

1 **CHELSEA LAND USE COMMITTEE**

Item #: 1

2
3 May XX, 2014

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

11
12 **Re: 416 West 20th Street – Rear Façade Alterations**

13
14 Dear Chair Tierney;

15
16 At a regular Board meeting on May 7, 2014 Manhattan Community Board 4 by a vote
17 of ___in favor, ___opposed, and ___abstaining and ___present but not eligible, voted to
18 recommend approval of an application for rear façade alterations to 416 West 20th Street.
19 This vote reflects the recommendation of the CB4 Chelsea Land Use Committee which
20 voted on this application on April 21, 2014.

21
22 The project site is one of the houses comprising the notable 1840 Cushman Row of Greek
23 Revival row houses. The project proposes redesign of the existing rear tea porch at the
24 garden and parlor floors; addition of a porch and balcony to the tea porch; and
25 replacement of 4th floor windows. The rear façades of 416 and its neighbors have been
26 substantially modified over time, and together acquired an informal appearance. The
27 proposed work is in keeping with this existing effect.

28
29 CB 4 finds these alterations acceptable.

30
31 Sincerely,

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33 Christine, Lee, Betty
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1 **Chelsea Land Use Committee**

Item #: 2

2
3 May XX, 2014

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

12
13 **Re: 513-521 West 26th Street – Mechanical Equipment**

14
15
16 Dear Chair Tierney;

17
18 At a regular Board meeting on May 7, 2014 Manhattan Community Board 4 by a vote
19 of ___in favor, ___opposed, and ___abstaining and ___present but not eligible, voted to
20 recommend approval of an application for the addition of mechanical equipment to 513-
21 521 West 26th Street. This vote reflects the recommendation of the CB4 Chelsea Land
22 Use Committee which voted on this application on April 21, 2014.

23
24 Several pieces of equipment must be installed on the buildings at 513-521 West 26th
25 Street. Smoke purge fans and mechanical exhaust fans will not be visible because they
26 are to be installed below the parapet. An emergency generator is to be added which will
27 be enclosed on all four sides with black aluminum screens. This enclosed piece will be
28 visible from the High Line and is consistent with screening installed on another building.

29
30 CB 4 finds these additions acceptable.

31
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33 Sincerely,

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35 Christine, Lee, Betty
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1 **Chelsea Land Use Committee**

Item #: 3

2
3 May XX, 2014

4
5 Mr. Gary Spindler
6 22-23 Corporation
7 c/o Park It Management
8 250 West 26th Street
9 New York, NY 10001

10
11 **Re: Proposed Zoning Text Amendment for 510-512 West 23rd Street**

12
13 Dear Mr. Spindler:

14
15 At a presentation by your representative to Manhattan Community Board 4's (CB4) Chelsea Land
16 Use Committee on April 21, 2014, and in a letter dated April 22, 2014 (attached), you asked the
17 board to reaffirm its support for a Zoning Text Amendment affecting the transfer of floor area
18 from the High Line Transfer Corridor (HLTC) in the Special West Chelsea District (SWCD) that
19 you first presented to us in 2008. We reaffirm our support subject to the three conditions set out
20 in our letter of support of January 8, 2009, listed below, and subject to the further condition that
21 the Department of City Planning (DCP) review any proposed text change with us before
22 beginning the review process.

23
24 You propose to change "#commercial use#" to "#commercial or residential use whichever is
25 greater#" in the first paragraph of ZR 98-33(b):

26
27 The maximum amount of #floor area# transferred from a granting site located outside of
28 a subarea shall not exceed the maximum #floor area ratio# permitted for a **#commercial
29 or residential use whichever is greater#** on such granting site, less any existing #floor
30 area# to remain on such granting site.

31
32 We believe that a better wording would be "...#commercial use# or #residential use#, whichever
33 is greater...," but we will leave the details to the wordsmiths at DCP.

34
35 The effect of this change would be to increase the amount of transferable floor area on your site at
36 510-512 West 23rd Street, located in the HLTC, from 6.0, the maximum commercial floor area, to
37 7.52, the maximum residential floor area. The change also would increase the transferable floor
38 area on 509-511 West 23rd Street from 6.0 to 6.02.

39
40 When we first reviewed your request in 2008, DCP told the board that their intent with the
41 existing text was to prevent the transfer of FAR from community facilities, not to prevent a
42 property owner from being able to transfer the greater residential FAR from property with
43 commercial zoning. DCP indicated that while they were not prepared to initiate the process for a
44 text amendment, they would be receptive to one from an owner seeking to correct this oversight.

45
46 Based on DCP's assurances, CB4 supported your proposed text amendment in its letter of January
47 8, 2009. We reaffirm this support subject to our original three conditions set out in that letter:

- 48
49 i. that DCP certify that the change conforms to DCP's original intent;

50

- 51 ii. that DCP certify that the change would apply to the two properties in the HLTC on the
52 north and south sides of West 23rd Street and to no other properties in the SWCD, as the
53 board believes from its own analysis; and
54
55 iii. that DCP draft appropriate language limiting the amount of transferred floor area to the
56 maximum floor area for an as-of-right permitted use at the time the SWCD was created.
57 The board notes that "#conforming use#", as you propose, is not defined in the Zoning
58 Resolution.
59

60 We also impose the further condition that DCP review any proposed text change with CB4 before
61 beginning the review process.
62

63 Sincerely,

64
65 CB, JLC, EM
66

67 cc: Edith Hsu-Chen
68 Adam Wolff
69 Brewer
70 Johnson
71 Gottfried
72 Hoylman
73
74
75
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79
80

DRAFT

2
3 April 28, 2014

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

10
11 **Re: 520 West 41st Street**
12 **Pre-Application Statement to the Department of City Planning**

13
14
15 Dear Chair Weisbrod,

16
17 Manhattan Community Board 4 (MCB4) reviewed the Pre-Application Statement (PAS) Form
18 for 520 West 41st Street which was submitted to the Department of City Planning on October 23,
19 2013. The PAS Form states Silverstein Development Corporation's request to amend the Zoning
20 text to

21
22 "create a new subarea within the Special Hudson Yards District that would allow more of
23 the overall permitted floor area on the subject site (20 FAR) to be allocated to residential
24 use (from 6 FAR as currently permitted by the text to 12 FAR). The special district text
25 would also be amended to allow up to 200 accessory parking spaces on the site without
26 regards to the existing Hudson Yards parking supply."

27
28 While MCB4 supports the inclusion of additional housing on the 520 West 41st Street site it
29 cannot support the currently proposed site plan and massing which results in an 1100' tower. The
30 proposal also includes 200 accessory parking spaces in violation of The Hudson Yards Parking
31 Text Amendment which resulted from the settlement of a Clean Air Act lawsuit.

32
33 **Support for Housing**

34 The PAS submitted on October 23, 2013 requests an increase in residential FAR from 6 to 12
35 effectively decreasing the potential commercial FAR from 14 to 8. MCB4 supports the request to
36 increase the residential FAR as it aligns with the boards long held position on increasing housing
37 in Subdistrict A of the Special Hudson Yards District (HY District). During the 2004 Hudson
38 Yards rezoning, MCB4 supported additional FAR for residential uses and a decrease in
39 commercial FAR in the then proposed Hudson Yards Special District, Subdistrict A (11th
40 Avenue, with an irregular eastern boundary toward 10th Avenue) ("Hudson Yards Plan and
41 related Land Use (ULURP) Applications Comments and Recommendations," MCB4,
42 resolution—p.27, August 23, 2004.).

43
44 **Decrease in height**

45 The proposed site plan included in the PAS currently includes plazas, driveways, a two story
46 streetwall and other mechanisms which result in a smaller building footprint. The smaller

47 footprint and lack of strong streetwall therefore produces a substantially taller building. The
48 proposed height at 1100 feet would be out of context even for the 400 and 500 foot towers
49 currently built along the adjacent 42nd Street Perimeter Area of the Clinton Special District.
50 MCB4 requests that the development have full lot coverage and a strong streetwall, therefore
51 reducing the proposed height to be in context with surrounding buildings.
52

53 **Inclusionary Housing Program**

54 The proposed text amendment must include Inclusionary Housing text provisions requiring that
55 20% of the entire FAR be used for affordable housing. Further, that any Inclusionary Housing
56 apartments must be evenly distributed in location and type throughout the building and contain
57 an equal level of apartment finish and equal and affordable access to all building amenities.
58

59 **On Site Parking**

60 The Hudson Yards Parking Text Amendment, adopted April 14, 2010, resulted from a
61 Stipulation and Order of Settlement in the case *Hell's Kitchen Neighborhood Association v.*
62 *Bloomberg* filed on May 5, 2009. The underlying purpose of the amendment is to limit and
63 monitor parking spaces within the HY District to ensure that the area is in compliance with the
64 Clean Air Act. As per the settlement, the decision to allow additional parking spaces in the HY
65 District must be made with regards to the existing reservoir surplus which as of January 17, 2014
66 is 3,264 spaces, MCB4 requires all proposed HY text amendments to meet the requirements of
67 this settlement.
68

69 MCB4 looks forward to working with the Commission, the Department and the applicant as this
70 proposal moves through the public approval process.
71

72
73 Sincerely,

74
75
76 Christine Berthet
77 Board Chair

Jean Daniel Noland
Chair, Clinton/Hell's Kitchen Land Use Committee

78
79
80 Cc: Manhattan Borough President Gale Brewer
81 NYC Councilmember Corey Johnson

2
3 May XX, 2014

4
5 Mr. Mitchell Silver
6 Department of Parks and Recreation Commissioner
7 City of New York Parks & Recreation
8 Arsenal West
9 24 West 61st Street
10 New York, NY 10023

11
12 **Re: Introduction to Manhattan Community Board 4**

13
14 Dear Commissioner Silver,

15
16 Manhattan Community Board 4 (MCB4) would like to congratulate you on your appointment as
17 Department of Parks and Recreation Commissioner and we look forward to getting better
18 acquainted as you get deeper into your term. MCB4 wanted to take this opportunity to introduce
19 our district to you as it relates to Parks.

20
21 Manhattan Community District 4, Chelsea and Clinton/Hell's Kitchen runs roughly from 14th
22 Street to 59th Street from the west side of Eight Avenue to the Hudson River and includes a
23 stretch in Chelsea from Sixth and Seventh Avenues. These neighborhoods are seeing an
24 explosion of new residential development. Our open space, however, is not growing and our
25 small neighborhood parks are being used by increased numbers of people. Within MCB4 the
26 area from Sixth to Eighth Avenue between 14th and 26th Street is devoid of open green spaces.
27 Our district has traditionally ranked near the bottom for open green spaces. MCB4 welcomes
28 any opportunity to add open green space to our district, but we are also concerned about the state
29 of our current parks and Department of Parks and Recreation (DPR) operations in general.

30
31 Some of these concerns include:

- 32 • Renovations and repairs that are already funded take an incredibly long time to
33 implement.
- 34 • Lack of transparency in respect to park design and the timeline of the process.
- 35 • Permits issued for activities within the parks without community consultation or input.
- 36 • Unreliable and irregular communication from DPR with the Community Board.
- 37 • Despite the recent addition of a dedicated gardener for our district, staffing is stretched
38 very thin and is inadequate to meet the needs of our community.
- 39 • Desperate need of new or renovated comfort stations.
- 40 • Limited or no recreational facilities or resources, like ping pong or chess tables.

41 Many of our residents are very dedicated to our small neighborhood parks. We have an active
42 core of local volunteers that raise money and work with the Department of Parks and Recreation
43 to maintain planting beds and add programming. Fostering partnership and encouraging
44 consistent communication between DPR and these community volunteers can pay large
45 dividends for our neighborhoods. Promoting an "Adopt a Park" program may be a great way to

46 formalize and expand this relationship. We urge you to visit these parks, meet the residents, and
47 hear their concerns.

48
49 MCB4 reached out to Borough Commissioner William Castro earlier this year to express some
50 of these same concerns. We specifically stressed the need for better communication between
51 DPR and the community. Attached you will find our letter to Borough Commissioner Castro.
52 As these issues are of the utmost importance to our community we invite you, members of your
53 staff and representatives of the de Blasio administration to sit down with our Committee, MCB4
54 officers and our elected representatives to discuss some of these matters.

55 Again, congratulations on your appointment and MCB4 eagerly awaits your response.

56 Sincerely,

57
58 Christine Berthet Maarten de Kadt Co-Chair Delores Rubin Co-Chair
59 Chair Waterfront, Parks & Waterfront, Parks &
60 Environment Committee Environment Committee
61

62
63 cc: William Castro, City of New York Parks & Recreation
64 Brad Hoylman, NY State Senator 97
65 Richard Gottfried, NY State Assemblymember 98
66 Jerrold Nadler, Congressman 99
67 Gale Brewer, Manhattan Borough President 100
68 Corey Johnson, NYC Councilmember
69

2
3 May XX, 2014

4
5 Mayor Bill de Blasio
6 City Hall Park
7 New York, NY 10007

8
9 **Re: Radon Gas Testing**

10
11 Dear Mayor de Blasio,

12
13 The opening of the new Con Edison Spectra pipeline into Manhattan Community District 4 —
14 coupled with new production of natural gas in New York State and Pennsylvania, and the
15 phasing out of number six heating oil use and coincident increase of natural gas use for
16 heating— has raised the concern of Manhattan Community Board 4 (MCB4) to the potential risk
17 in our district of increased radon levels and exposure to its radioactive progeny.

18
19 We therefore strongly support, with the additional steps below, Assemblymember Linda B.
20 Rosenthal’s 2014 bill, A06863B, “to amend the public health law and the public service law, in
21 relation to the protection of public health from exposure to radon in natural gas.”

22
23 **Radon Kills**

24 Radon is a colorless, odorless, tasteless, radioactive gas, with a half-life of 3.8 days. It occurs
25 naturally in our environment and it is contained in natural gas. At an acceptable level, it is not
26 dangerous. Higher doses, however, can kill. Radon is recognized to be the second leading cause
27 of lung cancer after smoking and the leading cause of lung cancer in nonsmokers.

28
29 Transmitting natural gas from the Gulf Coast can take several days, which allows for a greater
30 breakdown and diminution of the Pico-Curies of radon in the gas. (Pico-Curie is a measurement
31 of radioactivity.)

32
33 Transmission from the newly-opened, near-by gas fields, however, takes hours rather than days
34 thus increasing the likelihood that the Pico-Curies of radon will have less time to break down and
35 thus would likely appear in more concentrated quantities in the gas supply serving our district.

36
37 The Rosenthal bill would insure, by mandated testing, that the radon levels in natural gas brought
38 into New York are kept *below* acceptable levels.

39
40 **Testing For Radon Is Critical**

41 To MCB4's knowledge, there is no testing for radon in natural gas delivered to our district. We
42 therefore urge the passage of A06863B and its Senate companion S04921-B (sponsor: Staten
43 Island Senator Diane Savino) and request these additional steps be taken:

- 44
45 • The bill’s authors arrived at the numerical limits stated in the bill by referring to U.S.
46 Environmental Protection Agency guidance. *We want to be kept apprised of those limits as the*

47 *science informing these numbers improves.*

48

49 • The proposed legislation requires testing at “delivery points” of natural gas to a gas
50 corporation’s distribution system. *These delivery points must be designed to include gas*
51 *produced in New York State.*

52

53 • The proposed legislation requires corporations delivering gas to consumers “establish and
54 maintain a program to continuously monitor the level of radon and its radioactive progeny.” *The*
55 *procedures and practices for testing must be closely supervised by the relevant state agency, the*
56 *Department of Public Health.*

57

58 • The community must be informed. *The results of testing for radon gas in natural gas must be*
59 *publically available and expressed in terms that laypeople can understand.*

60

61 Manhattan Community Board 4 looks forward to the rapid passage and implementation of these
62 protections against dangerous exposure to radon.

63

64 Sincerely,

65

66 Christine, Delores, Marty

67

68 CC: Congressman Jerrold Nadler
69 Speaker Melissa Mark-Viverito
70 Manhattan Borough President Gale Brewer
71 Federal Representatives
72 State Senator Brad Hoylman
73 State Assemblymember Linda Rosenthal
74 State Assemblymember Richard Gottfried
75 Councilmember Corey Johnson

1 **Waterfront, Parks and Environment Committee**

Item #: 7

2
3 May XX, 2014

4
5 Mayor Bill de Blasio
6 City Hall Park
7 New York, NY 10007

8
9 **Re: Storm Surge Barriers**

10
11 Dear Mayor de Blasio:

12
13 Manhattan Community Board 4 welcomes you as New York City's new mayor and wishes to
14 take this opportunity to follow up on a letter we wrote to your predecessor in February of 2010,
15 even before Super Storm Sandy devastated parts of our city and region.

16
17 We concluded our letter of 2010 with:

18
19 "Manhattan Community Board 4 urges you to reach out to our Federal representatives to
20 request funding for a feasibility study to protect our city from potentially life-threatening
21 storm surges.... There is no time to waste; whole communities may suffer irreparable
22 damage if we do not act now. "

23
24 Our letter of four years ago clearly favored the construction of gates at Verrazano Narrows,
25 Arthur Kill and Throgs Neck. Today we are aware of other schemes such as the Big U around
26 the southern tip of Manhattan and do not choose to favor any one of them as we are not expert on
27 these issues. We persist, however, in urging a full, independent study of the likely alternatives
28 that could be built to protect our region from the next extreme storm surge. We urge that such a
29 study be performed and completed in the shortest period of time possible.

30
31 In addition, it is already clear that whatever protection is decided upon will cost many billions of
32 dollars. Therefore we also urge that identification of appropriate funding commence
33 immediately.

34
35 We look forward to hearing from you or your designee of the steps you are taking to protect our
36 city from the next extreme storm surge.

37
38 Sincerely,
39 Christine, Delores, Marty

40
41 CC:

42 Congressman Jerrold Nadler
43 Speaker Melissa Mark-Viverito
44 Manhattan Borough President Gale Brewer
45 Federal Representatives

46 State Senator Brad Hoylman
47 State Assemblymember Linda Rosenthal
48 State Assemblymember Richard Gottfried
49 Councilmember Corey Johnson

1 **Transportation Planning Committee**

Item #: 23

2
3 May XX, 2014

4
5 Carl Weisbrod
6 Chairperson
7 NYC Planning Commission
8 22 Reade Street
9 New York, NY 1007

10
11 **Re: Hudson Yards Parking Requirements**

12
13 Dear Commissioner Weisbrod:

14
15 Manhattan Community Board 4 (CB4) reiterates its support for the Hudson Yards Off-
16 Street Parking Text Amendment adopted in 2010 and requests that the City Planning
17 Commission deny any proposed changes or waivers. As development projects in the
18 district are beginning to occur, it is important that the principles and vision for the
19 Hudson Yards community remain in place – “the creation of a transit and pedestrian
20 oriented neighborhood” - and the parking regulations required to enable that vision
21 remain in place.

22
23 The Hudson Yards District is an area generally bounded by West 43rd Street to the north,
24 West 30th Street to the South Eighth Avenue to the east (though not including the Port
25 Authority) and 11th Avenue to the West.

26
27 The Hudson Yards Off Street Parking Text Amendment implemented a Stipulation and
28 Order of Settlement in the “Hell’s Kitchen Neighborhood Association v Bloomberg.” The
29 adopted Amendment included limitation of parking in residential building to be only
30 available to the residents of that building and a limitation on both the amount of parking
31 in new buildings (.16 parking space spaces per 1,000 square feet of hotel or office space
32 and 30% of market rate residential units and 8% for affordable residential units). It also
33 created a cap on the total number of parking spaces in district - 6,084 spaces - including
34 spaces created previous to the text amendment approval. It also substantially limited the
35 ability to create above ground parking to lots.

36
37 The Amendment did not permit any increase in parking above the limits by special
38 permit, as is permitted elsewhere in the Manhattan core, until there is a substantial
39 reduction in the supply of parking spaces that existed previous to the Amendments
40 (typically from the loss of surface lots as they were developed).

41
42 CB4 also advises developers in the district to respect both the spirit and the letter of the
43 Hudson Yards Off-Street Parking requirements as they contemplate future projects.

44
45 Sincerely,
46 Christine Berthet/Jay Marcus/Ernest Modarelli

1 **Transportation Planning Committee**

Item #: 24

2
3 May XX, 2014

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: Bike lane rumble strip test at the intersection of West 27th and Eighth Avenue**

12
13 Dear Commissioner Trottenberg:

14
15 Manhattan Community Board 4 (CB4) would like to request a test installation of bike lane
16 rumble strips at the intersection of West 27th Street and Eighth Avenue. Bike lane rumble strips
17 have proven to be an effective way to improve pedestrian safety in other parts of the city. In
18 particular Brooklyn Community District 6 has found this to be an effective safety addition in the
19 Prospect Park West bike lanes.

20
21 CB4 has identified the West 27th Street and Eighth Avenue intersection as an ideal location for
22 this test because it is a unique traffic situation. With no cross street for vehicular traffic bikes
23 traveling north in the bike lane often ignore the traffic signals and endanger the safety of
24 pedestrians crossing the street. Furthermore, this intersection is located next to Penn South which
25 is a Naturally Occurring Retirement Community (NORC), with a population particularly
26 vulnerable to injury from bicyclists.

27
28 We hope that this test of bike lane rumble strips at this intersection will prove to be an effective
29 tool for improving pedestrian and bicycle safety in our community. We thank you for your
30 cooperation and we look forward to the installation of this feature.

31
32 Sincerely,

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2
3 May XX, 2014

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: Bolt Bus Drop off Location near West 29th Street and Ninth Avenue**

12
13 Dear Commissioner Trottenberg:

14
15 At its May 2014 full board meeting Manhattan Community Board 4 (CB4) voted to recommend
16 approval for a drop off only bus stop for Greyhound Inc, (DBA Bolt Bus) located at 341 Ninth
17 Avenue between West 29th and 30th Streets. Below are the details as outlined in a letter received
18 from the DOT:

- 19
- 20 • The Stop would be in front of 341 Ninth Avenue
 - 21 • The bus operator is Greyhound Lines, Inc. (DBA Bolt Bus)
 - 22 • The proposed location is currently regulated with 85 feet of existing bus stop for MTA
23 Bus
 - 24 • There will be 3 drop-offs daily at 7:45 am, 8:30 am & 9:30am, five days a week Monday
25 through Friday
 - 26 • The bus will travel from Philadelphia to New York City

27 CB4 makes this recommendation of approval with the following stipulations:

- 28
- 29 • The stop will be temporary for 4 months, and will be extended longer conditional upon
30 not receiving complaints from the community regarding the stop.
 - 31 • The stop will be restricted to the times mentioned above, and will not exceed three drop
32 offs per day.
 - 33 • The drop off location will be located in front of the MTA bus stop, and the Bolt bus will
34 not block MTA M11 bus access to the bus stop.
 - 35 • The United States Postal Service (USPS) Investigator vehicles currently parked on this
36 section of the block will not be parked there during the Bolt bus drop off times. USPS has
37 agreed to this arrangement and their cooperation will be essential for the success of the
38 stop.
 - 39 • Operation of the drop off location will not begin until the Verizon construction work is
40 complete.

41 CB4 appreciates being consulted by the New York City Department of Transportation (DOT) as
42 required by New York State law on this application. Furthermore we appreciate Bolt buses
43 compliance with our requests, and their desire to be a good neighbor. The applicant and the DOT
44 have demonstrated they are willing to work with the community on this drop off location. We are
45 particularly pleased that DOT and Bolt bus took the time and effort to address community
46 concerns and to research and provide the information necessary for CB4 to properly evaluate the
47 site.

48 Sincerely,

1 **Transportation Planning Committee**

Item #: 26

2
3 May XX, 2014

4
5 Margaret Forgione
6 Manhattan Borough Commissioner
7 NYC Department of Transportation
8 59 Maiden Lane, 37th Floor
9 New York, NY 10038

10
11 **Re: CB5 Feasibility Study – Fifth and Sixth Avenues**

12
13 Dear Commissioner Forgione:

14
15 Manhattan Community Board 4 (CB4) supports Manhattan Community Board 5's (CB5)
16 request for a study to define potential redesigns for Fifth and Sixth Avenues from West
17 14th Street to West 59th Streets to improve resident and tourist safety and street level
18 experience.

19
20 We appreciate CB5's concerns on accident and injury rates, increased clutter, and
21 diminished street ambiance experience on Fifth and Sixth Avenues. We also note that the
22 MCB4 shares a Sixth Avenue border with CB5 between West 14th Street and West 26th
23 Streets and we share their concern regarding both safety and pedestrian level experience
24 in that area. This is particularly important given the substantial increase in both
25 residential and local and regional retail on this shared corridor of Sixth Avenue during the
26 last few years.

27
28 During the last five years DOT has made several improvements, based on studies and
29 MCB4 recommendations that have improved safety and street ambiance, particularly
30 along portions of Eighth and Ninth Avenues. These have included enclosed bicycle paths,
31 improved street median and/or pedestrian island landscaping, increased use of Leading
32 Pedestrian Intervals and/or turn signals, revised parking regulations, dedicated bus lanes,
33 and community adopted standards on sidewalk cafés and newsstand locations (and we
34 note additional improvements are requested and still needed). We encourage DOT to
35 study their suitability, as requested by CB5, along Fifth and Sixth Avenue.

36
37 We appreciate that CB5's request includes requirement for DOT close consultation with a
38 wide variety of stakeholders in CB5 during the study period. We also request that MCB4
39 be consulted during the study, particularly for the shared boundary area of Sixth Avenue
40 and the potential change in traffic flow that vehicular/traffic light signals/timing changes
41 can cause that may impact adjacent areas in MCB4.

42
43 Thank you for your consideration and assistance.

44
45 Sincerely,
46 Christine Berthet/Jay Marcus/Ernest Modarelli

2
3 May XX, 2014

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: DOT Proposed Ninth Avenue Pedestrian Safety Improvements**

12
13 Dear Commissioner Trottenberg:

14
15 Manhattan Community Board 4 (CB4) is delighted with DOT's plans to implement pedestrian
16 safety improvements on Ninth Avenue in 2014; however, we would like to express our concern
17 for the time it has taken the DOT to develop these proposals for much needed traffic safety
18 improvements. We applaud the signal changes being proposed for the intersections of West 41st
19 Street and Ninth Avenue and West 43rd Street and Ninth Avenue as well as the improvement in
20 Lincoln tunnel signage on 39th and 38th Streets and Ninth Avenue. We feel this is an appropriate
21 and well-conceived response to the many collisions and pedestrian injuries that have occurred at
22 these intersections and to requests we made as part of the Hell's Kitchen Traffic Study. The
23 implementation of these proposals is especially important after the collision in February 2013
24 that caused a fatality at West 41st Street and Ninth Avenue.

25
26 CB4 requests the following changes be integrated in the plan to further improve them

27
28 **West 43rd Street and Ninth Avenue**

29 The implementation of a split phase signal at this intersection is much needed DOT will install a
30 split phase signal on West 43rd Street to allow pedestrians to cross the south leg of Ninth
31 Avenue without car conflict for 15 seconds and then allow cars to turn southbound during a
32 blinking yellow phase (used in other municipalities to instruct motorists to proceed with caution).
33 The M34A MTA Bus layover will be moved further east to accommodate the through traffic
34 lane, the bike lane on West 43rd near the intersection with Ninth Avenue will be converted to a
35 mixing zone, and the loading zone will be relocated from the southeast corner to the northeast
36 corner of West 43rd Street at Ninth Avenue.

- 37 1. Extend the timing of the red phase for vehicles turning on to Ninth avenue from 15
38 seconds to 25 seconds and reduce the southbound blinking yellow turning phase be
39 reduced from 30 to 20 seconds.
- 40 ○ Manhattan Plaza, a NORC is located at that intersection and the majority of
41 pedestrian crossing here are seniors who need 23 seconds to cross the Avenue.
 - 42 ○ West 43rd Street is a residential street with a playground, illegally used by buses
43 and jitneys as an alternate to West 41st and 42nd Streets to reach Lincoln tunnel, a
44 practice that should be discouraged. To this effect, the turning phase should be
45 shorter than the one at West 42nd Street, which is the official truck route.

- 1 ○ Other suggestions for this signal include a flashing green arrow or a complete
- 2 split phase signal.
- 3 2. Since the use of a blinking yellow light is a new traffic signal we request that a sign be
- 4 included which indicates to drivers that they can proceed with caution.
- 5 3. We are opposed to relocating of the pedestrian island located on the southeast corner of
- 6 Ninth Avenue. We believe this pedestrian island is important to slow down turning cars,
- 7 and for the safety of pedestrians crossing Ninth Avenue.

8

9 **West 41st Street and Ninth Avenue**

10 The proposed configuration will provide a split phase signal on Ninth Avenue at West 41st Street,

11 with a red turn arrow stopping westbound turning vehicles to allow pedestrians to cross W. 41st

12 Street on the west side of Ninth Avenue for 23 seconds and subsequently, a green turn arrow to

13 allow vehicles to turn. In addition bulb outs will be installed at the south sidewalk to

14 accommodate more pedestrians and prevent vehicles from using the dedicated turn lanes as a

15 through lane. The proposal also includes turning the western lane of Ninth Avenue between West

16 43rd Street and West 42nd Street into a bus lane during the peak traffic hours of 4 PM to 7PM.

17

18 CB4 is very pleased with this proposal that seems to address the concerns we have expressed and

19 will bring much needed space and safety to the pedestrians at this difficult intersection. We offer

20 the following recommendations to improve this proposal:

- 21 1. A review of the traffic light dedicated to buses exiting the Port Authority Bus Terminal to
- 22 determine if the timing of the light can be changed to improve to flow of traffic at this
- 23 intersection. Currently, it appears this light is often stopping through traffic even when no
- 24 bus is exiting the terminal.
- 25 2. We request that DOT investigate the apparent use of West 41st Street between Eighth and
- 26 Ninth Avenues as construction storage by the Port Authority. The removal of these
- 27 construction items will improve the traffic flow on West 41st Street and impact the traffic
- 28 of surrounding streets.
- 29 3. As one of the few westbound streets that is nonresidential we request that DOT consider
- 30 ways of making West 41st Street more accessible by cars, and consider ways to direct
- 31 more westbound traffic to this street.
- 32 4. We would also like DOT to review the possibility of making the dedicated bus lane north
- 33 of West 42nd Street permanent instead of only during peak traffic times.
- 34 5. In addition, the placement of an Intelligent Traffic Sign at West 43rd and Ninth may be
- 35 problematic. We request that DOT consult again with the Community well in advance of
- 36 proceeding with this long-term plan.

37

38 Manhattan Community Board 4 is delighted that DOT has proposed these improvements to

39 safety on Ninth Avenue and we look forward to their implementation with the recommendations

40 made above.

41

42 Sincerely,

43

44

45

46

1 **Transportation Planning Committee**

Item #: 28

2
3 May XX, 2014

4
5 Margaret Forgione
6 Manhattan Borough Commissioner
7 NYC Department of Transportation
8 59 Maiden Lane, 37th Floor
9 New York, NY 10038

10
11 **Re: Safety Enhancement Investigation**
12 **West 54th Street between Tenth and Eleventh Avenues**

13
14 Dear Commissioner Forgione:

15
16 Manhattan Community Board 4 (CB4) requests DOT investigate making safety improvements
17 on West 54th Street between Tenth and Eleventh Avenues.

18
19 West 54th Street between Tenth and Eleventh Avenues has building entrances for several
20 hundred apartments, including those in the more recently opened Mercedes House on the South
21 Side and the 39 story Clinton Towers on the north-side. In addition, while the entrances to
22 Harbor view senior apartments and the Polly Dodge Early Learning Center are on West 55th
23 Street, there is a commonly midblock walkway between West 55th and West 54th that West 55th
24 Street residents and Polly Dodge Center students/parents often use to get to the M31 bus stop on
25 the South Side of West 54th Street. The recently renovated DeWitt Clinton Park has an
26 entrance/exit on the West side of Eleventh Avenue at West 54th Street

27
28 Residents from Clinton Towers have reported frequent speeding both from cars making the turn
29 from Eleventh Avenue onto West 54th Street and from cars going east bound the street.
30 Remedies including a speed bump, turn signal, and or Leading Pedestrian Interval (LPI) may be
31 appropriate for this street and should be investigated.

32
33 Thank you for your consideration and assistance.

34
35 Sincerely,

36
37
38 Christine Berthet/Jay Marcus/Ernest Modarelli
39

1 **Transportation Planning Committee**

Item #: 29

2
3 May XX, 2014

4
5 Mercedes-Benz Manhattan
6 770 11th Avenue
7 New York, NY 10019

8
9 **Re: West 54th Street sidewalk use**

10
11 Dear Mr./Ms.:

12
13 Manhattan Community Board 4 requests that the Mercedes-Benz showroom not use the sidewalk
14 along the south side of West 54th Street near Eleventh Avenue for cars exiting or entering into
15 the Mercedes-Benz showroom.

16
17 We have received reports from residents of Clinton Tower, across from Mercedes Benz, that cars
18 are often going out and into the showroom from West 54th Street. We find this objectionable for
19 several reasons. First, it is illegal, inappropriate and unsafe to put cars on the sidewalk where this
20 not a curb cut for such a purpose Secondly, the show room doors on West 54th Street are
21 immediately adjacent to an M31 bus stop. The show room is also across the street from Clinton
22 Towers, a Naturally Occurring Retiring Community (NORC) and Harborview senior residence.

23
24 We request Mercedes Benz end the use of the sidewalk on West 54th Street as an entrance and
25 exit for its show room.

26
27 Thank you very much for your consideration.

28
29 Sincerely yours,

30
31 Christine Berthet/Jay Marcus/Ernest Modarelli

1 **Transportation Planning Committee**

Item #: 30

2
3 May XX, 2013

4
5 Carmen Bianco
6 President
7 Metropolitan Transit Authority
8 347 Madison Avenue, 5th Floor
9 New York, New York 10017

10
11 **Re: Dangerous MTA Metal Grates in Need of Repair**

12
13 Dear Mr. Bianco:

14
15 Manhattan Community Board 4 (MCB4) appreciates the number of subway grates on the west
16 sidewalk of Eighth Avenue between W. 14th Street and W. 42nd Street that have been replaced in
17 recent year with a newer design that are more pedestrian friendly, including having smaller gaps
18 (1/2" versus the old 3/4') between the steel strips within each panel. However, we are concerned
19 about the substantial problems that the conversion to the new design and the continued
20 difficulties subway grates create in many locations.

21
22 More specifically these concerns include:

- 23
- 24 ▪ Several locations where the older (wider gap) subway grate panels are immediately
 - 25 adjacent to the newer (narrow gap) designed panels;
 - 26 ▪ Subway grate panels are often not level with the adjacent panels. This seems to
 - 27 particularly be the case where the newer installed panels are adjacent to the older design
 - 28 panels;
 - 29 ▪ The gaps between the subway grate panels can be larger than the 1/2" gap within the
 - 30 panel design and uneven between various adjacent panels;
 - 31 ▪ The subway grate panels are not level with the surrounding sidewalk; and
 - 32 ▪ Several locations where the panels seem to shake, where there are visible cracks in the
 - 33 steel portion of the grates or where wood boards are over the metal plates.
- 34

35 The following locations have gaps, leveling, wood covering or repair issues that create safety
36 issue and should be addressed immediately:

- 37
- 38 ▪ West side of Eighth Avenue, 72 feet south of W. 26th Street;
 - 39 ▪ West side of Eighth Avenue, 56 feet north of W. 25th Street;
 - 40 ▪ West side of Eighth Avenue, 40 feet north of W. 24th Street;
- 41

42 We are also attaching a list of locations where the mix of older and newer panels or the
43 unevenness between each panel and/or the sidewalk or the shakiness of the panel when walked
44 on also needs addressing.

45

46 We request that the MTA provide a response to the above concerns and a timeline for installing
47 the newer panel design along Eighth Avenue and in addressing the various repair issues. We also
48 would like to request a schedule that the MTA uses to inspect, and repair when necessary, these
49 panels.

50
51 In the longer term, while we appreciate the improvement of the narrower spaced newer design,
52 subway grates remain an uncomfortable presence on most sidewalks which limits sidewalk
53 capacity. As commuting and pedestrian traffic along Eighth Avenue continues to grow from the
54 additional residential and commercial development and tourism in West Chelsea and Hell's
55 Kitchen, making pedestrians feel at ease and safe in using all parts of the sidewalk becomes more
56 urgent. We encourage the MTA to begin a public process to identify a design that will not hinder
57 pedestrian use while preserving the required air, venting and light requirements for the subway
58 system and that will enable less frequent maintenance and repair.

59
60 Sincerely,

61
62

DRAFT

2
3 May XX, 2014

4
5 Ms. Rebecca Reyes-Alicea
6 USDOT□
7 Federal Railroad Administration
8 Office of Railroad Policy & Development
9 Mail Stop 20
10 1200 New Jersey Avenue, SE
11 Washington, D.C. 20590

12
13 *And submit to the NEC Future web site*

14
15
16 **RE: Draft EIS for Northeast Corridor Future (NEC Future)**

17
18
19 Manhattan Community Board 4 is pleased to comment on the NEC FUTURE Tier 1
20 Draft Environmental Impact Statement (DEIS). The Tier I DEIS examines the feasibility
21 of improved passenger rail service along the Northeast Corridor, looking at how several
22 potential alternatives would impact mobility, the environment and economic growth
23 across the entire corridor.

24
25 We understand that the proposed project will be for two additional tunnels to increase
26 Amtrak capacity. We request that one of the alternatives discussed in the EIS include the
27 study of an alternative that also includes two Cross Hudson facilities, but with differing
28 capacities:

- 29
- 30 • One going to Penn station to increase Amtrak's traffic by 5 trains hourly, increase
31 the number of NJ transit commuter trains and provide redundancy with the current
32 tunnel, as currently contemplated.
 - 33 • A second one to connect the # 7 line from 33rd Street and 11th Avenue (its current
34 terminus) and the Lautenberg Station in Secaucus, NJ to provide 30 trains per
35 hour and reduce 200 buses per hour in the Lincoln Tunnel and on City streets. In
36 Secaucus, NJ transit would build a multimodal facility to transfer bus riders to the
37 # 7 subway line. In New York, the 10th Avenue and West 41st station would be
38 added to reduce congestion at Grand Central Station.
- 39

40 We make this recommendation because the current two Amtrak tunnel proposal, although
41 ambitious, does not address the current commuter delays, traffic congestion and assorted
42 air pollution caused by the enormous volume of buses lining up in NYC streets to deliver
43 and pick up 342,481 passengers daily at the Port Authority bus terminal, more than twice
44 the 164,098 New Jersey Transit rail passengers delivered and picked up at Penn station. ¹

¹ Hub bound travel 2012, NYMTC

45 This situation is a major burden to current and future residents, particularly who live in
46 MCB4 boundaries. The negative impacts of this commuter congestion include higher
47 rates of pedestrian injuries and fatalities, increased asthma rates, and decreased quality of
48 life.

49
50 It will also hinder the economic development of Hudson Yards and the city in general by
51 increasing commuter congestion and delays. It should be noted that bus traffic has grown
52 23 %² in the last 10 years. The result is Lincoln Tunnel traffic that exceeds reasonable
53 capacity.

54
55 In parallel the strongest job development in the last 5 years has taken place outside of the
56 borough of Manhattan, highlighting the need to bring workers to various locations in and
57 outside of Manhattan more easily accomplished by a subway versus bus link³

58
59 When deciding on such a massive investment in our future, all options should be
60 considered, whether they rely on rail, buses, subway or ferry. We cannot afford to miss
61 the opportunity to find the best alternative to respond to the reality of our market
62 conditions. We urge the Federal Railroad Administration to undertake the study of this
63 alternative as part of the Tier I EIS for the Northeast Corridor.

² NYMTC 2012 Hub Bound Travel

³ NYMTC 2012 Hub Bound Travel

2
3 **Manhattan Community Board 4**
4 **Conflicts of Interest Rules and Procedures**
5 **For Members**

6
7 The New York City Charter provides that all community board members are
8 appointed because of their professional and / or personal involvement with, and
9 dedication to, the communities in which they live or work. To protect the integrity of
10 community boards' decision-making processes and retain public trust in those processes,
11 and to ensure that community board members do not use their positions as public servants
12 to obtain a private advantage for themselves or any person, firm or organization with
13 whom they are associated⁴, Chapter 68 of the New York City Charter contains several
14 provisions relating to the official conduct of community board members. This document,
15 which is based on materials obtained from the New York City Conflicts of Interest Board
16 and used with its permission, contains a summary of these rules and procedures, as well
17 as related Community Board 4 rules.

18
19 **Participating in Discussions and Voting**

20
21 While community board members are specifically permitted to have an ownership
22 interest⁵ in or a position⁶ with a firm, work for other New York City agencies, or hold a
23 position (including paid positions and unpaid positions as officers or members of boards
24 of directors) with not-for-profit organizations, any of which might be affected by an
25 action on a matter before the community board or one of its committees, the following
26 restrictions shall be observed.

27
28 The general rule is that, if a community board member does have such an interest,
29 the member:

- 30
31 • shall disclose, on the record, the interest when discussion of the agenda item in
32 question begins;

33

⁴ "Associated" is defined in the City Charter to include a public servant's spouse, domestic partner, parent, child or sibling; a person with whom a public servant has a business or other financial relationship; and each firm in which the public servant has a present or potential interest.

⁵ "Ownership interest" means an interest in a firm held by a public servant or a public servant's spouse or domestic partner which exceeds five percent of the firm or an investment of \$44,000, whichever is less, or any lesser interest in the firm when the public servant or the public servant's spouse or domestic partner exercises managerial control or responsibility regarding any such firm.

⁶ "Position" means position in a firm, such as an officer, director, trustee, employee, or any management position, or as an attorney, agent, broker, or consultant to the firm.

- 34 • may participate in the ensuing discussion of the agenda item request; and
35
- 36 • shall not vote on any matter before his or her community board that could result
37 in a personal and direct economic gain to the member or any person or firm
38 associated with the member.
39

40 **Representing Private Clients Before the Community Board**

41

42 Occasionally, some members of Community Board No. 4 make presentations to the
43 Board concerning their employers' projects or other projects in which the board members
44 have direct or indirect interests. Such presentations have in the past, and continue to be,
45 of invaluable assistance to the board in making decisions on vital and frequently
46 complicated issues. To protect the community board from the appearance of conflicts of
47 interest in such situations, presenting board members shall, in addition to disclosing their
48 interests in the matters, clarify that while they are making such presentations they are
49 acting as members of the public and not "rejoin" the board until after the votes have been
50 taken.
51

52 **Chairing Community Boards**

53

54 A community board chair may have an interest in a firm or organization or be
55 employed by a City agency that regularly has matters before the board, provided the chair
56 steps down during that part of the meeting when discussions or votes on matters
57 involving such interests take place, and the chair does not make any decisions or take any
58 official actions on matters involving his or her private interests. The chair may otherwise
59 continue to take part at board meetings, with proper disclosure, and take part in
60 discussions involving his or her private interests to the same extent as other board
61 members.
62

63 **Chairing Community Board Committees**

- 64
- 65 • Community Board members shall not chair committees meetings if the committee
66 meeting in question is likely to have matters before it involving those members'
67 private interests or employment.
68
- 69 • A board member may chair a committee if that committee is unlikely to have matters
70 before it concerning his or her private interests or employer; however, if such matters
71 do come before the committee, the chair is not permitted to chair any meetings where
72 such matters are discussed.
73
- 74 • There is no restriction on board members serving as members of committees, even
75 when the committee is likely to be considering matters affecting the members' private
76 interests or employers, provided that the members observe the requirement to
77 disclose, discuss, and recuse, which is described above.
78

79 **Gifts**

- 80
- 81 • A community board member may not accept a “valuable” gift, which is defined by
82 the Conflicts of Interest Board, as being worth \$50 or more, from any person or firm
83 which the board member knows has business dealings or intends to have such
84 dealings with the board.
85
 - 86 • Notwithstanding the \$50 threshold amount, Community Board members may not
87 accept any free food or beverage not also offered to other segments of the public
88 from the district’s liquor-serving establishments, and they are urged to use discretion
89 and restraint in accepting any gifts, especially when they know that the person or firm
90 offering the gift has or is likely to have matters before the board or their committees.
91

92 **Doing Business with the Community Board**

93

94 A community board member may not have an interest in a firm directly engaged
95 in business dealings⁷ with the member’s community board. For example, a member or
96 the member’s firm is not permitted to sell goods or services to the board on which he or
97 she serves.
98

99 **General Conflicts of Interest Rules**

100

101 There are a number of general conflict of interest rules that apply to all public
102 servants, regular City employees and part-time volunteers such as community board
103 members. The most important of these rules is the following:
104

- 105 • No public servant shall use or attempt to use his or her official position to obtain any
106 financial gain, contract, license, privilege or other private or personal advantage,
107 direct or indirect, for the public servant or for any person or firm associated with the
108 public servant.
109

110 To help board members comply with these rules, and in the interests of
111 transparency, Board Members will be asked to fill out a brief form disclosing their
112 interests or employment located in the community board’s district. These forms will be
113 filed in the board’s office and available to the public, upon request.
114

⁷ “Business dealings” means any transaction involving the sale, purchase, rental, disposition or exchange of any goods, services, or property, any license, permit, grant, or benefit, and any litigation with respect to the foregoing, but shall not include any transaction involving a board member’s residence or any ministerial matters (which are administrative acts, including the issuance of licenses, permits, that are carried out in a prescribed manner and do not involve substantial personal discretion).

2
3 **MANHATTAN COMMUNITY BOARD 4**
4 **DISCLOSURE STATEMENT FOR MEMBERS**

5
6 The New York City Charter requires that all community board members must have a “residence,
7 business, professional or other significant interest in the district.” To protect the integrity of
8 community boards’ decision-making processes and enhance public trust in those processes, the Charter
9 also requires that community board members take certain actions to ensure that their private or non-
10 community board interests do not conflict with their official duties as board members. As part of the
11 community board’s conflicts of interest policy, all board members shall complete a brief disclosure
12 form, which will be filed at the Board’s district office and made available, upon request, to other board
13 members or the general public.

14
15 **Please complete this form and return it to the Manhattan Community Board 4 Office.**

	YES	NO
1- Do you have a personal residence in the district?		
2- Do you have a position with a firm, not-for-profit organization, or other entity that is located in and / or conducts business activities in the district? If yes, fill in # 3 on the form below.		
3- Do you sit on the board of directors or serve as an officer, with or without compensation, for any for-profit or not-for-profit organization that is located in and / or conducts business activities in the district? If yes, fill in # 5 of form below.		
4- Do you work for or hold any unpaid position with any other New York City agency? If yes, fill in #3 on the form below.		
5- Do you have ownership interests (as a sole or part-owner) in any business, including investment properties that are located in and / or conduct business activities in the district? (Note that members are not required to report interests in firms whose shares are publicly traded.) If yes, fill in # 2 on the form below.		
6- Do you have any other interests in the district, including, but not limited to, immediate family members who live, own businesses, or work in the district? If yes, fill in # 6 of form below.		

17
18 Note that, unless you have no significant interests in the district (that is, you answered “no” to all
19 the above questions), your answers to the above questions will not prevent you from serving on the
20 Community Board and participating in its deliberations; however, in some cases you might be
21 required to recuse yourself from voting on a particular matter.
22

23 **2- Ownership Interests** *(add pages as needed)*

Business	Location	Nature of Activities	Matters at CB4

24

25 **3- Employment or Clients** *(add pages as needed)*

26

Business	Location	Nature of Activities	Matters at CB4

28

29 **4- Employment – City Agency**

30

City Agency	Location	Nature of Activities

31

32 **5- Board Positions** *(add pages as needed)*

33

Company /Non Profit	Position	Location	Nature of Activities	Matters at CB4

34

35 **6- Immediate Family Members (parents, siblings, children)** *(add pages as needed)*

36

Name	Location	Nature of Activities	Matters at CB4

37

38

39 Name _____

40

41 Signature _____

42

43 Date _____

2
3 **Manhattan Community Board 4**
4 **Meeting Policy**
5

6
7 *City Charter: Chapter 70 “City Government in the Community”, Section §2800 “Community*
8 *boards”, subsection (d)(3) states:*
9

10 d. Each community board shall: (3) At its discretion hold public or private hearings or
11 investigations with respect to any matter relating to the welfare of the district and its residents,
12 but the board shall take action only at a meeting open to the public; [underline added].
13

14 The board Chair shall be informed of all meetings that occur and is an automatic invitee. There
15 are five (5) types of non-public meetings that occur from time to time:
16

17 1. District Service Cabinet Meetings – City Charter mandated meetings between the
18 board office and city agencies. Although the District Manager (DM) has the option to invite a
19 community member to observe or a community representative to provide details, the meetings
20 are not public meetings and not subject to the provisions of the *NYS Open Meetings Law*.
21

22 2. Follow-up of Board Policy or District Service Issues – part of the DM’s role is:
23 *“executes the policy set by the community board”*. Also, *“serves as a conduit among residents of*
24 *the district, members of the community board and district personnel”*.
25

26 This entails several types of meetings. Examples include (not a conclusive list) and office
27 staff or authorized Board members may attend too:

- 28 ➤ Survey establishments and/or specific neighborhood sites where there are
29 community issues (e.g., street cafes, noise, and other district service related
30 matters).
- 31 ➤ Meetings with contractors/developers before or during construction/renovation to
32 go over concerns re noise, permits, closing streets, placement of cranes, etc.
- 33 ➤ Meetings with restaurant/bars re noise complaints, rear yard uses, posting, etc.
- 34 ➤ Meetings with an applicant that has already been before a committee to execute
35 board policy and/or serving as a conduit.
36

37 3. Informational– From time to time a potential applicant or developer who is
38 considering or is in the process of opening a business, establishment, non-profit/cultural/social
39 association, or developing a site in the district may request to meet with the leadership of the
40 Board. These meetings can be useful to the board to get early warning of upcoming
41 developments and to assist the business/developer in understanding existing Board policies,
42

43 Attendees should be mindful that these are informational, not decision making or proposal
44 modification meetings. Potential applicants or developer shall (if applicable) also be directed to

45 present at committee meetings for informal presentations prior to any certified presentation
46 where a vote is needed.

47
48 The number of such meetings will be kept to the absolute minimum. The applicants will be
49 encouraged instead to discuss the matter on the phone with the DM or to attend the next
50 committee meeting.

51
52 The Board Office, after consultation with the applicable committee Chair(s) and the Board's
53 Chair shall give adequate notice of time and date and will invite all Committee members to
54 express an interest in attending the meeting. The Committee Chair(s) shall have the discretion to
55 restrict the number of Committee member attendees to two. As much as feasible, the meetings
56 will be scheduled at the beginning or end of the working day to ensure committee members can
57 attend before or after work.

58
59 The Board Office, in consultation with the board Chair, may invite other committee chairs when
60 the proposal being discussed includes issues that overlap committee purview.

61
62 Community Board members who have or may have a conflict of interest may not participate in
63 informational meetings on behalf of the Board.

64
65 Committee chairs shall report on all meetings to their respective committees at the next
66 committee meeting. Each meeting report will be added as a separate item on to the committee
67 agenda. The Chair shall report to the executive committee and the full board on all meetings.

68
69 4. Constituent – meetings may be held with community residents, businesses,
70 establishments, or city service agencies that involve neighborhood delivery of city services
71 addressing community needs. The board office will at its discretion invite committee chairs
72 and/or board members to participate. If things reach a point where it is felt the office cannot
73 resolve things on its own these issues may be referred to either the Manhattan Borough
74 President, Public Advocate, or Mayor as authorized by the City Charter or to an applicable board
75 committee.

76
77 5. Miscellaneous – the office staff and some committee chairs and/or members are
78 from time to time invited to meetings held by elected officials, community groups, city agencies,
79 not-for-profit groups, citizens committees, task forces, et al. These are not meetings held by CB4
80 and those attending act as a conduit on behalf of the board. However, the Committee Chair shall
81 report on the meeting at the next applicable Committee meeting.

82
83
84

1 **Executive Committee (EXEC)**

Item #: 35

2
3 May --, 2014

4
5 CD4 Senators
6 NYS Senator Adriano Espaillat
7 NYS Senator Deborah Glick
8 NYS Senator Brad Hoylman
9 NYS Senator Liz Krueger

10
11 **Re: S5725A-2013/A7844A-2013: amending New York State's Vehicle and Traffic Law in**
12 **relation to automobile manufacturers and unfair practices**

13
14 Dear Senators Espaillat, Glick, Hoylman, and Krueger:

15
16 At its regular Board meeting on May 7, 2014, Manhattan Community Board No. 4 (CB4), by a
17 vote of __ in favor, __ opposed, __ abstaining and __ present but not eligible to vote, voted to
18 recommend that you oppose Bill S5725A/A7844A, amending New York State's Vehicle and
19 Traffic Law in relation to automobile manufacturers and unfair practices by franchisors, as long
20 as it contains provisions restricting the ability of automobile manufacturers from selling directly
21 to consumers.

22
23 We are specifically concerned about restrictions that would be placed on Tesla Motors, which
24 has a showroom within Manhattan Community District 4. As originally proposed, the bill would
25 have forced Tesla to stop their direct sales. The current amended version would permit Tesla to
26 keep their existing showrooms but would prevent them from opening new ones. We believe that
27 Tesla selling their own vehicles is not "deleterious competition," but healthy competition that
28 should be encouraged.

29
30 Tesla Motors' environmentally friendly electric vehicles have been widely praised. Their latest
31 model, the Tesla Model S, was named Car of the Year by Motor Trend magazine in 2013 and the
32 best overall car model for 2014 by Consumer Reports. We believe that we should be
33 encouraging companies such as Tesla that are developing products that are innovative, popular,
34 well-regarded and address significant environmental issues. Tesla should be allowed to extend
35 their direct sales model to accommodate the demand for their vehicles.

36
37 We recommend that you oppose Bill S5725A/A7844A as long as it contains any provision
38 restricting the ability of Tesla to extend their direct sales model, and that you work to amend the
39 bill to remove it.

40
41 Sincerely,

42
43 cc: Brewer, Johnson, Rosenthal, Governor, Mayor

1 **Executive Committee (EXEC)**

Item #: 36

2
3 May --, 2014

4
5 CD4 Assemblymembers
6 NYS Assemblymember Richard Gottfried
7 NYS Assemblymember Linda Rosenthal

8
9 **Re: A7844A-2013/S5725A-2013: amending New York State's Vehicle and Traffic Law in**
10 **relation to automobile manufacturers and unfair practices**

11
12 Dear Assemblymembers Gottfried and Rosenthal:

13
14 At its regular Board meeting on May 7, 2014, Manhattan Community Board No. 4 (CB4), by a
15 vote of __ in favor, __ opposed, __ abstaining and __ present but not eligible to vote, voted to
16 recommend that you oppose Bill A7844A/S5725A, amending New York State's Vehicle and
17 Traffic Law in relation to automobile manufacturers and unfair practices by franchisors, as long
18 as it contains provisions restricting the ability of automobile manufacturers from selling directly
19 to consumers.

20
21 We are specifically concerned about restrictions that would be placed on Tesla Motors, which
22 has a showroom within Manhattan Community District 4. As originally proposed, the bill would
23 have forced Tesla to stop their direct sales. The current amended version would permit Tesla to
24 keep their existing showrooms but would prevent them from opening new ones. We believe that
25 Tesla selling their own vehicles is not "deleterious competition," but healthy competition that
26 should be encouraged.

27
28 Tesla Motors' environmentally friendly electric vehicles have been widely praised. Their latest
29 model, the Tesla Model S, was named Car of the Year by Motor Trend magazine in 2013 and the
30 best overall car model for 2014 by Consumer Reports. We believe that we should be
31 encouraging companies such as Tesla that are developing products that are innovative, popular,
32 well-regarded and address significant environmental issues. Tesla should be allowed to extend
33 their direct sales model to accommodate the demand for their vehicles.

34
35 We recommend that you oppose Bill A7844A/S5725A as long as it contains any provision
36 restricting the ability of Tesla to extend their direct sales model, and that you work to amend the
37 bill to remove it.

38
39 Sincerely,

40
41 cc: Brewer, Johnson, Governor, Mayor

42

1 **New Business**

Item #: 37

2
3 May XX, 2014

4
5 Cristin D. Burtis
6 Street Activity Permit Office
7 100 Gold Street, 2nd Floor
8 New York, NY 10038
9

10 **Re: Street Activity Permit Application 2014**

11 Applicant: CERTS

12 Location: West 52nd Street, between 10th and 11th Avenues

13 Date: July 4, 2014

14 Time: 11:00 a.m. – 5:00 p.m.

15 Appl. #: _____
16

17 Dear Ms. Burtis:

18
19 Manhattan Community Board 4 recommends approval of the application for a Block Party
20 located at West 52nd Street, between 10th and 11th Avenues, to be operated by CERTS as long as
21 the following stipulations are agreed to by the operators:

- 22 • Hours of operation are 11 a.m. to 4 p.m. w/set up starting at 9 a.m. and clean-up
23 being completely finished by 5:00 p.m..
- 24 • To reach out weeks in advance of the event to all residences and businesses on
25 52nd Street between 10th and 11th Avenues to alert them to the event, and to
26 provide phone and email contact information for the operators in case
27 residents/businesses have questions or concerns on the day of the event; Said
28 contact number will be manned and answered by event operators during the
29 course of the event.
- 30 • There will be no amplified sound/music at the event;
- 31 • The organizers will reach out to the New York City Police Department in advance
32 of the event to make sure all security issues including crowd control (securing
33 barriers to block both ends of the street, etc.) are discussed and agreed to.
- 34 • Will work with Department of Sanitation regarding all clean-up issues associated
35 with the Street Fair. Organizers commit to the goal of leaving the street cleaner at
36 the end of the event than how they found it on the morning of.

37 Sincerely,
38

39
40 cc: Local Electeds, NYPD, DOT, DOS

1 **New Business**

Item #: 38

2
3 May XX, 2014

4
5 Cristin D. Burtis
6 Street Activity Permit Office
7 100 Gold Street, 2nd Floor
8 New York, NY 10038
9

10 **Re: Street Activity Permit Re-Application 2014**

11 Applicant: Nazareth Nursery Montessori School International Day

12 Location: West 15th Street, between Seventh and Eighth Avenues

13 Date: July 4, 2014

14 Time: 11:00 a.m. – 5:00 p.m.

15 Appl. #: _____
16

17 Dear Ms. Burtis:

18
19 Manhattan Community Board 4 recommends approval of the application for a Block Party
20 located at West 52nd Street, between 10th and 11th Avenues, to be operated by CERTS as long as
21 the following stipulations are agreed to by the operators:

- 22 • Hours of operation are 10 a.m. to 5 p.m. w/set up starting at 9 a.m. and clean-up
23 being completely finished by 6:00 p.m..
- 24 • To reach out weeks in advance of the event to all residences and businesses on
25 52nd St. between 10th and 11th Avenues to alert them to the event, and to provide
26 phone and email contact information for the operators in case residents/businesses
27 have questions or concerns on the day of the event; Said contact number will be
28 manned and answered by event operators during the course of the event.
- 29 • There will be no amplified sound/music at the event;
- 30 • The organizers will reach out to the New York City Police Department in advance
31 of the event to make sure all security issues including crowd control (securing
32 barriers to block both ends of the street, etc.) are discussed and agreed to.
33 Organizers will secure all necessary permits regarding moving parked cars to the
34 end of the block on the day of the event.
- 35 • The organizers will provide attendants to make sure the bike lane is left open, is
36 navigable for its riders and will do their best to protect children from coming into
37 contact with same.
- 38 • Will work with Department of Sanitation regarding all clean-up issues associated
39 with the Street Fare. Organizers commit to the goal of leaving the street cleaner
40 at the end of the event than how they found it on the morning of.

41 Sincerely,

42
43 cc: Local Electeds, NYPD, DOS

1 **New Business**

Item #: 38

2
3 May XX, 2014

4
5 Cristin D. Burtis
6 Street Activity Permit Office
7 100 Gold Street, 2nd Floor
8 New York, NY 10038
9

10 **Re: Street Activity Permit Re-Application 2014**

11 Applicant: Nazareth Nursery Montessori School International Day

12 Location: West 15th Street, between Seventh and Eighth Avenues

13 Date: July 4, 2014

14 Time: 11:00 a.m. – 5:00 p.m.

15 Appl. #: _____
16

17 Dear Ms. Burtis:

18
19 Manhattan Community Board 4 recommends approval of the application for a Block Party
20 located at West 52nd Street, between 10th and 11th Avenues, to be operated by CERTS as long as
21 the following stipulations are agreed to by the operators:

- 22 • Hours of operation are 10 a.m. to 5 p.m. w/set up starting at 9 a.m. and clean-up
23 being completely finished by 6:00 p.m..
- 24 • To reach out weeks in advance of the event to all residences and businesses on
25 52nd St. between 10th and 11th Avenues to alert them to the event, and to provide
26 phone and email contact information for the operators in case residents/businesses
27 have questions or concerns on the day of the event; Said contact number will be
28 manned and answered by event operators during the course of the event.
- 29 • There will be no amplified sound/music at the event;
- 30 • The organizers will reach out to the New York City Police Department in advance
31 of the event to make sure all security issues including crowd control (securing
32 barriers to block both ends of the street, etc.) are discussed and agreed to.
33 Organizers will secure all necessary permits regarding moving parked cars to the
34 end of the block on the day of the event.
- 35 • The organizers will provide attendants to make sure the bike lane is left open, is
36 navigable for its riders and will do their best to protect children from coming into
37 contact with same.
- 38 • Will work with Department of Sanitation regarding all clean-up issues associated
39 with the Street Fare. Organizers commit to the goal of leaving the street cleaner
40 at the end of the event than how they found it on the morning of.

41 Sincerely,

42
43 cc: Local Electeds, NYPD, DOS

1 **New Business**

Item #: 39

2

3 May XX, 2014

4

5 Cristin D. Burtis

6 Street Activity Permit Office

7 100 Gold Street, 2nd Floor

8 New York, NY 10038

9

10 **Re: Street Activity Permit Application 2014**

11 Applicant: West 46th Street Block Association Party

12 Location: West 46th Street, between Eighth and Ninth Avenues

13 Date: June 29, 2014

14 Time: 11:00 a.m. – 5:00 p.m.

15 Appl. #: _____

16

17 Dear Ms. Burtis:

18

19 Manhattan Community Board 4 recommends approval of the application for a Block Party
20 located at West 46th Street, between Eighth and Ninth Avenues, to be operated by West 46th
21 Street Block Association as long as the following stipulations are agreed to by the operators:

- 22
- Hours of operation are **11 a.m. to 4 p.m.** with set up starting at 9 a.m. and clean-up being completely finished by 5:00 p.m..
 - To reach out weeks in advance of the event to all residences and businesses on West 46th Street between Eighth and Ninth Avenues in order to alert them to the event; and to provide phone and email contact information for the operators in case residents/businesses have questions or concerns on the day of the event; Said contact number will be manned and answered by event operators during the course of the event.
 - There will be no amplified sound/music at the event;
 - The organizers will reach out to the police department in advance of the event to make sure all security issues including crowd control (securing barriers to block both ends of the street, etc.) are discussed and agreed to.
 - Will work with Department of Sanitation regarding all clean-up issues associated with the Street Fair. Organizers commit to the goal of leaving the street cleaner at the end of the event than how they found it on the morning of.
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- 35
- 36

37 Sincerely,

38

39 cc: Local Electeds, NYPD, DOT, DOS