



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

Delores Rubin
Chair

Jesse R. Bodine
District Manager

September 16, 2016

Michael P. Carey
Executive Director
Street Activity Permit Office
100 Gold Street, 2nd Floor
New York, NY 10038

Re: Street Fair for Women's Building Event on West 20th Street (11/12)

Applicant: The Women's Building Party (Event ID# 305944)

Location: West 20th Street between 11th and 12th Avenues

Date: September 25th, 2016

Time: 8:00 a.m. to 5:00 p.m.

At the Manhattan Community Board 4 ("MCB4") Arts, Culture, Education and Street Life Committee ("ACES") held on September 12, 2016, the committee voted to support the application on the condition that the applicant adhere to all stipulations as verbally agreed to. This letter is subject to ratification by the Full Board meeting on Wednesday, October 5th.

- The applicant agrees to end the Block Party at 5:00 p.m.
- The applicant agrees to keep amplified noise to a minimum.
- The applicant agrees to reach out to all residences and businesses on W 20th Street between 11th and 12th Avenues to alert them to the event and to give contact information for the operators in case residents/businesses have questions or concerns.
- The applicant agrees to make sure that residents and business personnel of the block have no issues gaining admittance to and from their residences and businesses on the day of the event.
- The applicant agrees to work with MCB4 as a resource to reach out to local artists and performers that live in MCB4 to perform at the Block Party.

Recognizing that the event is two weeks away, MCB4 requests that The Women's Building adheres to the 90-day notice to the community for all future events.

Thank you in advance for your cooperation.

Sincerely,

A handwritten signature in black ink, appearing to read "Delores Rubin", enclosed within a thin black rectangular border.

Delores Rubin
Chair
Community Board 4

Allen Oster
Co-Chair
ACES Committee

Austin Ochoa
Co-Chair
ACES Committee

cc: Council of Chelsea Block Associations



Delores Rubin
Chair

Jesse Bodine
District Manager

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September 22, 2016

Louise Carroll
Associate Commissioner, Housing Incentives
Department of Housing Development and Preservation
100 Gold Street
New York, NY 10038

Re: 517-525 West 45th Street Harassment Cure Application

Dear Commissioner Carroll:

Manhattan Community Board 4 (MCB4) would like to thank you for your attention to the proposed plans for 517-525 West 45th Street, which were presented to the Housing, Health, and Human Services Committee on March 24, 2016 and May 24, 2016. The Board has reviewed plans for the proposed work and after discussing some of our concerns with the owner, we look forward to resolving key remaining issues regarding the Cure application and the legalization of IMD units in the building.

Background

517-525 West 45th Street is a loft building consisting of five adjacent portions of differing heights. All portions are on a single zoning lot (Block 1074, Lot 18) between Tenth and Eleventh Avenues¹. The 517 portion of the building located on West 45th Street is four stories tall. Immediately to the west, the 525 portion of the building is five stories tall. Behind 517 and 525, off an interior courtyard, is a two-story portion called 525 Rear, as well as the 523 portion of the building, which is also a five-story structure. The building is located in the Preservation Area of the Special Clinton District (SCD).

The building was first residentially occupied in 1963 under the Artist in Residence (AIR) Law, and became an IMD in 1986 (IMD #10516). The building contains a total of 18 apartments, of which 10 are Interim Multiple Dwelling (IMD) units. The IMD tenants of this building went through a series of tenant harassment tactics from 2004 through 2005, including withdrawal of services and threatened use of force, aimed at forcing them out of their units.

In 2008, per requirements of Section 96-110 of the Zoning Resolution for the Special Clinton District, former owner Shabbat LLC applied for a Certificate of No Harassment (CONH) prior to beginning construction work on the building. However, after an investigation, the Department of

¹ See Appendix A – Tax Lot Diagram

Housing Preservation and Development (HPD) determined that there was reasonable cause to believe that the building's tenants had in fact been harassed. Shabbat LLC requested a hearing and on April 7, 2010, the New York City Office of Administrative Trials and Hearings found that there has been tenant harassment on the site.

Because of the finding of harassment under the Special Clinton District, the owner is required to provide a Cure for Harassment (Cure) if he or she applies for a building alteration through the Department of Buildings (DOB).

The owner would be required to dedicate the greater of the following:

- 28% of the total residential floor area of the existing building; or
- 20% of the total floor area of the newly proposed building

517-525 West 45th Street is a unique circumstance in which a Cure for Harassment is also undergoing IMD unit legalization.

Throughout this building's long history as a harassment site, MCB4 has remained engaged and has sought solutions to the problems that have arisen as previous owners have attempted to develop the building. Most recently, the Board wrote a series of letters to DOB and HPD regarding the Owner's efforts to secure a Cure for Harassment:

Date	Recipient	Issue/s
12/7/15	V. Been, HPD	IMD tenants should be incorporated into owner's Cure requirement.
12/9/15	M. Rebholz, DOB	Building height misrepresented in application for vertical additions to the 517 West 45 th Street and 525 West 45 th Street portions of the building; proposed heights were not in compliance with the Special Clinton District Zoning.
3/15/16	M. Rebholz, DOB & L. Carroll, HPD	Zoning noncompliance regarding provision of light and air for proposed vertical additions; false information on PW1 forms; No Tenant Protection Plan submitted.

Regardless of the issues raised above, the Board is pleased to work with an owner who is willing to find solutions to legalize the residential units through the IMD process and comply with the Special Clinton District Zoning Requirements of the Cure for Harassment. MCB4's goal is to work with the owner and HPD to resolve a beneficial conclusion for the IMD tenants.

The following is a summary of the issues raised by the owner's plans, the Board's and DOB's responses, and the owner's commitment as part of the Cure process. MCB4's goal is to resolve the remaining open items among the Owner, HPD, and MCB4 and to bring this Cure proposal to a successful and beneficial conclusion.

DOB Issues

In its March 15, 2016 letter², the Board listed concerns regarding the proposed work in 517-525 West 45th Street. The owner addressed these concerns during our March 24th and May 24th meetings.

1. Zoning Resolution Requirement – Minimum Distance between Buildings

ZR § 23-711 states that any two buildings on the same tax lot must maintain a minimum of 60 feet between windows. The proposed additions for the 517 and 525 portion of the building did not provide the minimum distance between the portions of the buildings. Any addition should have provided a minimum of 60 feet between windows in two adjacent portions on the same lot.

The owner indicated in plans submitted to DOB that there will be no vertical additions on either the 517 or 525 portion of the building.

2. False and Incomplete Forms

MCB4 also noted PW1 forms under DOB Application No. 122204462 that contained falsified and misleading information:

- Stating that the building was a Single Room Occupancy (SRO)
- Not answering questions regarding the impact of the proposed work on:
 - Exits in the building
 - Number of dwelling units
 - Occupancy / use of the building
 - Current certificate of occupancy
 - Number of stories

The project architect informed the Board that he would correct any incorrect or misleading information in the forms submitted to DOB by March 30, 2016.

On April 7, 2016, the owner submitted an additional PW1 to DOB under Application No. 122204462. This form properly classified the building and acknowledged the proposed work would entail a change in the number of dwelling units, the occupancy of the building, and the number of stories.

The owner represented that he would submit a subsequent PW1 form to reflect that there will be no additional stories under the proposed plans.

3. Asbestos Removal

At the March 24th presentation, the owner stated that the 517 portion and the 525 portion had both been tested for asbestos. However, he could not confirm that the other buildings had been tested and could not recall whether or not the testing at the 517 portion and the 525 portion included the dwelling units, or whether it only took place in the common areas.

² See Appendix B – Letter to M. Rebholz, L. Carroll, dated March 15, 2016

At the follow-up meeting on May 24th, the owner committed to testing for asbestos in all areas of the building as part of the plan approval process.

4. Requirements for Horizontal Multiple Dwelling

MCB4 would like to note that because the 517-525 West 45 Street complex (front and rear buildings) share mechanical systems, entrances, and fire egress, they are collectively considered a single horizontal multiple dwelling. Between the IMD units, the Cure units, and the market rate units, the owner proposed 29 units over the entire complex. Given that number of units, building code requirements that are based on the number of units (such as trash chutes) must be complied with.

Further, a multiple dwelling of more than 50,000 square feet must be in compliance with Local Law 87. LL87 requires the benchmarking of energy and water consumption and the implementation of retro-commissioning strategies in order to lower energy and water consumption.

In light of this requirement, the Board was also surprised to hear that the owner planned to keep the building's current steam heating system. Such a system is significantly less efficient than more modern options and the Board questions whether a steam system would meet the LL87 retro-commissioning requirements.

5. Tenant Protection Plan Requirement

The DOB requires that any building undergoing an alteration with one or more unit that will remain occupied during the alteration must provide a stand-alone Tenant Protection Plan in the form of a TPP1 Form. MCB4 understands that all of the current tenants will remain in place while the building undergoes renovation and requests that the owner provide a copy of the plans to the Board.

At the May 24th meeting, the owner stated that protection plans had been submitted for the following portions of the building:

- 517 portion
- 525 portion
- 523 portion

These plans have not yet been approved by DOB. However, the Tenant Protection Plan must be on DOB's Building Information Search system prior to the issuing of any permits. Additionally, the owner has agreed to provide a copy of the Tenant Protection Plan to the Board prior to commencing any work.

Cure Housing Inclusionary Housing Program and Design Guidelines

Cure housing is subject to design guidelines as defined by HPD, but must also take into consideration the IMD legalization process. MCB4 wishes to work with HPD and the Loft Board to reconcile the two separate sets of requirements. The Board has long been diligent in ensuring that the design requirements of the Inclusionary Housing Program are met by owners and expects that the owner will comply with those design guidelines as defined by HPD.

1. Square Footage of Cure Units

Based on the Residential Square Footage, as defined in Section 96-110 of the Zoning Resolution, the Cure requirement should be 28% of the floor area of the residential portion of the building (gross floor area), as defined in Section 96-110 of the Zoning Resolution. However, to meet that requirement, the HPD BLDS Department employs a method of measuring in which the only the area inside partition walls within the Cure units is considered.

The owner indicated that he received some contradictory information from HPD regarding how to calculate square footage. Housing Committee Co-Chair Joe Restuccia spoke to HPD's Inclusionary Housing Department, which has ultimately agreed to participate in a call to discuss means and methods for calculations and measurements. The owner has agreed to comply with the method that is ultimately agreed to by Inclusionary Housing.

2. ADA Accessibility

MCB4 is particularly concerned about the accessibility of the proposed units. While the owner reported that some tenants were reluctant to provide access for these improvements, the Board has offered to assist in working with these tenants to accomplish the scope of work as required by HPD. MCB4's priority in this regard is to facilitate the creation of quality affordable housing that will not only serve current tenants, but also remain as a resource for many future tenants.

MCB4's initial review of the Cure plans found that in Cure units, kitchens and bathrooms had steps between the main portion of the apartments and those rooms. Bathrooms did not have the required radius for accessibility, and doors to some rooms swung in the wrong direction for ADA compliance. One bathroom drawn in the plans had no partitions to separate it from the rest of the unit and included a ramp as well as a door that opened onto a public path of egress. The owner reported that HPD stated that the ADA requirements would be waived. MCB4 has worked with HPD regarding ADA compliance and has not found that to be possible. To that end, the Board has made arrangements with the owner to take photos of the proposed Cure units in order to help HPD better understand the existing conditions and ensure ADA compliance.

3. Equality in Apartment finishes

MCB4 believes strongly that all units, regardless of their designation as market rate or Cure units should have the same finishes throughout.

The Board was pleased to learn, during the May 24th presentation, that the owner has committed to having the same finishes and appliances in all of the building's Cure and market rate units. The Board expects that this equality will extend to the units in which tenants have not yet agreed to renovation plans.

4. Building Amenities

The proposed alterations to the building do not include the addition of any amenities. Therefore, MCB4 does not have any comments regarding equal access for all tenants.

5. Open Floor Plans and Rent Calculations

MCB4 would like to note that the units in the building are unusually large and therefore may exceed the minimum square footage requirements for affordable housing units undergoing substantial rehabilitation, as set forth in Section 23-96 of the Zoning Resolution:

Bedrooms	Minimum Square Footage
0	400
1	575
2	775
3	950

The Board requests that the owner work with HPD and MCB4 to make rental rates conform to HPD's square footage standards based on the number of bedrooms.

6. Utilities and Rent Calculations

MCB4 would also like to note that the manner in which utilities are charged is not consistent throughout the building. The following is a breakdown for the proposed Cure units:

Unit	Electric	Gas
2A	Paid to ConEd	Tenant pays
5B	Paid to ConEd	Cost included in rent
2C	No information available	No information available
2D	Paid to ConEd	Cost included in rent

HPD sets rents based on whether or not electric and/or gas is included in the tenant's rent. MCB4 requests that the owner work with HPD to tailor rent levels given these circumstances.

7. Preferential Rents

The building includes several long-term tenants who are paying rents that are well below market rate. *The Board was pleased to learn that the owner has agreed to maintain the current rent rates as the preferential rents for all of the Cure units occupied by existing tenants.*

8. Income Qualifications--IMD Cure Tenants

At the March 24, 2016 meeting, a tenant at 517-525 West 45th Street reported submitting income documentation to see if he qualified as a Cure tenant. This tenant was informed by the New York City Housing Partnership, the owner's proposed Administering Agent that he qualified. However, the owner declined to consider his unit as part of the Cure.

The Board is aware that this tenant became an IMD tenant under the 2010 amendments to the IMD law as opposed to rest of the IMD tenants, who are covered under the original 1982 IMD law. If this tenant were granted a Cure unit, the rent for his unit would be based on Cure rent levels and would significantly decrease.

MCB4 has questions about the criteria used to determine which IMD tenants will be considered as Cure tenants and requests that HPD review this criteria and process.

Conclusion

The Board's revision of this Cure for Harassment application had been difficult. From the owner, we have received information in a piecemeal manner and been presented multiple versions of the proposed plans, many of which have not been in compliance with Multiple Dwelling or Building Code requirements. Notwithstanding these missteps, the owner has continually tried to resolve matters. The Board is committed to working with the owner and will continue to work with HPD to bring this matter to a successful conclusion.

The Board looks forward to working with the owner, HPD, DOB, and Tenants in order to ensure that the proposed work in the building meets both DOB requirements and the guidelines of the Inclusionary Housing Program, and that our community benefits from the creation of quality affordable housing.

Sincerely,



Delores Rubin
MCB4 Chair

cc: R. Chandler, DOB
M. Lostocco, HPD
S. Bernstein

2
3 September 30, 2016

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

10
11 **Re: Split Leading Pedestrian Interval Signals**

12
13 Manhattan Community Board 4 (CB4) is very pleased that three additional Split Lead
14 Pedestrian Intervals (Split LPI) have been approved and will be installed shortly. We are
15 also hopeful that seven more Split LPIs pending approval will be approved. These are
16 very good news for the safety of pedestrians in our neighborhood.

17
18 We remain concerned that safety measures we had requested at some intersections will
19 not be installed, as these intersections are still extremely dangerous.

20
21 This summer, DOT published a study of 1000 intersections in New York City and found
22 that 19% of all fatalities and severe injuries are due to left turning vehicle, three times
23 more often than right turn movements. 80% of these crashes involve passenger vehicles
24 and seniors are more at risk. The most dangerous configuration is turning from a one-
25 way street onto a wide avenue or two-way street. 80% happened at a signalized
26 intersection where the pedestrian had the right of way.

27
28 As part of the Hell's Kitchen Traffic Study, DOT studied all crashes along 8th and 9th
29 Avenues, and CB4 prioritized intersections to be addressed based on the number of
30 crashes that had occurred. In 2015, New York City Department of Transportation (DOT)
31 installed 33 Lead Pedestrian Intervals (LPI)¹ and 6 Split LPIs² in our district.

32
33 DOT now proposes to install 12 additional Split LPIs in 2016 and early 2017 at the
34 following locations (3 approved, 9 pending approval):

- 35
36 @ 8th Avenue on W 25th Street (installed)
37 @ 8th Avenue on W 28th Street (installed)
38 @ 8th Avenue on W 29th Street (installed)
39 @ 8th Avenue on W 30st Street

¹ An LPI fully protects pedestrians crossing the street during 7 seconds when all vehicular signals are red, then the vehicular signal on the parallel street turns green and turning cars conflict with pedestrians.

² A Split LPI fully protects pedestrians crossing the street during 10 seconds when a red arrow signal prevents cars on the parallel street from turning, then the vehicular signal on the parallel street turns blinking yellow, which instruct cars to proceed with caution and yield for crossing pedestrians. Through traffic is not affected since it has a green light during both phases.

40 @ 8th Avenue on W 31st Street (approved)
41 @ 8th Avenue on W 36st Street
42 @ 8th Avenue on W 38st Street (approved – fatality)
43 @ 8th Avenue on W 40th Street (installed)
44 @ 8th Avenue on W 50th Street
45 @ 8th Avenue on W 54th Street (installed)
46 @ 9th Avenue on W 45th Street
47 @ 9th Avenue on W 47th Street
48 @ 9th Avenue on W 49th Street
49 @ 9th Avenue on W 53rd Street (fatality)
50 @ 9th Avenue on W 55th Street (installed)
51 @ 11th Avenue on W 37th Street (approved – fatality)

52
53 At each of those locations DOT will install a turn bay lane and signals

54
55 While we are very grateful for the proposed safety improvements, we continue to be
56 concerned with certain intersections that were not selected and are dangerous due to the
57 particular nature of the Lincoln Tunnel and Commuter traffic:
58

- 59 • On 39th Street, turning south on 9th Avenue
- 60 • On 9th Avenue, turning west on 45th Street,
- 61 • At all intersection along the bike lanes from 30th to 57th Streets where turn bays
62 are already in place, and particularly in the midtown segment where fatalities
63 have occurred and the commuting drivers are the most aggressive.
64

65 As morning and evening traffic flows are very different on these streets (1) real split
66 phases at these intersections could improve the flow of vehicles since the volume of
67 pedestrians prevent cars from turning during the green phase (2) queues at these
68 intersections are due to the backup on the streets cars are turning into, thus a split phase
69 would not increase the queues.
70

71 We trust that with a Mayoral mandate to reduce traffic fatalities and injuries to Zero,
72 DOT will prioritize safety over traffic flow in our district – such as it is - and give us a
73 plan to address the balance of these dangerous intersections as well as the priority
74 intersections listed in the Vision Zero Pedestrian Safety Action Plan.

1 **Transportation Planning Committee**

Item # 16

2
3 September 30, 2016

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

10
11 **Re: Proposed 11th Avenue Safety Improvements**

12 Dear Acting Commissioner Sanchez,

13 Manhattan Community Board 4 (CB4) is pleased that after a six month delay, the safety
14 improvements planned for 11th Avenue will be rolled out in two phases in September
15 2016 and March 2017.

16
17 **11th Avenue two-way – 34th to 42nd Street:**

18 We are delighted to hear that a Split LPI will be installed at 37th Street and a Barnes'
19 Dance at the complex 40th Street intersection.

20
21 We continue to request that:

- 22 • High visibility markings be installed at all the crossings for 11th Avenue
- 23 • Split phase signals be installed at the North bound and southbound turns from 34th
24 Street to 11th Avenue. This intersection is teeming with convention attendees and
25 bus riders. It is very dangerous.
- 26 • Split phase signals at 42nd Street and 11th Avenue, one of the Priority intersections
27 in the Vision Zero pedestrian action plan.

28
29 **11th Avenue one-way – 44th to 52nd Street:**

30 We are disappointed that the conversion to one way will not extend north of 52nd street.

31
32 We continue to request that:

- 33 • The changes be implemented all the way to 57th Street.
- 34 • The lane separation between the tunnel and thru traffic be expanded north to 46th
35 Street
- 36 • Proper signage be installed overhead starting at 47 street to direct cars to their
37 proper lanes
- 38 • All pedestrian crossing be equipped with high visibility markings
- 39 • Install a split LPI signal for the southbound turn from 53rd Street to protect
40 families an pedestrian crossing 11th avenue to reach the park.

41
42 These comments were already discussed in more detail in our April 8, 2016 letter
43 attached.

45 We further request that upon completion of this project, a way-finding signage design
46 project be undertaken in collaboration with the Community Board and the Hudson
47 Yards/Hell's Kitchen Alliance Business Improvement District as well as an update of
48 GPS mapping vendors to educate drivers on the best use of these new routes.

DRAFT

1 **Transportation Planning Committee**

Item # 17

2
3 September 30, 2016

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

10
11 **Re: Mount Sinai Emergency Service Vehicles**

12
13 Dear Acting Commissioner Sanchez,

14
15 Manhattan Community board 4 (CB4) recommends that 59th Street be converted to a
16 two-way between 10th and Columbus Avenue, to mitigate the negative impact on
17 emergency response time caused by the new traffic flow being implemented as part of the
18 Lincoln Square traffic study.

19
20 Mount Sinai West responds to 65,000 emergency calls a year with an average response
21 time of 8 minutes. Until now, the emergency vehicles were using east bound 60st Street to
22 bring back patients from northbound 10th Avenue to the emergency bay on westbound
23 59th Street.

24
25 A new plan recently adopted by the Department of Transportation (DOT) will convert
26 60st Street to westbound. As a result, the ambulances will have to travel up to 65th street
27 on 10th Avenue and come back down Columbus Avenue, through a very congested area,
28 to make a westbound turn at 59th Street. This adds eight blocks to each of the 65,000 trips
29 with potential life and deaths implications.

30
31 We recommend that 59th Street be converted to a two-way street between 10th and
32 Columbus Avenues with the eastbound segment restricted to the EMS traffic. A similar
33 configuration works well for the Fire Department on 43rd Street between 10th and 11th
34 Avenues.

35
36
37 We appreciate your prompt consideration to this matter.

38
39
40
41 CC Lincoln Center BID
42 CC CB7
43 CC NYFD department emergency services
44 Cc Mount Sinai
45

1 **Transportation Planning Committee**

Item # 18

2
3 September 30, 2016

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

10
11 **Re: Pedestrian Crossing at 56th Street and 12th Avenue**

12
13 Dear Acting Commissioner Sanchez,

14
15 Manhattan Community Board 4 (CB4) requests that the New York City Department of
16 Transportation (DOT) study the feasibility of installing a signalized pedestrian crossing
17 on 56th Street, on the east side of 12th Avenue.

18
19 With the large influx of residents in this part of our district, the street network needs to be
20 upgraded to safely accommodate pedestrians. Large residential buildings with thousands
21 of residents are either built or in construction and a very nice park have opened on
22 Riverside South attracting families and children from all over the neighboring streets.

23
24 A traffic light and a red turn arrow (split phase) at 56th Street already control the
25 southbound traffic on the West Side highway, however the 56th Street crossing is lacking
26 a pedestrian signal and high visibility markings to make it clear when and where
27 pedestrians should cross.

28
29 With this route becoming more popular to access the park north of it, we ask that you
30 study the feasibility of installing pedestrian signals and high visibility marking on 56th
31 street, east of 12th Avenue. A blinking turn arrow may also be necessary to slow down
32 the northbound vehicles turning east at 56th Street.

33
34
35
36 CC Helen Rosenthal
37 Linda Rosenthal
38
39
40

1 **Transportation Planning Committee**

Item #19

2
3 September 30, 2016

4
5 Ydanis Rodriguez
6 City Council Member
7 618 W. 177th Street, Ground Floor
8 New York, NY 10033

9
10 DOT

11
12 DCA

13
14 To Chair of committee on Consumer affairs

15
16 **Re: Regulation of Sightseeing buses**

17
18 Manhattan Community Board 4 (MCB4) is pleased that the City Council is considering
19 further regulation of sightseeing buses¹ in the City. With 59 million tourists visiting New
20 York City annually and a large chunk of our economy depending on it, having a robust
21 operational model to manage the integration of this industry with our residential and
22 business district is crucial.

23
24 Intro 529-A seeks to ensure a better safety record for the drivers and reporting of crashes;
25 Intro 713-A clarifies and strengthens the process to obtain a bus license by including
26 Community Board and Department of Transportation reviews before the Department of
27 Consumer Affairs grants a license, and Intro 950 establishes a maximum of 220 licenses
28 for sightseeing buses.

29
30 We applaud Intros 529 and 713, but wish they were more comprehensive in addressing
31 the roots of our daily problems. We have serious concerns about the unintended
32 consequences of arbitrarily limiting the number of licenses as proposed in Intro 950.

33
34 Our District harbors more than 50 hotels, over 300 restaurants, bars and clubs, and many
35 tourist destinations. It is the home of the Port Authority Bus Terminal with its 8,500
36 daily bus trips and the long distance companies Megabus and Bolt. The hundred of
37 thousand of tourists invading our narrow sidewalks with or without luggage in tow,
38 compete for space with commuters, workers and residents and generate many unwanted
39 side effects.

40
41 **Intro 529 –A**

42 We support increasing safety requirements for the drivers. However sightseeing tour bus
43 drivers ought to be subject to at least the **same safety tests and screening as the MTA**
44 **drivers.** We oppose giving a license to drive a sightseeing bus to any driver whose

¹ As noted by the industry, these laws should cover only sightseeing buses that operate as a Hop-on Hop-off service as they are incompatible with the operation of Tour and Charter buses.

license has been revoked in the last five years. Such a proposal seems to fly in the face of the Vision Zero Mayoral initiative.

Intro 713 - A

Approval of sightseeing bus stops and renewals should be subject to Community Boards' approval with a 60 days notice to allow them to do due diligence and public outreach. The community is the expert on local conditions and their input will reduce the number of conflicts and complaints.

We also urge the council to clarify **the renewal procedures** for all buses and make it clear that community complaints will play a significant role in the renewal. There is an effort underway by the Department of Transportation (DOT) to evaluate renewals of Inter-City bus stops based only on NYPD summonses and not take in account documented community complaints. The number of stops and companies make it nearly impossible for NYPD to dedicate sufficient resources to catch the myriad of infractions routinely perpetrated by the bus operators, often at the detriment of the local business and residents. Idling is one of those issues, as well as having too many buses at one stop, vending on the sidewalk, using the wrong routes etc.

The Department of Transportation should publish and keep up to date **a map of all bus stops** granted to which companies (including long distance, jitneys etc.) overlaid with bus maps and bus lanes as well as a link to the stipulations of the licenses and renewal date. This would help the community in reviewing the applications and assist the public and the NYPD in understanding what stipulations should be enforced.

No stop should ever be approved in an MTA stop or bus lanes. Our largest concern is with the number of sightseeing buses that legally or not, stop at MTA bus stops or in bus lanes for up to 15 minutes at a time to load large numbers of tourists or just wait for the next departure and slow down the service or prevent wheel chair accessibility. In all cases the MTA bus stops should be given the preferred location closest to the intersection to facilitate transfers.

The concepts of stops, routes and viability should be better defined and included in writing in the license. Is a stop defined in duration (3 minutes or less) or in number of buses? Recently Open Loop was given one stop supposedly to use with one bus for less than 3 minutes. We have not been able to obtain from DOT a copy of their license to verify if it is specific in that regard or whether the number of times a day the stop is to be used. As a result at any given time during the day, there were 6 buses at curbside. Routes should be strictly limited to truck routes as is current law.

Why are Sales of tickets on the sidewalk permitted? Another large concern is crowding and proliferation of tickets sellers on the sidewalk. Just recently Open Loop was allowed to stop on 42nd street in a bus lane. Immediately up to 6 tickets agents were crowding the sidewalk in front of the exit of a large office building and many employees complained of being pushed around by the bus company personnel. In other instances up to 4 ticket agents post themselves at very busy intersections (40th street and 8th Avenue at

Port Authority in front of the subway), which is not adjacent to a stop. When each agent speaks to a family of three, the passage is completely blocked and the pedestrians walk in the street.

Intro 950

The quota system as applied in the Taxi industry has resulted in limiting entrepreneurship and favored large fleet owners who do not care about their employees, the state of their cars and the quality of the service.

It would be preferable to **strictly limit the number of permitted stops**, and adopt **stringent quality standards to approve licenses**, that will ensure that both the tourist and neighborhood experiences are improved and will deter unqualified operators from applying. Examples of such standards are companies that:

- Are in good standing with the Federal Motor Carrier safety Administration
- Use buses with only clean air technology for new licenses, and retrofit of existing buses with installation of an automatic engine shut-off for renewal.
- Use a bus design that favors windows and strictly limits advertising space (this would reduce the number of near empty buses circling in the streets)
- Agree to not sell tickets in the street
- Agree to use truck routes only
- Agree to not stop in MTA stops or MTA bus lanes
- Will use proper parking locations when the buses are not in circulation
- Pay their drivers a living wage even if there are headquartered in another state.

We thank you for taking our suggestions in consideration.

Cc Margaret Chin
Corey



Delores Rubin
Chair

JESSE R. BODINE
District Manager

CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
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www.nyc.gov/mcb4

September 28, 2016

Carl Weisbrod, Chair
City Planning Commission
22 Reade Street
New York, NY 10007

Re: ULURP Application No. C 160275 ZSM
Special Permit for a 10-Space Accessory Parking Garage at 532 West 20th Street

Dear Chair Weisbrod:

Manhattan Community Board 4 (CB4) recommends approval of the application with two conditions for a special permit under ZR 13-45 and ZR 13-451 for an increase in the number of parking spaces at 532 West 20th Street from two to ten. The Board's recommendation is based on the belief that the small number of additional spaces (eight) meets the special permit findings and will have a minimal impact on the neighborhood. The two conditions are that the building's owners not be permitted to sublet their parking spaces and that any spaces not bought by residents be made available to the public only on a monthly rental basis. This recommendation reflects the consensus of both the Board's Chelsea Land Use Committee and Executive Committee, neither had a quorum, and is subject to ratification at its Full Board meeting on Wednesday, October 5th.

Background

The proposed development at 532 West 20th Street is an as-of-right eleven-story building occupying Block 691 Lot 50 in a C6-2 district in Subarea E of the Special West Chelsea District. The development will have nine residential units. There will be no commercial space. Under ZR 13-11(a) the site is permitted two accessory parking spaces for the residential units. The proposed garage will be entirely on the ground floor and will include a booth for a 24/7 attendant. It will have five stackers each accommodating two cars. All of the parking spaces are intended to be accessory parking spaces to be used by the residents of the proposed development. If any spaces are not purchased by the condo-owners, they will be made available to non-residents but only on a month to month basis. Transient parking would not be permitted. If a resident requests a parking space, a monthly rental space would be given to the resident with a thirty day notice to the renter. The garage includes ten bike racks; five are required.

Analysis

The Board believes that the applicant has shown that the project complies with the required findings including pedestrian traffic, street functioning and traffic congestion. West 20th Street is one-way westbound. A pedestrian walkway across Twelfth Avenue at West 20th Street is on the north side of West 20th Street, across the street from the site under consideration. Safety measures for the proposed garage include a speed bump, a stop sign and a striped pedestrian path in the garage. The new building would decrease the curb cut on West 20th from the existing 55-foot width to a 12 foot width. The applicant predicts that three cars in the morning would be going in and out of the garage, three in the afternoon and three in the evening.

ZR 13-45(d) requires compliance with the additional finding set out in ZR 13-451, that "the number of off-street parking spaces in the proposed parking facility is reasonable and not excessive in relation to recent trends in close proximity to the proposed facility..."

The Department of City Planning (DCP) addressed the issue of reasonableness by developing methodology to calculate a "parking ratio." The calculation of the parking ratio requires consideration of new residential dwelling units and new and lost parking spaces during a ten year look-back period through the completion of the proposed facility. The application guidelines also state, "Additionally, the City Planning Commission...may take into account levels of vacancy in existing parking facilities within the area of the proposed parking facility." The applicant has calculated that during a 10-year "look back" period, there was an increase of 244 spaces and an increase of 1,428 residential units resulting in a parking ratio of 17.1 percent. The proposed parking garage would increase the parking ratio to 17.7 percent, below the target ratio of 20 percent established by DCP.

CB4 Objections to Department of City Planning's Parking Ratio Methodology

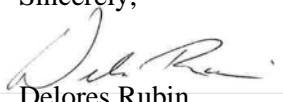
As we have written before, CB4 believes that the DCP methodology is not appropriate for the West Chelsea area. At the beginning of the mandated ten year look-back period, the West Chelsea area was a manufacturing district with a large over-supply of off-street parking caused by warehousing vacant lots as parking pending favorable economic and social conditions for development of the lots. These parking spaces were not fully utilized except on special occasions, such as events at Madison Square Garden. There also were few residences within the one-third mile study area of the proposed development, and even fewer legal ones. Thus, these parking spaces largely accommodated transient users, not residential users. (See additional issues CB4 raised in its August 10, 2015 letter about ULURP application C 150309). At an October 21, 2015 meeting attended by several CB4 members, two representatives from the Manhattan Borough President's Office, DCP Manhattan Office Director and two other planners, CB4 raised these issues about DCP's methodology for calculating additional parking spaces for residential growth. It was our understanding that DCP would revisit this methodology, particularly ZR 11-21, exceptions to guidelines for unique site or project considerations. We would appreciate DCP letting us know if there has been any progress in re-examining the methodology for the West Chelsea area.

Conclusions and Recommendation

Despite CB4's objections to DCP's methodology to calculate the residential growth parking ratio, the Board believes that the number of proposed off-street parking spaces for 532 West 20th Street would have minimal impact on the neighborhood and would not create dangerous or congested conditions. We recommend approval of this special permit with the conditions that residents not be permitted to sublet their parking spaces and that spaces not purchased by residents be rented to non-residents only on a monthly basis.

September 27, 2016

Sincerely,



Delores Rubin
Chair

Manhattan Community Board 4



John Lee Compton, Co-Chair
Chelsea Land Use Committee



Betty Mackintosh, Co-Chair
Chelsea Land Use Committee

cc: Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council
DDG Partners

1 **New Business**

Item # 21

2
3 September 30, 2016

4
5 Lauren Danziger
6 Executive Director
7 Meatpacking District
8

9 **Re: Westside L Train Shutdown Coalition**

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11 Dear Ms. Danziger,

12
13 Manhattan Community Board 4 (CB4) would like to thank you for inviting CB4 to join your
14 Westside L Train Shutdown Coalition. Given the MTA's decision to shut down the L train in
15 Manhattan for 18 months our community is acutely concerned with how this will affect westside
16 residents, workers, and visitors. While the MTA has proposed implementing ferry service to
17 Manhattan's East Side and conducting extensive renovations and modernizations to the Bedford
18 and 1st Ave stations, no improvements have been proposed for the 6th or 8th Ave stations and no
19 ferry service has been proposed for the Manhattan's West Side.

20
21 As our board advocated in our August 8th letter, we support West Side ferry service and MTA
22 station investments. The 18-month closure of the 6th and 8th Ave stations is a rare opportunity to
23 renovate and modernize these stations. We urge the MTA to conduct a full analysis of
24 modernization possibilities. We are pleased to join the coalition and look forward to working
25 with the Meatpacking District coalition to advocate for Manhattan's West side.

26
27
28 Sincerely,
29

New Business

Item#: 22

October XX, 2016

Michael P. Carey
Executive Director
Office of Citywide Event Coordination and Management
Street Activity Permit Office
100 Gold Street, 2nd Floor
New York, NY 10038

Re: Proposed Rule Changes to Street Events

Dear Mr. Carey:

Manhattan Community Board 4 ("MCB4") writes in regard to the rule changes that the Street Activity Permit Office (SAPO) has proposed and the hearing that is scheduled to take place on Thursday, October 13th, 2016. MCB4 first wants to express our thanks to you and your staff for its dedication and responsiveness when working with the community. However the proposed changes are significant and the deadline of October 13th does not allow MCB4 to appropriately review and provide comment.

As you are aware street events have significant impact on both residents and small businesses in terms of noise, accessibility, and traffic congestion. MCB4 has a number of questions regarding the proposal to lift the moratorium on the number of events and replace it with a yearly cap of 10 multi- block events and 20 single block street festivals per community district. This would allow for the potential addition of two multi-block events and double the number of single block events within Community District 4. In addition, MCB4 would like to understand better the proposed changes to event times and the impact these proposed rules will have on single block street festivals that are sponsored by local, long standing, block associations.

For these reasons MCB4 requests that the deadline for comment for these proposed rules be extended 30 days from the current deadline of October 13th. If this extension is granted MCB4 invites a representative from SAPO to attend the Arts, Culture, Education, and Street Life Committee (ACES) on Monday, October 18th at 6:30pm at Hotel Trades Union, 305 West 44th Street to better understand the proposed changes.

Thank you for your attention to this issue and MCB4 looks forward to your response.
Sincerely,

Delores Rubin
Chair
Manhattan Community Board 4

cc: Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council