

2
3 February XX, 2015

4
5 Ms. Madlyn Wils
6 President and Chief Executive Officer
7 Hudson River Park Trust
8 Pier 40, 2nd Floor
9 353 West Street
10 New York, NY 10014

11
12 **Re: Missing Dock at Pier 96**

13
14 Dear Ms. Madelyn Wils,

15
16 As you are aware the Manhattan Community Boathouse’s floating dock at Pier 96 was stolen in
17 October. Without any leads in the investigation the Manhattan Community Boathouse decided
18 to begin a fundraising campaign to cover the cost of a new dock. The funds needed for a
19 replacement dock total \$30,000. Manhattan Community Board 4 is concerned Manhattan
20 Community Boathouse will not be able to operate if they cannot come up with the funds by the
21 end of February. MCB4 is reaching out to Hudson River Park Trust to inquire as to what
22 assistance can be offered to Manhattan Community Boathouse.

23
24 The Manhattan Community Boathouse is a non-profit organization offering free kayaking.
25 During the 2014 season, Manhattan Community Boathouse helped over 20,000 people enjoy free
26 kayaking on the Hudson River. This wonderful volunteer run program in our district is valuable
27 to residents and visitors alike. Free access to the Hudson River is a rare and precious amenity in
28 Hudson River Park and MCB4 would like this service to continue.

29
30 While Manhattan Community Board 4 is cognizant of the financial shortfalls of the Hudson
31 River Park Trust, we would hope that every effort is being made to keep Manhattan Community
32 Boathouse afloat at Pier 96. Manhattan Community Boathouse was chosen for Pier 96 because
33 they satisfied the stated goals of the Request For Proposals for the four Boathouses in Hudson
34 River Park, which were:

- 35 • Provide the public with consistent, safe and affordable access to the Hudson River;
 - 36 • Satisfy the boating interests of a wide range of users and encourage safe boating on the
37 Hudson River by potential new users through instructional programs;
 - 38 • Ensure that safe and reliable equipment and facilities are provided to adequately support
39 the boating programs at each Facility; and
 - 40 • Ensure that the Facility structures are maintained in good condition under the operating
41 standards established by the Trust; and
 - 42 • Provide a balance of low-cost or no-cost access to Permittees operating without profit, as
43 well as access by private, for-profit Permittees who can meet public demand as well as
44 provide financial support for Park operations.
- 45

46 The unfortunate and unprecedented incident of theft from a HRPT Pier is disturbing in and of
47 itself, but the potential loss of an activity on a completed pier in our unfinished part of the park
48 would be quite a blow for MCB4 residents, visitors and all users of the Park. The presence of
49 free kayaking at Pier 96 enlivens the area.

50

51 MCB4 has been making fellow residents aware of the plight of Manhattan Community
52 Boathouse and those that can have made contributions towards the replacement of the dock.
53 MCB4 is unaware of how HRPT is helping. Some suggestions on how HRPT can assist the
54 Manhattan Community Boathouse continue their operations this upcoming season include:

- 55 • Monetary donation
- 56 • Reduction of Pier 96 rent for a finite period
- 57 • Solicitation of funds on behalf of Manhattan Community Boathouse from existing
58 HRPT benefactors
- 59 • Advertise the fundraising effort on the HRPT website or through mailers and
60 publications

61

62 Any or all of the above suggestions may ensure MCB4 continues without interruption to be
63 home to a well-received and thoroughly enjoyable amenity of Hudson River Park. Free
64 kayaking offered by volunteers speaks to the spirit of the Park and it is our hope HRPT does all
65 within its power to preserve the operation of the Manhattan Community Boathouse.

66

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68

69 Sincerely,

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71 Christine Berthet
72 Chair

Maarten de Kadt Co-Chair
Waterfront, Parks &
Environment Committee

Delores Rubin Co-Chair
Waterfront, Parks &
Environment Committee

73

74

75

76 cc:

Brad Hoylman, NY State Senator
Richard Gottfried, NY State Assemblymember
Linda B. Rosenthal, NY State Assemblymember
Jerrold Nadler, Congressmember
Gale Brewer, Manhattan Borough President
Corey Johnson, NYC Councilmember
Kaitlin Petersen, Manhattan Community Boathouse

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84

1 **Quality of Life Committee (QoL)**

Item#: 09

2
3 February 5, 2015

4
5 Street Activity Permit Office
6 100 Gold Street, 2nd Floor
7 New York, NY 10038

8
9 **Re: Street Activity Permit Renewal Application 2010 Applicant: Hell's Kitchen Flea Market**

10 Location: West 39th St (Ninth and Tenth Avenues)

11 Date: Every Saturday & Sunday, Starting January 3, 2015

12 Time: 9:00 a.m. – 4:00 p.m.

13 EVENT ID#: 188659

14
15
16 On January 12, 2015 the Quality of Life committee of Manhattan Community Board 4 (CB4)
17 recommended the renewal street activity permit for the Hell's Kitchen Flea Market (HKFM),
18 subject to all existing stipulations (attached) and new stipulations indicated below:

- 19
20
- 21 • HKFM Operators will follow a revised the site plan that includes an accommodation of a
22 moving lane of traffic adjacent to the south curb of the street from 9th Avenue to allow
23 residents, visitors, and deliveries access to the garage entrance and loading bay at 515
24 West 9th Avenue, approximately 100 feet west of 9th Avenue. This lane is in addition to
25 the required Fire Lane.
 - 26 • HKFM operators will cone off the travel lane from the rest of the flea market area and
27 will be permanently accessible to vehicles entering and exiting the garage during the
28 HKFM set up and operations hours.

29
30 During these periods, HKFM will post a dedicated traffic coordinator to open and close
31 the barricade at 9th Avenue. This person will be different from the one manning the
32 information booth.

- 33
- 34 • HKFM will post a panel on the barricade to inform the public of the parking access and
35 parking rates. The hotel will provide the text and design for this panel to HKFM
36 management who will procure and install the panel as soon as possible.
 - 37 • HKFM, along with CB4, will continue to monitor the impact the revised site plan has on
38 the residents and business on the block and will meet with CB4 to review any issues in
39 advance of the next renewal period.

40
41
42 At its full board meeting in February 4th, 2015, the full board approved this application.

43
44 Sincerely,

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46

47 Christine Berthet Tina DiFeliciano David Pincus
48 Chair Co-Chair Co-Chair
49 Quality of Life Committee Quality of Life Committee
50

51 Enclosure: 2006 CB4 Approval and Stipulations
52

53 cc: Alan Boss, Hell's Kitchen Flea Market
54 Fred Velastegui, Casa Time Square Hotel
55 Jessica Charitos, Domani Consulting
56
57

DRAFT

1 **Quality of Life Committee (QoL)**

Item #: 10

2
3 February XX, 2015

4
5 Kevin Kim
6 SLA Commissioner
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

10
11 Dear Commissioner Kim,

12
13 The Quality of Life Committee of Manhattan Community Board 4 (MCB4) would like to
14 welcome you to the vibrant and diverse communities of Chelsea and Hell's Kitchen.

15
16 As you may know, these neighborhoods have been and continue to be experiencing increasing
17 nightlife activity, resulting in an abundance of complaints regarding significant disruption to
18 residents' quality of life. MCB4 therefore requests your participation in a "ride-along" similar to
19 those that have been conducted in collaboration with other Community Boards.

20
21 The heavy concentration of alcohol-serving establishments within MCB4, as well as their
22 proliferation on predominantly residential small side streets, has created overwhelming noise and
23 sidewalk congestion. This is especially onerous when patrons enter and exit bars, clubs and
24 restaurants (often in groups); when customers smoke on sidewalks; when taxis stop to pick-up
25 and drop-off patrons; and when cars circle the streets seeking parking. Since many of these
26 businesses operate during late night hours, the noise also causes considerable disruption to the
27 sleep of residents, including children

28
29 MCB4 has surveyed the types of businesses located on the most commercial avenue blocks in
30 the district and has found that many have an over-concentration of alcohol-serving
31 establishments—in some areas they exceed 50% of the street footage of all lots on the block.

32
33 We are hopeful that a "ride-along" can be organized in the next few months. Ideally, it would
34 take place during late weekend hours with a route determined by NYPC and MCB4. Please let
35 us know how we can assist your efforts in arranging this ride-along.

36
37 Thank you once again for working with the community to manage and resolve quality of life
38 issues. We look forward to hearing back from you soon.

39
40 Tina, David and Christine

41 Cc: Electeds, State Agencies, i.e., SLA, DEP, Block Associations

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44
45

2
3 January XX, 2015

4
5 Ms. Vicki Been
6 Commissioner
7 NYC Dept. of Housing Preservation and Development
8 100 Gold Street
9 New York, NY 10038

10
11 **Re: 330-332 West 51st Street**
12 **SRO Preservation Proposal**
13 **Lantern Group**

14
15 Dear Commissioner Been,

16
17
18 The proposal for 330-332 West 51st Street (the “Project”) for the Single Room Occupancy (SRO)
19 Preservation (the “Proposal”) by the Lantern Group (the “Applicant”) was discussed at the
20 January 15th, 2015 meeting of Manhattan Community Board 4’s (CB4) Housing Health and
21 Human Services (HH&HS) Committee.

22
23 **Background**

24
25 The agreement between the Mayor and City Council over the development of the Western Rail
26 Yards (WRY), known as the Western Railyards Points of Agreement (WRY POA), contained, as
27 one of the affordable housing commitments, the preservation of SRO units:

28
29 (e) SRO Preservation: HPD will work with the local Council Member and CM to
30 preserve up to 150 units of privately owned SRO housing. The Council Member
31 and CB4 acknowledge the difficulties inherent in and lengthy timeframe needed to
32 accomplish these private acquisitions. To the extent that such acquisition(s) can be
33 negotiated. HPD will use its programs to acquire **and rehabilitate** these SRO units.
34 (emphasis added)¹

35
36 Since the WRY will produce the greatest concentration and some of the highest end luxury
37 housing in the City of New York, affordable housing produced as part of the WRY POA must
38 be permanent and of the highest quality.

39
40 As a means to achieving this commitment, CB4 approached Lantern Group as a qualified non-
41 profit to identify SRO sites as part of this commitment. Lantern brought sites on West 45th, 56th
42 and West 51st Street to CB4 for consideration. After conducting the appropriate due diligence
43 Lantern Group acquired 330-332 West 51st Street in 2011.

44
45 **2011 Lantern Presentation**

¹ Points of Agreement -Western Rail Yards 2009, section 3, subsection e.

46 On May 19, 2011 the Lantern Group presented preliminary plans to CB4 for the renovation of
47 330-332 West 51st Street. CB4 responded in a letter dated June 1, 2011 (copy attached) with a
48 number of comments, concluding with:

49

50 “CB4 appreciates the desire to preserve the large number of units that these two buildings
51 contain, however the goal is not to preserve outmoded arrangements but instead to create
52 highly livable units. Therefore, CB4 is interested in creating:

53

- 54 • Larger, more livable rooms
- 55 • Better kitchen facilities
- 56 • More bathrooms
- 57 • ADA accessible units”

58

59

60 **2012 Lantern Presentation**

61 On September 20, 2012 the Lantern Group presented an updated proposal to CB4. The plan now
62 encompassed a greater degree of renovation, including installation of an elevator. However, the
63 plan still did not call for full gut renovation of the two buildings. CB4 responded in a letter dated
64 October 12, 2012 (copy attached) with a number of comments, including:

65

66 “While preservation of these buildings is an opportunity to renovate valuable units, CB4
67 can only support the highest standard of renovation.” and

68

69 “Rooms should be a minimum of 150 square feet; CB4 understands that layout changes and
70 room reconfiguration will result in a reduction in the unit count but the Board supports high
71 quality housing over high unit counts “

72

73 “CB4 requests full relocation of the existing tenants via relocation agreements that have been
74 negotiated and executed prior to the commencement of the renovation of each building. “

75

76 “CB4 cannot support a project that does not comply with ADA and HPD adaptability and
77 accessibility requirements.”

78

79 Lantern agreed to return to the CB4 with revised plans prior to proceeding. CB4 offered to assist
80 Lantern in with HPD to provide an adequate renovation budget to meet the tenants’ and
81 neighborhood’s need.

82

83 **2013 & 2014**

84 During 2013 and 2014 tenants from 330-332 West 51st attended meetings of the Housing, Health
85 and Human Services Committee seeking information regarding the proposed renovation of the
86 buildings. During that same period the Lantern Group did not request to appear on the
87 Committee’s agenda.

88

89 At the November 19, 2014 meeting, CB4 heard from the tenants of 330-332 West 51st Street for
90 their concerns regarding current poor building conditions, tenant relocation, asbestos removal,
91 lack of communication from Lantern and renovation plans. In response to those concerns, CB4
92 wrote to HPD on December 17, 2014 outlining these issues (copy attached) with a request to

93 meet with its Division of Special Needs Housing. In that letter CB4 reiterated its concerns noted
94 above in its 2011 and 2012 letters and again noted:

95
96
97 **“(the)Board supports high quality housing over high unit counts” and**
98

- 99
- 100 • **“The scope of work should be a full gut renovation including new finishes**
101 **and mechanical systems, reconfiguration of rooms to suite arrangements, an**
102 **on-site laundry room and community facility space for on-site supportive**
103 **services; and**
 - 104
 - 105 • **All bathrooms should be either ADA-adaptable or ADA-accessible.”**
106 (emphasis added)
107

108 **January 2015 HPD Meeting**

109 On January 13, 2015, CB4 Co-Chair members Barbara Davis, Joe Restuccia and Housing
110 Committee member Sarah Desmond, and CB4 Community Planner Erica Baptiste met with
111 Special Needs Assistant Commissioner, Jessica Katz and Planning Director, Ray Hodges and to
112 discuss above detailed items seeking to come to resolution on addressing CB4’s concerns
113 communicated to Lantern since 2011. CB4 was informed during this meeting that the renovation
114 plans had been approved by the Department of Buildings and construction financing closed by
115 HPD. Still, CB4 remained hopeful that working with both HPD and Lantern, a renovation plan
116 could be achieved which would meet the tenants’, the community’s needs and WRY POA
117 requirements.
118

119 **2015 Lantern Presentation**

120 On January 15, 2015, *27 months after the prior presentation*, Rafal Markwat, the Lantern
121 Project Manager and Akiko Kyei-Aboagye from Urban Architectural Initiatives the Lantern
122 Group presented an updated proposal to CB4. Unfortunately, while addressing some items, the
123 proposal raised a host of additional issues. The presentation was followed by *three and half*
124 *hours of discussion* by the Committee Members, tenants and public. The Board’s response is
125 detailed below
126

127 **Proposed Project & Moderate Renovation**

128 The Proposal calls for *moderate not gut rehabilitation* of 330-332 West 51st Street, with the
129 combination of the two walk up buildings into one elevator multiple dwelling. The number of
130 SRO Rooms will be reduced from 140 to 112 with the retention of 52 existing tenants with the
131 remaining 60 SRO Rooms available for rent by homeless individuals under New York 3
132 Agreement.
133

134 Element of the renovation were presented as follows:
135

- 136 • Reduction in the number of units from 140 to 112 units
- 137 • Installation of an elevator in the building providing ADA access to all units
- 138 • Increase in the number of bathrooms per floor from **XX to YY**
- 139 • Provision of ADA bathrooms, on 1st floor only

- 140 • Installation of grab bars and low flow toilets in all bathrooms
- 141 • Installation of compact kitchens (Dwyer Units) in all units
- 142 • Leveling floors throughout the building
- 143 • Inclusion of front desk security area
- 144 • Inclusion Social Services offices in the cellar
- 145 • Installation of laundry facilities with 3 washers and 2 dryers
- 146 • Rear yard, with existing 3 trees, but no further planting or seating

147
148 The Board notes that Lantern Group has responded to some comments previously provided in its
149 2011 and 2012 letters, *however the degree of level of proposed renovation simply does not meet*
150 *the basic CB4 standards to provide permanent affordable housing standards let alone to meet*
151 *one of the Affordable Housing Commitments and provide mitigation for single largest real*
152 *estate development of luxury housing in the City of New York.*

153 154 **CB4 Response to Updated Lantern Renovation Plan**

155 The following list of concerns and issues attempts, but does not fully resolve, in moving the
156 proposed plan to a higher standard of renovation and compliance.

157 158 *Relocation*

- 159 • CB4 encourages the 6 remaining tenants to relocate either to the 332 West 51st Street
160 building or offsite during construction (Clinton Housing Development Company has also
161 offered to provide relocation resources). CB4 understands the difficulty and unpleasantness
162 of living within a construction site and will continue to assist the 6 remaining tenants in 330
163 West 51st and their attorneys at Housing Conservation Coordinator's to reach an agreement
164 with Lantern on temporary relocation.

165 166 *Apartment Configuration*

- 167 • SRO Room size has continuously been requested to be a minimum of 150 square feet,
168 current plan does not meet that basic requirement. Many of the SRO Rooms are
169 undersized with square footages of less than 100 square feet. CB4 requests the Applicant
170 to provide the square footage of each proposed room and to provide a furniture plan for
171 various room sizes and layouts;
- 172 • The current plan cannot deliver minimum 150 square foot room sizes. However to
173 mitigate the undersize SRO Rooms, CB4 suggests elimination of the redundant corridor
174 to the fire escapes (now no longer needed with proposed installation of enclosed fire
175 stairs). With removal of the corridor, the SRO Rooms along the northern and southern
176 ends of the building on floors the 2nd through 5th floors can be increased in size utilizing
177 that square footage.
- 178 • The public hall corridor, in the center of the building, at approximately 8 feet, should be
179 narrowed to meet ADA compliant while allowing that square footage to be placed in to
180 the adjacent SRO.

181 182 *ADA Compliance*

- 183 • **Entry doors to all SRO Rooms, not just some, must be ADA compliant**
- 184 • There must be at least one ADA compliant bathroom and shower room per floor,
185 *disabled tenants should not have to take an elevator to shower or use the bathroom*
- 186 • A visually impaired unit should be included and designated

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Welcoming Design

- The plans detail a brick wall along the 51st property line. CB4 recommends the Applicant instead use wrought iron fencing to provide more openness between the building and block
- The plans indicate the rear yard with concrete paving retaining 3 existing trees. CB4 recommends installation of decorative pavers, with planter boxes and seating
- Given the depth of the existing rear yard—10 feet--CB4 requests Lantern include a portion of the roof area for outdoor open space for use by the tenants.

Renovation Scope of Work

Lantern has represented and CB4 is pleased that:

- A new energy efficient, gas fired, hot water heating system will be installed with boilers on the roof, convectors will replace steam radiators throughout
- The entire electrical wiring will be replaced throughout, with all new wiring installed inside walls
- Dwyer kitchen units will be installed in all SRO Rooms. CB4 requests an elevation and appliance cut of the Dwyer kitchen unit to understand exactly what equipment it includes

SRO Rooms

- New sheetrock must installed over all walls and ceilings to create fully renovated SRO Rooms. Retention of some old sheetrock or plaster walls is neither cost effective or an acceptable standard of renovation.
- Sound insulation in all walls between SRO Rooms and public corridors, not just between floors and ceilings
- There are no closets or wardrobes in the SRO Rooms. CB4 requests at least one closet or wardrobe in every room
- The scope calls for resilient flooring, a modern version of vinyl tile. These SRO Rooms are permanent affordable housing, not a transitional shelter. The finish flooring should meet the same scope of work standard as all affordable housing developments, including Supportive Housing, reviewed by CB4 in the past 10 years. CB4 requests the SRO rooms be treated as permanent housing with oak wood flooring throughout.
- Ceiling fans should be included in every room to ensure tenants who cannot afford air conditioners have an adequate means of air circulation during the summer

Common Areas

- Currently the 332 fire stairs are scheduled to fully replaced with wooden stairs being partially retained in 330. Both sets of fire stairs in 330 and 332 should be fully replaced with steel fire stairs,
- Installation of laundry facilities with 3 washers and 2 dryers is not sufficient for 112 SRO tenants. The Applicant should include at least 6 washers and dryers to bring the ratio of washers and dryers to one for every 20 tenants
- The plans indicate a front desk but also an intercom system with an exterior panel. Lantern indicated that the front desk would not necessarily be staffed at all times. An intercom and an unstaffed front desk is not acceptable means of security for this

234 Supportive Housing development. In the past 20 years, CB4 has welcomed numerous
235 Supportive Housing developments to the District. Key elements of their success derives
236 from well run Social Services and 24 hour/7day front desk security, especially needed in
237 developments which include for housing for persons with mental illness. Initially, 330-
238 332 West 51st Street will house at least 60 homeless persons with chronic and persistent
239 mental illness. To ensure their success in this permanent housing, there must a front desk
240 staffed 24/7. CB4 request
241

242 *Tenant Safety Plan*

- 243 • A tenant safety plan, to address the possibility of the 6 remaining tenants of 330 staying
244 in place during construction was also presented. The plan detailed the Construction Zone
245 and the Tenant Safety Zone for each phase of construction. However, the plan was found
246 to inaccurate with an occupied SRO Room designated as vacant. CB4 requests the plan
247 be corrected, and include shared corridor bathrooms have limited keyed access to
248 remaining tenants to prevent construction workers from using them.
249

250 *Tenant Selection*

- 251 • CB4 requested that local residents receive preference for 50% of the vacant low-income
252 community SRO Rooms. Both Lantern and HPD stated that preference is City Policy.
253
254

255 *Lack of Adequate Tenant Communication and Information*

- 256 • Preparatory to the start of construction, asbestos abatement was undertaken in the cellar
257 ***without a permit displayed or notification provided to the tenants***. This work was
258 conducted late in the afternoon noon into the late evening. The Asbestos Removal
259 Contractor, NAB Contractors, upon further investigation by CB4 had a had a number of
260 New York State Department of Environmental Conservation violations issued at other
261 work site for improper removal of asbestos.
262
- 263 • Notices with information are posted without a Lantern letterhead or staff member
264 attribution
- 265 • Tenant meetings are rarely held.
266

267 **Existing Building Conditions & Tenant Concerns**

268
269 Although work permits have not been issued for the renovation of the Building it was brought to
270 CB4's attention by current tenants work has commenced at different stages which has caused
271 negative flow on effects creating the following issues:
272

- 273 • The buildings do not have *address numbers* on the doors or facades. CB4 request
274 numbers be installed.
- 275 • The *front entry door lock at 330 West 51st Street* does not properly latch compromising
276 tenant safety. CB4 requests the door and or lock to be repaired immediately.
- 277 • The buildings previously had a *staffed onsite office* which gave the tenants a direct point
278 of contact with management, enabled reporting of repairs or work orders needed,
279 recording of tenant to tenant issues to be noted and resolved and provided package
280 delivery. CB4 requests the existing service of this office and staff be restored.

- 281 • The buildings previously had an *onsite resident superintendent* for cleaning and repairs.
282 The superintendent was terminated and superintendent services were shared with a
283 Lantern building on the Upper West Side, then that superintendent was also terminated.
284 CB4 requests the existing service an onsite resident superintendent be restored.
- 285 • Public corridor shared bathrooms are irregular cleaning during the week and not cleaned
286 on weekends. CB4 requests a 7 day a week bathroom cleaning schedule be established
287 and posted.
- 288 • Some bathrooms have consistent leaks and mold has appeared and been treated in several
289 bathrooms. *CB4 requests the source of the bathroom leaks be investigated, repaired, the*
290 *sheetrock be removed and replaced and the mold abated.* Lantern must maintain basic
291 warranty of habitability in the occupied portions of the buildings during construction.
- 292 • Extermination has become erratic with vermin prevalent in both buildings. Further, a
293 specific SRO Room is infested with bedbugs. *CB4 requests regular extermination be*
294 *reinstated and Lantern engage the tenant with the bedbug infestation with it Social*
295 *Services division to resolve the problem.*
- 296 • Water treatment has ceased. *CB4 request water treatment be reinstated until the*
297 *renovation is complete to mitigate the condition of the water due the age of the plumbing.*
- 298 • The Lantern Group has registered higher than legal Rent Stabilized rents and sought
299 Rent Stabilized Rent Increases with Division of Housing and Community Renewal
300 (DHCR) notwithstanding the increases for Hotel Stabilization have been set by DHCR at
301 0%. *CB4 requests HPD review all of Lantern's DHCR registrations for the past 3 years,*
302 *and direct Lantern to correct DHCR registrations in compliance with law and annual*
303 *percentage increases as set by the Rent Guideline Board.*
- 304 • Social services are not currently available at the building. Given the current tenant
305 population's needs, especially in navigating temporary relocation and ongoing
306 construction, *CB4 requests Lantern immediately provide limited social services for the*
307 *duration of the construction.*

309 **Ongoing Resolution of Tenant and Building Service Issues**

310 Given the ongoing series of tenant, building services and construction issues, at the January 15th
311 meeting, *CB4 requested and Lantern has agreed to establish a Community Advisory Board*
312 *(CAB) for 333-332 West 51st Street.* The 330-332 CAB will act as a problem solving body to
313 address the above and future issues faced by the tenants resultant from the proposed Supportive
314 Housing Development. The CAB will include representatives from CB4, Building Tenants,
315 HPD, HCC and Lantern. The first CAB meeting will be scheduled for February 2015. Thereafter,
316 it will meet monthly.

318 **Meeting the Affordable Housing Requirements of WRY POA**

319 Despite the multitude of new matters regarding the proposed renovation Scope of Work, Tenant
320 and Building Service Issues and the history of Lantern's poor communication to both the Tenants
321 and CB4, the Board remains committed and hopeful that this proposed Supportive Housing
322 development by Lantern can be modified and adjusted to meet CB4 some of standards for
323 permanent affordable housing. The Board is cognizant the effort will be difficult and require
324 compromises on the part of the Tenants, Lantern and the Board.

325
326 However the intrinsic limitations of the project budget, the fact the DOB plans have been filed
327 and approved and the construction financing being closed, coupled with both HPD's and

328 Lantern’s oft quoted position that the development is a “SRO Preservation” project, not a gut
329 renovation, has led the Board to conclude, this development cannot be a part of the Affordable
330 Housing Commitments of WRY POA.

331
332 There is simply no justification for not producing the highest quality permanent affordable
333 housing as part of an agreement for the 2009 Western Railyards Rezoning, which is set to
334 produce the highest concentration and some of the highest end luxury housing in the City of New
335 York. As noted in the beginning of this letter, the WRY POA stated:

336
337 “HPD will use its programs to acquire **and rehabilitate** these SRO units”

338
339 Therefore, CB4 requests to start afresh and work with HPD on identifying SRO Preservation
340 sites and sponsors to preserve and rehabilitate 150 SRO units in Manhattan Community District
341 #4. We are certain of success, given CB4’s 25 year successful collaboration with HPD over
342 multiple Mayoral administrations. We look forward to this current challenge.

343
344
345 Sincerely,

346
347
348 Joe Restuccia
349 Co-Chair, Housing, Health and
350 Human Services Committee

346
347
348 Barbara Davis
349 Co- Chair, Housing, Health and
350 Human Services Committee

351
352 Cc: All Electeds
353 J. Katz, HPD
354 R. Hodges, HPD
355 R. Markwat, Lantern Group

2
3 February XX, 2015
4 Mr. Timothy J. Naughton
5 Chief Executive Officer
6 Avalon Bay Communities
7 275 7th Avenue #2501
8 New York, NY 10001
9

10 **Re: Avalon Bay Employee Benefits**

11
12 Dear Mr. Naughton:

13
14 Manhattan Community Board 4 (CB4) is writing to express its concern over the apparent failure by
15 Avalon Bay to comply with the terms of agreement negotiated in conjunction with the 2005 West Chelsea
16 rezoning at Avalon West Chelsea Apartments. Avalon Bay, as the property owner of three residential
17 developments consisting of ___ residential units in CD4, is a significant stakeholder in our community.
18 Avalon West Chelsea Apartments at 282 11th Avenue is Avalon Bay's newest rental development in CD4
19 and contains 691 market-rate rental units and 142 affordable units in its two residential towers of thirty-
20 one and thirteen stories respectively.
21

22 At the November 19, 2014 meeting of CB4's Housing, Health and Human Services Committee, Chelsea
23 residents, workers in nearby developments and Avalon Bay employees notified CB4 that Avalon Bay, by
24 failing to offer prevailing wage and to permit collective bargaining for building services' employees of
25 the West Chelsea Apartments, had violated the principles agreed to in the West Chelsea Points of
26 Agreement (WCPOA), executed in conjunction with the 2005 West Chelsea rezoning.
27

28 The WCPOA dated June 20, 2005 sets forth additional benefits for the community and was agreed to by
29 the NYC Administration, NYC Council Speaker and interested parties (which specifically included
30 property owners benefiting from the rezoning). The WCPOA includes an agreement to develop a number
31 of publicly-owned sites as affordable housing, incentivize additional affordable housing on-site, establish
32 a 50% community preference for those affordable units and to ensure that the beneficiaries of the
33 rezoning, namely the developers of the up-zoned development sites, agree to pay prevailing wage to their
34 building services' workers. The benefits enumerated in the WCPOA were intended to mitigate in part the
35 impact on lower income residents that the up-zoning would inevitably cause.
36

37 The WCPOA are set forth in a letter dated June 20, 2005 letter from then Deputy Mayor Daniel L.
38 Doctoroff to the NYC Council Speaker Gifford Miller. The full text of the WCPOA is attached and
39 relevant sections are excerpted below:
40

41 *Section 4. BUILDING SERVICES WORKERS*

42 *Private developers in the West Chelsea neighborhood, the Service Employees International Union,*
43 *Local 32BJ, the Mayor's Office, and the City Council have agreed to the following principles:*
44

45 *a) All Building Service workers, such as porters, handypersons, doorpersons, security officers,*
46 *watchpersons, elevator operators and starters, building cleaners, concierges, and building*
47 *superintendents, who are employed at newly constructed residential buildings are entitled to a fair*
48 *wage and benefits, taking into consideration the specific circumstances of each new building.*
49

50 *b) With respect to buildings of 50 or more residential units where less than 50% of the*
51 *apartments in a building are dedicated to housing that is affordable to individuals or families with a*

52 *gross household income at or below 125% of the Area Median Income of the New York, NY PMSA, as*
53 *determined by the U.S. Department of Housing and Urban Development Income, Building*
54 *Service Employees should receive a wage not less than the “prevailing wage.”*

55
56 *c) Collective bargaining is the most appropriate mechanism to determine the wages and benefits*
57 *for Building Service Employees at all newly constructed residential buildings in the West Chelsea*
58 *neighborhood.*

59
60
61 CB4 was told that Avalon Bay, because it purchased the development site subsequent to the rezoning, has
62 claimed that it is not subject to the WCPOA and need not comply with the agreed principles regarding
63 prevailing wage and collective bargaining rights. The WCPOA was negotiated as an overall benefit to the
64 community to mitigate, in part, the impacts from the up-zoning. CB4’s unequivocal position is that the
65 agreement must be honored by Avalon Bay as the developer that has benefitted immensely from the up-
66 zoning.

67 As a result of this up-zoning, properties in Chelsea are among the most expensive in the city, if not the
68 world. With each rezoning, our community has become increasingly polarized between those who can
69 afford to live in newer luxury buildings, and those lower income and generally longer term residents who
70 are in danger of being displaced. The provisions of the WCPOA governing worker’s rights were
71 negotiated to ensure that, at the very minimum, workers in these luxury properties receive at least living
72 wages and benefits.

73 All three of Avalon’s properties in CD4, including AVA Highline, Avalon Clinton and now Avalon West
74 Chelsea Apartments are situated on sites benefitting enormously from recently up-zonings. CB4 is
75 appalled that Avalon Bay, a developer that has benefitted so handsomely from the up-zonings that have
76 forever altered our community, is refusing to honor the agreement to pay decent living wages to its
77 building services employees. As a developer with a longstanding interest in and as a member of our
78 community, we urge Avalon Bay to do the right thing and honor the term of the WCPOA with respect to
79 its workers.

80 Sincerely,

81
82

83 Joe Restuccia
84 Co-Chair, Housing, Health and
85 Human Services Committee

Barbara Davis
Co- Chair, Housing, Health and
Human Services Committee

86
87

1 **Transportation Planning Committee**

Item #: 13

2
3 February XX, 2015

4
5 Jonathan Mintz
6 Commissioner
7 Special Application Unit
8 Department of Consumer Affairs
9 42 Broadway 5th Floor
10 New York N.Y. 10004

11 **Re: Newsstand application #: 288-2015-ANWS S/W/C**
12 **10th Avenue & W. 34th Street**

13
14 Dear Commissioner Mintz,

15
16 Manhattan Community Board 4 (CB4) supports the application for a newsstand on the southwest
17 corner of Tenth Avenue and W. 34th Street. CB4 believes this newsstand will be a resource
18 residents and commuters in the area. We note that this sidewalk is extremely wide and
19 even with the newsstand, will leave over 13 feet of clear path for pedestrians. We also note that
20 the proposed location has no sidewalk obstructions. CB4 supports this application despite the
21 fact that it will be located within three blocks - or 750 feet of another newsstand, which has been
22 adopted as a CB4 policy. The nearby newsstand is located on the southeast corner of 10th and
23 West 34th Street in front of 497 West 34th Street. We make this exception because of the
24 expected growth in pedestrian traffic for this area on account of the Hudson Yards Development,
25 the opening of the new 7 train subway station less than one block away, and precedent for
26 making exceptions to this policy in high traffic corridors such as West 42nd Street and West 34th
27 Streets.

28
29 As always, thank you for your consideration.

30
31 Christine /Ernest / Jay
32
33
34
35
36

1 **Transportation Planning Committee**

Item #: 16

2
3 February XX, 2015

4
5 Polly Trottenberg
6 Transportation Commissioner
7 NYC Department of Transportation
8 59 Maiden Lane, 37th Floor
9 New York, NY 10038

10
11 **Re: Repair of Pedestrian Access Ramps in Manhattan Community District 4**

12
13 Dear Commissioner Trottenberg:

14
15 Manhattan Community Board 4 (CB4) would like to request the assistance of the Department of
16 Transportation (DOT) with the expedited repair of many damaged pedestrian access ramps in our
17 community. Access ramps are vital for pedestrians, especially those with disabilities to travel
18 throughout the City. Within Manhattan Community District 4 (MCD4) many of these ramps
19 have become severely damaged and create an obstacle for many members of our community.
20 The following is a list of ramps we would like to be repaired as quickly as possible:

- 21
22 ■
23 ■
24 ■
25 ■
26 ■
27 ■
28 ■

29
30
31 We thank you in advance for your cooperation in making these repairs as quickly as possible.

32
33 Cc:

34 Mayor's Office for People with Disabilities
35 Manhattan Borough Commissioner Margaret Forgione
36 Council Member Cory Johnson
37 Council Member Helen Rosenthal
38 Manhattan Borough President Gale Brewer
39 State Senator Brad Holymann
40 Assemblymember Richard Gottfried
41 Assemblymember Linda Rosenthal

42
43
44

1 **NEW BUSINESS**

Item #: 17

2
3 February XX, 2014

4
5 Carl Weisbrod, Chair
6 City Planning Commission
7 22 Reade Street
8 New York, NY 10007
9

10 **Re: ULURP Application No. N 150110ZSM**
11 **Special Permit for 53-Space Public Parking Garage**

12
13 Dear Chair Weisbrod:

14
15 At its regularly scheduled Full Board Meeting on February 4, 2015, Manhattan Community
16 Board 4 (CB4), on the recommendation of its Chelsea Land Use Committee, voted ___ in favor,
17 ___ opposed, ___ abstaining and ___ present not eligible to recommend approval of the Application
18 for a special permit under ZR 13-45(a)(3) and ZR 13-451 for a 53 space public parking garage at
19 551 W21st Street with two conditions related to signage, as detailed below.
20

21 **Background**

22
23 The proposed development at 551 West 21st Street will be a mixed use building with an art
24 gallery on the first and second floors and 44 residential units on floors three through 19. The
25 zoning lot is composed of Block 683 lots 1, 8 and 64, and is located on the northeast corner of
26 Eleventh Avenue and West 21st St., partially in Subarea D of the Special West Chelsea District,
27 zoned C6-3, and partly in the adjacent M1-5 district (part of lot 8). The base FAR of 5.0 of the
28 C6-3 portion of the lot has been increased to 7.5 through purchase from the High Line Transfer
29 Corridor (ZR 98-30) and through the modified Inclusionary Housing Program (ZR 98-26). The
30 building has been designed to be dry flood proof, watertight below the 10.35 foot Design Flood
31 Elevation.
32

33 The proposed garage will occupy approximately 4,900 square feet on the ground level,
34 consisting of a motor court with room for five queued vehicles, one parking space for an ADA-
35 modified vehicle and two automobile elevators. The northeastern area of the motor court in the
36 M1-5 district will be open to the air. The garage also will occupy 6,800 square feet of the cellar,
37 with 52 public parking spaces, including 20 double-height parking lifts, and five public bicycle
38 parking spaces. Bicycle parking for residents will be located elsewhere in the building.
39

40 The proposed development will be permitted 12 accessory parking spaces as-of-right, nine to
41 serve the 44 dwelling units and three to serve the art gallery. The applicant seeks a Special
42 Permit for a public parking garage with 53 spaces to serve residents and visitors to the building,
43 as well as the growing demand for parking in the neighborhood. In accordance with ZR 13-21,
44 spaces in the garage will be made available to residents of the building within 30 days of written
45 request to the landlord.
46

47 A parking study provided by the applicant identified 27 residential developments within a one-
48 third mile radius and notes that between 2003 and 2016 the number of dwelling units will have
49 increased by approximately 2,600 while the number of licensed parking spaces will have
50 decreased by approximately 1,650. The ratio of change in residential parking spaces to change
51 in residential units would be three percent, below the 20 percent target growth parking ratio
52 mandated by the Department of City Planning for the study area.

53
54 **CB4 Recommendation**

55
56 CB4 is a strong advocate of public transportation, but we recognize that the automobile will
57 remain an important mode of transportation and believe that reasonable accommodations for
58 parking must be made, especially in areas not well-served by public transportation.

59
60 We believe that the proposed garage's location - close to the West Side Highway, in the middle
61 of the West Chelsea gallery district and adjacent to Chelsea Piers - and size make it appropriate
62 and unlikely to increase traffic in the community significantly, especially with the change in
63 direction of West 21st St. at Tenth Avenue.

64
65 CB4 recommends approval of the Special Permit with two conditions:

- 66
- 67 • That all signage for the garage be located within the motor court or garage area and not
68 on any street frontage; and
 - 69 • That signage include notice that spaces will be made available to residents of the building
70 within 30 days of written request.
- 71

72
73 Christine, Lee, Betty

74
75
76
77

1 **NEW BUSINESS**

Item #: 18

2
3 February XX, 2015

4
5 Carl Weisbrod, Chair
6 City Planning Commission
7 22 Reade Street
8 New York, NY 10007

9
10 **Re: N 150167 ZRY Citywide Stairwells Text Amendment**

11 Dear Chair Weisbrod:

12
13
14 At the regularly scheduled Board meeting on February 4, 2015, Manhattan Community Board 4
15 (CB4) voted by roll call __ in favor, __ opposed, __ abstaining and __ present not eligible to
16 recommend approval of the Citywide Stairwells Text Amendment.

17
18 **Description of Proposal**

19 The Board is grateful to representatives of the Department of City Planning and the Department
20 of Buildings for their presentation of the proposal to its Chelsea Land Use Committee on January
21 20th, and for their thorough answers to questions raised.

22
23 The proposed action, initiated by the Department of City Planning, in collaboration with the
24 Department of Buildings and the Fire Department, would amend the Zoning Resolution, Section
25 12-10 (Definitions) to exempt floor space used for specified safety measures from counting
26 toward zoning floor area in new non-residential buildings greater than 420 feet in height. These
27 measures are intended to improve safety by providing additional exiting capacity for occupants
28 during an emergency requiring full building evacuation.

29
30 One of three options may be selected:

- 31 (1) Designate all passenger elevators as “Occupant Self-Evacuation Elevators” with sufficient
32 emergency power to operate simultaneously;
33 (2) Increase the required width of all “emergency” exit stairways by 25 percent and designate
34 passenger elevators as “occupant self-evacuation” with emergency power to operate a limited
35 number of elevators simultaneously; or
36 (3) Construct one additional “emergency” exit stairway than normally required.

37
38 Analyses were conducted on office and hotel buildings with various foot-print sizes. The
39 assessments illustrated that developers of different types and sizes of buildings likely would
40 select different options and that the increases in bulk would be minimal. The typical increase in
41 building height would range from a partial floor to one full floor.

42
43 **CB4 Recommendation**

44 CB4 wholeheartedly supports this proposal. Board members are very familiar with the tragic
45 loss of life from the collapse of the World Trade Center Towers. We appreciate the need for the
46 proposed safety measures. It is our understanding that the proposal was carefully developed over

47 three years in consultation with a wide range of stakeholders, including the Department of
48 Buildings, Fire Department, Building Council, engineering experts, unions, and developers.
49 Sincerely,

50
51 Christine, Lee, Betty

52
53 Copies to DOB, FDNY

54
55
56
57
58

DRAFT