unloading even
67 though they are located right across the street from the TCI College of Technology. The
68 operator also uses illegal sandwich boards to advertise their terminals. Although we
69 asked the operator to remove the signs, they did not do so.
70
- 71 ■ The Federal Motor Carrier Safety Administration has flagged Gunther Charter for Unsafe
72 Driving Basic Overall status as being worse than 81.9 % companies in the group. It is
73 not prudent to let such carriers travel on streets with a heavy pedestrian and bicycle
74 traffic.
75
- 76 ■ Neighboring business organizations spoke up in opposition to this terminal.
77

78
79 CB4 opposes granting the license for a Long distance Bus Curbside Terminal at this location as
80 proposed. We ask the applicant and the Department of Transportation to evaluate the following
81 alternatives and to present their findings at the December Transportation Committee.
82

- 83 ■ There are two possible locations for a one-bus terminal, on West 33rd Street between
84 Tenth and Eleventh Avenues on the North side of the street, and one possible location on
85 West 33rd Street west of Eleventh Avenue, west of the Bolt Bus terminal. This would be a
86 vastly better option since it would remove traffic from a very congested area and remove
87 illegal thru traffic and parking in residential areas. This is CB4's preferred option.
88
- 89 ■ Create two distinct stops on West 31st Street one for each company, and an additional
90 arrival stop shared between the companies, for a total of three bus lengths and identify a
91 permitted layover location.
92

93 Additionally, CB4 requests that the following method of operations, agreed to by the applicant,
94 be included in the permit:

- 95 ▪ Applicant personnel will be on site at the stop 30 minutes before the departure or arrival
96 time and keep order on the sidewalk until the buses departs;
- 97 ▪ The passenger queues will be four feet wide, aligned along the building, delimited by
98 post and ropes or stanchion system;
- 99 ▪ Buses will not idle; no sandwich boards will be used.

100

101 Thank you for your assistance and partnership with CB4 in implementing an appropriate and fair
102 intercity bus location application review process.

103

104 Sincerely,

105

106

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DRAFT

1 **NEW BUSINESS**

Item #: 21

2
3 December XX, 2013

4
5 Santacon
6 TBD

7
8 **Re: Santacon Community Outreach**

9
10 To Whom It May Concern:

11
12 Manhattan Community Board 4 is writing to express our concerns regarding Santacon and the
13 effects it has on the communities it visits. Each year our community board is besieged by
14 complaints as Santacon passes through the neighborhoods of MCB4.

15
16 While Santacon may be a short-term boon to a select group of local businesses, the many adverse
17 impacts it wreaks, such as vomiting in the streets, public urination, vandalism and littering,
18 disrupt community members' quality of life. MCB4 recognizes that at any large event, a few bad
19 actors may disrupt an otherwise orderly affair, but at previous Santacons bad actors have hardly
20 been the exception.

21
22 As such, significantly more must be done to combat the neighborhood scourge Santacon has
23 become. Further, no matter the behavior of the participants, the event has grown large enough to
24 completely overwhelm sidewalks and public spaces, creating a public safety hazard for all.

25
26 MCB4 strongly urges you to work with the New York City Police Department in order to come
27 up with a more effective plan to combat public intoxication and to ensure all participants are
28 respectful of the neighborhoods they visit, as well as handling the overwhelming crowds
29 associated with an event this size.

30
31 In addition, MCB4 urges you to make this plan available to all affected local Community Boards
32 as well as local elected officials well in advance of your event so that they have time to comment
33 and help shape it.

34
35 Sincerely,

36
37 CJ/DP

38
39 cc.: All local electeds

40

1 **NEW BUSINESS**

Item #: 22

2
3 December XX, 2013

4
5 Hon. Jimmy Van Bramer
6 City Council Member
7 City Hall
8 Room 5
9 New York, NY 10007

10
11 **Re: Citywide Cultural Plan**

12
13 Dear Council Member Van Bramer:

14
15 Manhattan Community Board 4 (“MCB4”) has an extensive history as a vibrant cultural
16 community, and our Board has consistently supported initiatives that enhance the role of the arts
17 in New York City.

18
19 As such, we are writing in support of the legislation you have recently introduced at the New
20 York City Council which would require the City of New York to have and implement a
21 synergistic cultural plan. The bill calls on the City to analyze its current cultural priorities,
22 determine how different communities are being served, how it proposes to improve these
23 services, determine the living conditions of artists in this City today and plan how NYC will
24 remain an artist friendly city in a time of skyrocketing rents and other economic pressures.

25
26 We are aware that other major cities across the country routinely make integrated cultural plans
27 that reflect the needs and desires of their residents for a robust and effective cultural policy and
28 yet NYC has never conducted a systematic cultural plan.

29
30 MCB4 recognizes that artists struggle to make a living from their craft while making great
31 cultural contributions to the City in which they live. We also believe that the performing and
32 visual arts are an essential factor in the quality of life for all of our residents, a key element of
33 attracting and retaining creative commercial and business talent, as well as an important source
34 of revenue from domestic and international visitors to our City.

35
36 It is vitally important for an area such as ours that culture be supported City-wide so New York
37 City remains the world cultural capital it is, and in hopes that a cohesive cultural plan will help
38 improve living conditions for artists so they may continue to create the works that our city can be
39 proud of.

40
41 Thank you for introducing this important legislation and please let us know how MCB4 can
42 support your efforts in support of the arts.

43
44 Sincerely,

45
46 cc.: All City Council members

1 **NEW BUSINESS**

Item #: 24

2
3 December XX, 2013

4
5 Maria Torres-Springer
6 Chief Operating Officer
7 Friends of the High Line
8 529 West 20th Street, Suite 8W
9 New York, NY 10011

10
11 **Re: "Bowl" over West 30th Street and Tenth Avenue**

12
13 Dear Ms. Torres-Springer:

14
15 On November 14 Community Board Four's Waterfront, Parks, and Environment Committee
16 hosted a presentation by the Friends of High Line about the High Line's planned "Bowl" over
17 Tenth Avenue at West 30th Street (the Bowl). The presentation took the time to review the status
18 of section 3, but the real focus was a presentation of the Bowl.

19
20 The 100 foot by 80 foot bowl is in an advanced stage of concept design. The committee found
21 the design to be attractive and intriguing. It will permit visitors a wooded retreat away from
22 nearby, extremely tall buildings approaching 1000 feet in height. The Bowl will include restroom
23 facilities as well as backroom storage for the High Line itself. The approximate cost of Section 3
24 of the High Line will be:

25
26 \$37M Section 3 Phase 1 (from end of Section 2 to 34th Street)
27 \$39M Section 3 Phase 2 (Passage + Spur and Bowl)
28 \$76M Total

29
30 Sources of funding for Section 3 are as follows:

31
32 \$29M Related funding required through the Eastern Rail Yard text amendment
33 \$11M City/Council contribution
34 \$36M Friends of the High Line funding (currently in process)
35 \$76M Total

36
37 The committee appreciated the addition of this potential amenity to our community while it also
38 had several concerns.

39
40 When asked where the rainwater would go, the committee was told approximately 70% water
41 would be absorbed by the plantings within the Bowl and the rest would go into the storm
42 water/sewage system as is the case with much of the High Line. We suggested the High Line
43 consider a stormwater retention system and, importantly, include appropriate public education
44 surrounding that effort. We are pleased to have learned that the High Line is seriously
45 considering this suggestion and look forward to understanding how it has been incorporated into
46 this project.

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A committee member also wondered what the effect of reflected light from surrounding tall buildings' reflective surfaces would have on those using both the Bowl and the rest of the spur. This space seems perfect for public events or shows. The committee is concerned that these events be limited in number and that they do not include closing of nearby sections of the High Line or the streets below.

We appreciate the continued conversation the High Line has had with us about their plans for our community including a recent tour of Section 3 and look forward to continuing conversations.

Thank You.

Sincerely,

CJ/MdK/DR

DRAFT

1 **NEW BUSINESS**

Item #: 25

2
3 December XX, 2013

4
5 Madelyn Wils
6 Hudson River Park Trust
7 Pier 40 at W. Houston St.
8 New York City, NY 10014
9

10 **Re: RFP for Hudson River Park Boathouse Operators at Piers 26, 66, 84 & 96**

11 Dear Ms. Wils:

12
13
14 Manhattan Community Board 4 (MCB4) is pleased that the Hudson River Park Trust has issued
15 Requests for Proposals for the four Boathouses in the Park. Three of the Boathouses are in
16 MCB4, which are Pier 66 at West 26th Street, Pier 84 at West 44th Street and Pier 96 at West 56th
17 Street. Considering the reconstruction of Pier 26, which is not in our district, we agree it makes
18 sense to review and possibly refresh the usage for all four locations.
19

20 MCB4 supports the stated goals of the RFP for the four Boathouses in Hudson River Park:

- 21 ■ Provide the public with consistent, safe and affordable access to the Hudson River;
- 22 ■ Satisfy the boating interests of a wide range of users and encourage safe boating on the
23 Hudson River by potential new users through instructional programs;
- 24 ■ Ensure that safe and reliable equipment and facilities are provided to adequately support
25 the
- 26 ■ boating programs at each Facility; and
- 27 ■ Ensure that the Facility structures are maintained in good condition under the operating
28 standards established by the Trust; and
- 29 ■ Provide a balance of low-cost or no-cost access to Permittees operating without profit, as
30 well as access by private, for-profit Permittees who can meet public demand as well as
31 provide financial support for Park operations
32

33 As our district is boarded by the Hudson River, access to the waterfront and the River itself adds
34 to the quality of life for those that work and visit our district as well as MCB4 residents. This is
35 why we are especially pleased the RFP stipulates that each of the four Boathouses must function
36 as a public boat launch site during the hours of operation of the facility occupying the Boathouse.
37 We agree that a mix of diverse boating activities including the potential for up to 40 foot
38 sailboats at Pier 66 coupled with public access to launch on the Hudson River makes Hudson
39 River Park an attractive destination for visitors. It certainly lends itself to being an active part of
40 our district.
41

42 MCB4 looks forward to receiving updates from the Trust on the progress of this set of RFPs.

43
44 Sincerely,

45
46 CJ/MdK/DR

1 **NEW BUSINESS**

Item #: 26

2
3 December XX, 2013

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

10
11 **Re: Hispanic Transportation Services**

12
13 Dear Commissioner Forgione:

14
15 Manhattan Community Board 4 (CB4) has learned that Hispanic Transportation Services' drop
16 off stop at 330 West 42nd Street is renewed. We are surprised and disappointed that this stop was
17 grandfathered and not brought to the board for review. We request that all permits to be located
18 on or in the vicinity of West 42nd Street between Eighth and Ninth Avenue be brought to the
19 community board for review.

20
21 On August 6, 2013 CB4 sent to the Department of Transportation a letter (attached) specifically
22 indicating that certain stops warrant fuller discussion and, likely, replacement stops. We
23 appreciated that DOT already brought stops on West 34th Street to the Community Board for
24 review and that a mutually agreeable location was found.

25
26 The letter also focused on the area along West 42nd Street between Eighth and Ninth Avenues,
27 and listed all the companies that have a stop on that stretch. It requested that their stops not be
28 renewed without a review by the CB4.

29
30 We have many concerns with a drop off stop for Hispanic Transportation Services at 330 West
31 42nd Street:

32
33 First this company has not had an official drop off stop indicated on this stretch of West 42nd
34 Street. How could have it been permitted but have no signs? Is it operating under a different
35 name? Is it really a renewal or a new stop? This calls in question the reliability of the permitting
36 process if permitted stops have no signs and cannot be identified by the community.

37
38 CB4 indicated in its letter its concerns and the desire to relocate stops currently located along this
39 stretch of West 42nd Street where they are in a bus lane and impede the progress and reliability of
40 the M42, a vital transportation link for our residents of the far west side. In view of the board's
41 notification, it is surprising that DOT proceeded with this approval at the expense of Bus
42 transportation.

43
44 Hispanic Transportation Services has horrendous safety ratings in the areas of Hours of Service
45 compliance (worse than 62% of comparable companies) and in Driver Fitness - meaning lack of
46 training, experience or medical qualification- worse than 96% of comparable companies. Is it

47 reasonable to direct this operator to the densest areas in New York City in terms of pedestrians?

48

49 This company advertises that it uses Gate 56 at the Port Authority Bus Terminal. If this is
50 verified, why grant them a drop off area at curbside? Should not it be DOT's goal to direct as
51 much traffic to the terminal instead of increasing the congestion on the streets?

52

53 We look forward to receiving answers to our questions and a copy of the permit granted with the
54 schedule, the number of buses for each drop off, the number of passengers in each bus. We also
55 request that all permits to be located on or in the vicinity of West 42nd Street between Eight and
56 Ninth Avenues be brought to the community board for review.

57

58

59 Sincerely,

60

61 CJ/CB/ JM

DRAFT

1 **NEW BUSINESS**

Item #: 27

2 November 26, 2013

3
4 Cristin D. Burtis
5 Street Activity Permit Office
6 100 Gold Street, 2nd Floor
7 New York, NY 10038
8

9 **Re: Feast of Immaculate Conception 2013**
10 **Event ID# 121218**

RATIFICATION

11
12 Manhattan Community Board 4 (MCB4) recommends denial of the street activity application by
13 Feast of Immaculate Conception for Sunday, December 8, 2013 from 9:00 a.m. to 6:00 p.m. for
14 West 15th Street between Eighth and Ninth Avenues*.
15

16 As stated in our March 6, 2013 letter (see attached) to you, it is the position of MCB4 to deny
17 street fairs on residential blocks if the residents of that block have opposed such events and when
18 there is a viable alternative on a commercial street. In the past this event has taken place on West
19 14th Street between Eight and Ninth Avenues and has been approved by both us and Manhattan
20 Community Board 2 (MCB2), which represents the south side of West 14th Street.
21

22 The SAPO online system shows that the applicant originally filed for West 14th Street between
23 Eight and Ninth Avenues and that MCB2 has approved it. We would approve this application for
24 that street too.
25

26 Our March 2013 letter questioned a rumored policy of SAPO to not allow street activity events
27 on 14th Street. This letter was never answered. Another proposal to move a street activity event
28 from 14th Street (a large commercial street) to 15th Street (a small residential street) is
29 unacceptable and we unequivocally deny this application.
30

31 Sincerely,



32
33 Corey Johnson
34 Chair

DRAFT