

1 **Landmarks Committee**

**Item #: 13**

2  
3 June 5, 2013

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

11  
12 **Re: Storefront at 239-241 Eleventh Avenue**  
13 **West Chelsea Historic District**

14  
15 Dear Chair Tierney:

16  
17 Manhattan Community Board 4 is writing about the application for a Certificate of  
18 Appropriateness for modifications at 239-241 Eleventh Avenue in the West Chelsea Historic  
19 District, within Community District 4. The Board recommends approval of the application, but  
20 has serious concerns about future changes to the existing windows under an anticipated master  
21 plan.

22  
23 The elements that are subject to the Certificate of Appropriateness are limited to three first floor  
24 openings, two on Eleventh Avenue and one on West 26<sup>th</sup> Street, and a new exterior access  
25 platform at the West 26<sup>th</sup> Street opening. The openings were originally open loading docks  
26 without glazing.

27  
28 We find replacement of the steel roll-up doors with storefronts to be appropriate as there is no  
29 change to masonry openings or their surrounds.

30  
31 We find introduction of the proposed steel platform at the West 26<sup>th</sup> Street storefront to be  
32 appropriate. This location will be a lobby for future office space. Although open stairs at either  
33 end of this platform will not provide ADA wheelchair access to the lobby, such access will be  
34 provided by an existing adjacent elevator which opens onto both the sidewalk and the lobby floor  
35 by way of opposed elevator doors.

36  
37 We understand that the new storefronts may serve as prototypes in developing a master plan for  
38 building-wide window replacement. We are very concerned about the effect the master plan may  
39 have on the character of this historically significant building. It was erected in 1912-13 as a  
40 freight terminal for the B&O Railroad and is thought to have been the largest reinforced concrete  
41 structure in Manhattan at the time, and the first with flat slab construction.

42  
43 The freight terminal closed in the early 1970's and the current owner bought the building in  
44 1981. Since then, it has been used primarily for storage. The future plan is for a mixed-use  
45 building with retail on the lower levels and offices above. The existing windows are small and  
46 widely spaced, befitting the original use of the building. Its new use and market forces may exert

47 pressure to enlarge and/or increase the number of windows in the anticipated master plan.  
48 Although the existing window pattern is not part of a sophisticated architectural composition, it  
49 embodies the historic industrial character of the building and the district. It is not too soon to  
50 begin considering how fully the building's windows and openings should be preserved, as  
51 features of changes like those currently proposed may come to be regarded as justifying  
52 precedents.

53  
54 Sincerely,

55  
56 CJ/PW

DRAFT

2  
3 Robert D. LiMandri  
4 Commissioner  
5 Department of Buildings  
6 280 Broadway, 7<sup>th</sup> Floor  
7 New York, NY 10007

8  
9 Janet Sadik-Khan  
10 Commissioner  
11 Department of Transportation  
12 55 Water Street, 9<sup>th</sup> Floor  
13 New York, NY 10041

14  
15 **Re: After-hours Variances**

16  
17 Dear Commissioner LiMandri and Sadik-Khan:

18  
19 Manhattan Community Board 4 (CB4) requests immediate changes to the method by which  
20 after-hours variances (AHVs) are issued by the New York City Department of Buildings (DOB)  
21 and Transportation (DOT) in District 4. We request that AHV for night work on a given block or  
22 a given street, by both DOB and/or DOT be approved for duration of no more than seven (7)  
23 days out of any rolling 30 days on a certain block, and weekend work be approved for no more  
24 than one weekend out of four consecutive weekends. This is acutely needed in our district where  
25 so many massive projects are underway as a result of the rezoning on the west side.

26  
27 As we understand it, AHVs allow developers and landlords to work at times most New Yorkers  
28 are sleeping or relaxing—late at night, early in the morning and on the weekends. MCB4 Quality  
29 of Life Committee has received a deluge of complaints over the last two years from residents  
30 who are getting sick because of the uninterrupted loud noise.<sup>1</sup> Business Owners cannot speak on  
31 the telephone, hold meetings and they lose key employees who cannot sustain the pain inflicted  
32 by such constant noise.

33  
34 “Noise is generally viewed as being one of a number of general biological stressors. It is felt that  
35 excessive exposure to noise might be considered a health risk in that noise may contribute to the  
36 development and aggravation of stress related conditions such as high blood pressure, coronary  
37 disease, ulcers, colitis, and migraine headaches. Growing evidence suggests a link between noise  
38 and cardiovascular problems. There is also evidence suggesting that noise may be related to birth  
39 defects and low birth-weight babies. There are also some indications that noise exposure can  
40 increase susceptibility to viral infection and toxic substances.”<sup>2</sup>

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<sup>1</sup> A technique American troops used successfully in Panama to capture General Noriega, and still qualifies as Cruel, Inhuman and Degrading treatment (CID) illegal under U.S law

<sup>2</sup> **NOISE EFFECTS HANDBOOK, A Desk Reference to Health and Welfare Effects of Noise**, By Office of the Scientific Assistant Office of Noise Abatement and Control U.S. Environmental Protection Agency, October 1979, Revised July 1981 EPA 500-9-82-106

41 According to DOB, applications for AHVs have indeed increased at a staggering rate in recent  
42 years, from just 59,128 filed in 2007 to 128,605 in 2009. With so many more projects seeking  
43 special permission to work outside of permissible work hours, it is more critical than ever that  
44 DOB and DOT ensure that projects are granted AHVs only when appropriate and mandated  
45 under existing code.

46  
47 Under the New York City Administrative Code Section 24-223, AHVs may only be issued in  
48 cases of emergency work, public safety concerns, City construction projects, with minimal noise  
49 impact and undue hardship guaranteed. However, we have been apprised in conversations with  
50 members of our various local electeds' staffs, that AHV applications are routinely approved  
51 based on a review of the scope of work, rather than on the Administrative Code criteria. Worse,  
52 as conveyed by DOB staff and confirmed by Assemblyperson Linda Rosenthal's office, the  
53 AHV application form neither lists the requirements for an AHV to be issued nor contains  
54 sections for the applicant to prove that it has met them. . Further we understand that renewals of  
55 such AHV are self-certified.

56  
57 Rather than limit the volume of work, DOB has required only that the contractor simply file a  
58 noise mitigation plan with the New York City Department of Environmental Protection, which  
59 allows developers to perform virtually any work within the limits of the City noise code and is  
60 already required under Section 24-203 of the Administrative Code. As anyone living near a  
61 construction site on a weekend can attest, after-hours construction – even ones permissible under  
62 City's noise code - are extremely disruptive to area residents. Similarly, DOB does not require  
63 developers to prove undue hardship, such as financial concerns, which may explain why some of  
64 the most expensive apartments in Manhattan are being constructed in Manhattan Community  
65 District 4 with AHVs for late-night, early morning and weekend work ongoing for years.

66  
67 According to your staff, the quality of life of adjoining residents is not part of the criteria to grant  
68 repeated permits on a given block: for example the fact that construction noise was permitted for  
69 three week ends in a row does not constitute a ground to deny work on a fourth week end.  
70 Similarly, an AHV granted by DOT to do street work on the weekend will not take in  
71 consideration whether there is construction during the weekdays in the same street. While it is  
72 acceptable to lose a traffic lane at peak traffic hours for the purpose of construction, it appears  
73 that a loss of moving lane is unacceptable for the purpose of residents' health and quality of life.

74  
75 However the scientific community agrees that “with an adequate time before the next noise  
76 exposure, the ear will generally recover to a previous pre-exposure threshold. Repeated noise  
77 exposures without adequate time for recovery between exposures can lead to a Noise-Induced  
78 Permanent Threshold Shift (NIPTS)”.<sup>3</sup>

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<sup>3</sup> **NOISE EFFECTS HANDBOOK, A Desk Reference to Health and Welfare Effects of Noise**, By Office of the Scientific Assistant  
Office of Noise Abatement and Control U.S. Environmental Protection Agency, October 1979, Revised July 1981 EPA 500-9-82-106

79 From the massive construction taking place over years on W. 54<sup>th</sup> Street between Eleventh and  
80 Twelfth Avenues, to the rezoning of Eleventh Avenue, to the proposed rezoning in Clinton’s  
81 Special Clinton Urban Renewal Area (CURA ) to the ongoing development at Hudson Yards and  
82 its surrounding neighborhoods, MCD4’s residents have been exposed to years of quality of life  
83 abuses due to the AHVs that have been previously granted, and is also facing a minimum of ten  
84 to fifteen more years of massive and constant new construction in the midst of its residential  
85 neighborhoods. We are not only requesting the DOB and DOT to only grant AHV’s using the  
86 “letter” and spirit of the Administrative Code, but we are also asking you to incorporate health  
87 and quality of live criteria in the approval process. W are actively working with all local elected  
88 officials to prioritize this issue, and bring long needed relief to the infringement of the quality of  
89 life that these variances almost uniformly bring to the residents of this district and City at large.

90  
91 While development is essential to any thriving city, DOB must strike a balance between  
92 developers and the residents affected by the construction. The Administrative Code establishes  
93 reasonable criteria for issuing AHVs which ensure that developers work after-hours only when  
94 necessary or when the work will not impact the surrounding community, but DOB appears  
95 unwilling to hold developers to these requirements.

96  
97 **MCB4 therefore urgently requests that DOB does everything in its power to ensure that**  
98 **new construction does not disrupt residential communities more than absolutely necessary.**  
99

100 Sincerely,

101  
102 cc: All local electeds w/Linda Rosenthal’s office first, followed by Scott Stringer, etc.  
103 Department of Health and Mental Hygiene  
104

1 **Quality of Life: ACES Committee**

**Item #: 15**

2

3 June 5, 2013

4 Street Activity Permit Office

5 100 Gold Street, 2<sup>nd</sup> Floor

6 New York, NY 10038

7 **Re: New Street Activity Permit Application 2013**

8 Applicant: The West 42<sup>nd</sup> Street Farmer's Market

9 Location: West 42<sup>nd</sup> Street (s/s) between 11<sup>th</sup> and 12<sup>th</sup> Avenues

10 Dates: Wednesdays from July 10<sup>th</sup> to Nov. 27<sup>th</sup>, 2012

11 Street Closure (Curb Lane) Time: 6 am to 6 pm

12 Actual Time of Event: 8 am to 6 pm

13 Manhattan Community Board 4 supports the new application for a Green/Farmer's Market  
14 (Event ID#93697) that will operate Wednesdays from July 10 to November 27, 2013. This  
15 farmer's market will operate on the sidewalk and curbside in front of One River Place. The  
16 owner of this property, River Place Holdings LLC, has pledged full support for this application.

17 Sincerely

18 Corey Johnson

19 Chair

20 Manhattan Community Board 4

21

David Pincus

Co-Chair

Quality of Life Committee

Larry Roberts

Co-Chair

Quality of Life Committee

2  
3 30 May 2013

4  
5 Scott Stringer  
6 Manhattan Borough President  
7 Municipal Building, One Centre Street, 19<sup>th</sup> floor  
8 New York City, NY 10007  
9

10 **Re: Request for Lawn Remediation of Clinton Cove**

11  
12 Dear Manhattan Borough President Stringer:

13  
14 Manhattan Community Board No 4 (CB4) wishes to thank you for your strong support over the  
15 years for Hudson River Park. This letter was endorsed by CB4 in support of the Hudson River  
16 Park Trust's request for funding for lawn remediation of the Clinton Cove area.  
17

18 As you know, Clinton Cove is one of the park's finest features – a rare expanse of open lawn  
19 space, trees, plantings and river access in a park-starved section of the borough. It is also one of  
20 the oldest parts of the park, designed within a community process and built in 2005.  
21

22 The Hudson River Park Trust would like to see this area of the park improved by refurbishing  
23 the lawn and with additional and improved plantings. For that reason, they have submitted a  
24 request to you for \$150,000 to rehabilitate the lawn in the Clinton Cove area.  
25

26 Clinton Cove is approximately two acres. The lawn here is in desperate need of a rehab, since it  
27 has not received much attention beyond basic maintenance in the years since it was established,  
28 and since the goose population has been especially aggressive at this location. (The goose  
29 problem has recently improved with the help of a sheep dog service retained by HRPT.) This  
30 request would include soil testing, aeration of the soil to reduce compaction, additional soil  
31 amendments, drainage testing, existing sod and debris removal and installation of new sod.  
32 Overall the costs for the remediation of this 53,000-square-foot lawn come in at a bit less than \$3  
33 a square foot.  
34

35 For your information, the Trust is also separately requesting \$100,000 from the office of the  
36 Council Member Gale Brewer for installing more attractive and suitable plantings that can better  
37 weather wind and salt conditions at this site, but this is a discreet project that is not linked to this  
38 request. Should these two projects be funded, Clinton Cove would be in great shape for the  
39 future, especially as Pier 97 becomes developed as a great public open space that will bring more  
40 residents out to the water.  
41

42 Thank you for your attention to this request, and as always, for your support of our city's open  
43 spaces. Please contact Madelyn Wils or Noreen Doyle at Hudson River Park Trust if you need  
44 further information.  
45

46 Sincerely,

47 MD, JWD, CJ

48

49 Cc: Noreen Doyle & Madelyn Wils - HRPT, Gale Brewer, other area electeds

DRAFT

2  
3 30 May 2013

4  
5 Council Member Gale Brewer  
6 250 Broadway, Suite 1744  
7 New York, NY 10007

8  
9 **Re: Request to Restore Planting Beds for Clinton Cove**

10  
11 Dear Council Member Brewer:

12  
13 Manhattan Community Board No 4 (CB4) wishes to thank you for your strong support over the  
14 years for Hudson River Park. This letter was endorsed by CB4 in support of the Hudson River  
15 Park Trust's request for funding for the planting beds around the entire Clinton Cove area.

16  
17 As you know, Clinton Cove, in your district is one of the park's finest features – a rare expanse  
18 of open lawn space, trees, plantings and river access in a park-starved section of the borough. It  
19 is also one of the oldest parts of the park, designed within a community process and built in  
20 2005.

21  
22 The Hudson River Park Trust would like to see this area of the park enlivened by installing more  
23 attractive and suitable plantings that can better weather wind and salt conditions at this site, as  
24 well as a refurbished lawn. For that reason, they have submitted a request for \$100,000 in  
25 discretionary funding to replace and restore the planting beds around the entire Clinton Cove  
26 area.

27  
28 Clinton Cove is approximately two acres, and this request would include new landscaping and  
29 plant materials around the perimeter of the lawn and along the paths for a total of 16,500 square  
30 feet of plant beds. Again, this section of the park is one of the oldest, and the plantings are  
31 showing their age – some are overgrown and now past their life expectancy and some did not  
32 survive the conditions at the site. For example, as the trees have matured and created more shade,  
33 a different kind of plant is required for the understory. The Trust is now seeking wind- and salt-  
34 tolerant ornamental bushes and flowers that will provide more color and liveliness to this area.  
35 They also need to replace parts of the irrigation system.

36  
37 For your information, the Trust is also separately requesting \$150,000 from the office of the  
38 Manhattan Borough President for restoration of the lawn, but this is a discreet project that is not  
39 linked to this request. Should these two projects be funded, Clinton Cove would be in great shape  
40 for the future, especially as Pier 97 becomes developed as a great public open space that will  
41 bring more residents out to the water.

42  
43 Thank you for your attention to this request, and as always, for your support of our city's open  
44 spaces. Please contact Noreen Doyle at Hudson River Park Trust if you need further  
45 information.

46

47 Sincerely,  
48 MD, JWD, CJ

49

50 Cc: Noreen Doyle & Madelyn Wils - HRPT, MBP Stringer, other area electeds

2  
3 Chris Crowley  
4 NYC Department of Parks & Recreation  
5 The Arsenal  
6 Central Park  
7 830 Fifth Avenue  
8 New York, NY 10065  
9

10 **Re: Proposed new design for Ramon Aponte Park**

11  
12 On 9 May 2013, a revised design for Ramon Aponte Park was presented to the Manhattan  
13 Community Board 4 (MCB4) Waterfront, Parks & Environment Committee (WPE) by NYC  
14 Department of Parks & Recreation (DPR). This was in response to MCB4's request for a design  
15 that did not include basketball courts for numerous reasons presented by local block associations  
16 and neighborhood resident users. MCB4 is pleased to say that the new design has met with an  
17 enthusiastic approval by these same constituents and we are pleased to endorse it.  
18

19 The general layout of the new park was well received, including moving the water feature to a  
20 sunnier location, moving the entry westward, and the pleasing curves and new seating that were  
21 introduced. The additional trees and new plantings are also welcome, as well as the two  
22 playground areas – a new children's play area and a swing set area – features specifically  
23 requested by the community.  
24

25 Our only comment is a request for a new feature that comes from the fact that the Waterfront &  
26 Parks Committee has become the Waterfront, Parks and Environment Committee, and we now  
27 seek to make sure that all projects that come before the board adhere to best practices for the  
28 environment. In that regard, we noted that the pavers were not permeable, and thus direct  
29 rainwater toward drains that end up connecting to the over-taxed storm water & sewage system.  
30 A much better system, already being employed in new plazas in the city, is a system that collects  
31 rainwater for re-use later for plant irrigation. While we understand that such a system adds to the  
32 costs, we believe the benefits warrant the expenditure. We request that DPR explore the  
33 feasibility and costs related to this request and report back to us, so that we may consider funding  
34 options. This could become an ideal test model and pilot project for future parks that include  
35 plazas.  
36

37 MCB4 greatly appreciates the willingness of DPR to listen to and respond to the desires of the  
38 neighborhood users of the park and recognizes the challenge of satisfying many needs in a small  
39 place. We thank DPR for this commitment to upgrade this much needed park and look forward  
40 to its completion.  
41

42 Sincerely,  
43

2  
3 Borough Commissioner Margaret Forgione  
4 Department of Transportation  
5 59 Maiden Lane, 35<sup>th</sup> Floor  
6 New York, NY 10038  
7

8 **Re: Bus Stop Guidelines**

9  
10 Dear Commissioner Forgione:

11  
12 Manhattan Community Board 4 (CB4) appreciates the opportunity to offer suggestions for  
13 guidelines in the placement of Long Distance Bus Stops, a matter in which we have  
14 unfortunately acquired a lot of experience.  
15

16 First, we note that the proposed rules allow existing permitted stops to be “grandfathered” for  
17 another three years without being subject to the new proposed rules. In our district, this would  
18 allow Bolt Bus to continue to operate on the northwest corner of Eighth Avenue and West 34<sup>th</sup>  
19 Street, in conflict with a bus stop to be soon converted to an SBS station, and adjacent to a large  
20 venue. This is unacceptable.  
21

22 We submit that criteria should be different for terminal loading locations versus intermediary  
23 drop off locations, which handle much less volume of passengers, and where there is no  
24 passenger loading taking place.  
25

26 We propose that for the terminals two sets of criteria be established: one for the vehicles and one  
27 for the sidewalk. The granting of the terminal location would be based on compliance with both  
28 sets of criteria. Another set should be established for the intermediary drop off locations.  
29 In all cases, the evaluation should be based on conditions during peak weekly travel hours.  
30

31 **Terminal Vehicular Criteria**

32 Terminals should be located in proximity of subway stations and SBS stations, but they should  
33 not be located in residential or school streets, in front of a sidewalk cafés or on congested  
34 commercial arterials or streets in commercial districts. With sidewalks already over capacity at  
35 peak hours on most of the midtown streets and avenues, restricting the pedestrian right-of-way at  
36 peak hours is unsafe: pedestrians then must step into traffic to make their way.  
37

38 Bus terminals should never be situated in a marked bus lane, where they present an obstacle to  
39 public transportation or on a school block where school buses congregate.  
40

41 Bus terminals should not replace charter bus parking or loading and unloading zones that are  
42 needed by adjacent commercial uses. These services are critical to the city’s services and  
43 economy and cannot be shortchanged.  
44

45 If located in proximity to an MTA bus stop, the bus terminal should always be located before  
46 (based on the direction of the traffic flow) the bus stop, and at such a distance to allow two

47 articulated MTA buses to use the MTA bus stop without impediment. This avoids the terminal  
48 overflowing into the bus stop and forcing MTA passengers to access the bus in an unsafe  
49 manner, in traffic.

50  
51 Bus companies should receive a permit for a specified length of curbside marked on the ground  
52 for easy recognition and enforcement.

53  
54 DOT should establish the length of the stop that is required for the weekly (typically Friday  
55 afternoon or weekend) peak number of buses (not the number of departures since there may be  
56 multiple buses per departure) in one hour. Without such, double parked buses will impede the  
57 traffic when it is at its worst and idle causing health concerns for surrounding residents and  
58 businesses.

59  
60 For larger terminal areas, a layover bus area should be identified in proximity to absorb buses  
61 queuing to reach the Terminal area and avoid double parking, idling or bus cruising.

62  
63 Every terminal should be equipped with a sign indicating: "Stop engine during loading and  
64 unloading - \$2,500.00 fine," which typically encourages enforcement.

65  
66 **Terminal Sidewalk Criteria**  
67 As indicated above, bus companies should receive a permit for a specified length of sidewalk.  
68 DOT should establish the maximum length of passenger queue that will be needed at the  
69 terminal for the weekly (typically Friday afternoon and weekend) peak number of buses (not the  
70 number of departures since there may be multiple buses per departure) in one hour. Without  
71 such, the line of passengers will overflow and block the pedestrian right-of-way, forcing  
72 pedestrians to walk in the street and risk their lives in traffic.

73  
74 The passenger queue should be on sidewalks with a minimum width of 14 feet.

75  
76 The passenger queue should be no larger than four feet wide (one passenger width), delimited by  
77 stanchions and leave a minimum of nine feet and six inch width for pedestrian right-of-way. This  
78 is the standard width used to ensure safe pedestrian travel in spite of other sidewalk obstructions  
79 in the city.

80  
81 The queue boundaries should be marked on the sidewalk for easy recognition and enforcement.

82  
83 The queue should be established at the curb (rather than against the building) to avoid creating  
84 constant obstruction to the pedestrian right-of-way at the loading point. With departures every 15  
85 minutes and a loading time of ten to 15 minutes, the pedestrian right-of-way is permanently  
86 obstructed for many hours at a time. This forces pedestrians to walk in the street, typically at  
87 times when the traffic is most intense.

88  
89 Either end of the queue should maintain the following distances from:

- 90  
91
- Parks and other crowd generator entrance: 100 feet
  - Subway stations or other bus stops: 100 feet

92 In both cases, a pedestrian path of nine feet and six inches will not be sufficient to absorb the  
93 volume of pedestrians entering or exiting such spaces, causing pedestrians to step in traffic. It  
94 is important to leave a buffer for the crowds to disperse before they are constrained into a  
95 narrow passageway.

- 96
- 97 ■ Residential entrance: 100 feet
- 98 ■ Storefront: 100 feet

99 Our experience is that bus idling for hours will have health impact on store employees  
100 and residents. Further, passengers will take shelter in either nearby residential buildings  
101 or in stores, causing major disturbances in those premises and obstructing the flow of  
102 residents or customers. A clear distance should separate such uses.

- 103
- 104 ■ Commercial entrance: 25 feet

105

106 Ticket Sales should be forbidden in the street and instead tickets should be issued on board or on  
107 the web to prevent further obstructions of the pedestrian right-of-way.

108

109 Destination panels should be installed to prevent loud announcements that create noise nuisance  
110 and health problems for neighbors.

111

112 Nearby bathrooms should be identified or, for larger stops, Portosans installed to prevent  
113 urinating in the street or in backyard, which is unhealthy for others.

114

115 Every terminal should be equipped with a large sign indicating: "Stop engine during loading and  
116 unloading - \$2,500.00 fine."

### 117 **Intermediate Drop-Off Stops Criteria**

118 The Intermediate drop-off stops should be subject to the same criteria as the Terminal stops - in  
119 particular not be located in residential or school streets and in front of sidewalk cafés - with  
120 exception for the following:

- 121
- 122
- 123 ■ Parks and other crowd generators entrance: 50 feet
- 124 ■ Subway stations or other bus stops: 50 feet
- 125 ■ Commercial entrance: Ten feet
- 126 ■ Residential entrance: 25 feet
- 127 ■ Storefront: 25 feet

128

129

130 We look forward to the hearing on June 10<sup>th</sup>.

131

132

133 Sincerely,

134

2  
3 May 29, 2013

4 **RATIFICATION**

5 Borough Commissioner Margaret Forgione  
6 Department of Transportation  
7 59 Maiden Lane, 37<sup>th</sup> Floor  
8 New York, NY 10038

9  
10 **Re: Citi Bike Stations**

11  
12 Dear Commissioner Forgione:

13  
14 While the vast majority of the Citi Bike installations have been well received, a few have caused  
15 concerns and impaired the public use of the street by various members of the community.

16  
17 Based on this experience, Manhattan Community Board 4 (CB4) requests<sup>4</sup> that (1) no station be  
18 installed on residential blocks within Historic Districts and the Clinton Special District without  
19 first consulting with the Community Board and residents for the best location, (2) that no station  
20 be installed in front of the single entrance to very large buildings, and (3) a space of four feet be  
21 left in between every six or seven docks, similar to the treatment of manhole covers. This will  
22 provide regularly spaced access from the street and the sidewalk for deliveries and for people  
23 with walkers, strollers or packages, and would replicate the current configuration of parked cars.

24  
25 We are pleased that DOT intends to review locations after two months of bicycle share  
26 operations and look forward to working with you regarding enforcing the above policies at that  
27 time. We are very grateful that DOT has expedited addressing two problem locations, one on  
28 West 26<sup>th</sup> Street and Tenth Avenue, and another one on West 22<sup>nd</sup> Street and Tenth Avenue.  
29 There are now six remaining locations (out of the more than 70 in CB4) that we request DOT to  
30 alter in advance of the bicycle share program start.

- 31  
32 1. South side of West 17<sup>th</sup> Street near Eighth Avenue – Reduce from 40 to 20 spaces and  
33 relocate west of the current location (in front of the Dr. Gertrude B. Kelly Playground)
- 34 • The current station runs the almost entire 100' length of the building (the residential  
35 entry is in the middle of the building line) and obstructs the entrance to 300 West 17<sup>th</sup>  
36 Street, a building with 33 apartments, almost half of which are occupied by seniors  
37 (many of whom use Access-A-Ride).
  - 38 • In addition, the curb along West 17<sup>th</sup> Street was also used for deliveries by the long-  
39 time retail tenant at that corner who lost its Avenue fronted street delivery space when  
40 the right turn lane was installed as part of the enclosed bicycle lane on Eighth  
41 Avenue. Residents being dropped off will need to walk a minimum 50 feet to their  
42 entrance and business deliveries would require traveling a minimum 100 feet along  
43 the sidewalk. We thus request that the length of the rack be decreased and that it is  
44 moved to in front of the adjacent playground.

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<sup>4</sup> This request is subject to ratification of the Full Board on June 5, 2013.

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2. North side of West 37<sup>th</sup> Street just west of Tenth Avenue – relocate on the south side of the street or further west of the building entrance.
  - This is the single entrance to a very large building with over 500 apartments. Tenants who are elderly and handicapped cannot access special transportation vehicles. In addition, the location is just north of loading docks where exiting turning trucks are likely to interfere with bicycles entering and exiting the rack. Relocating the rack across the street and west of the loading docks or further west on the north side would be preferable.
3. South side of West 43<sup>rd</sup> Street just east of Tenth Avenue – Relocate to just west of Tenth Avenue on the north curb. CB4 had expressed concerns about this location where many seniors use Access-A-Ride services.
  - High-density residential buildings such as Manhattan plaza, a NORC with several hundred apartments, a supermarket and farmer’s market on Saturdays, should not have bike share on their blocks as the pressure on curbside use is already enormous from repairs, deliveries, and Access-A-Ride services.
4. South side of West 47<sup>th</sup> Street just east of Tenth Avenue – relocate to the south parking lane on the west side of West 47<sup>th</sup> or 48<sup>th</sup> Streets.
  - This location is in the Clinton Special District and is a heavily used, narrow one-lane street heading west to Eleventh Avenue to access the Lincoln Tunnel. CB4 had indicated that this location would be problematic. We foresee problems and danger with bikes being removed from the stations into the street and traffic.
5. South side of West 52<sup>nd</sup> Street near Ninth Avenue – relocate across Ninth Avenue to the west.
  - This block has two stations, which exacerbate the dearth of parking due to the large number of postal trucks and school buses.
6. East side of Ninth Avenue close to West 45<sup>th</sup> Street, on the floating loading lane - relocate on the north side of West 45<sup>th</sup> Street near Ninth Avenue.
  - Up to last week when the map was modified, this station was planned on West 45<sup>th</sup> street, just west of Ninth Avenue. As currently located, this station uses the full length and all the available loading spaces on a block occupied by a large commercial building - the ground floor of which is entirely leased to three restaurants. This will cause delivery trucks to double-park on a section of Ninth Avenue, which is extremely congested with Lincoln Tunnel traffic at all hours of the day. West 45<sup>th</sup> Street, just west of Ninth Avenue would be a more appropriate location.

Finally, CB4 supports the Rubin Museum’s request to install a station at Seventh Avenue and West 17<sup>th</sup> Street which we had forwarded to you. We hope their request can be satisfied.

We do understand the complexity of rolling out such a large system and appreciate, as usual, your help in immediately addressing the requests above.

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93  
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95  
96  
97

Sincerely,

CJ/CB/JM

cc: Christine Quinn, Speaker, New York City Council

DRAFT

2  
3 Borough Commissioner Margaret Forgione  
4 Department of Transportation  
5 59 Maiden Lane, 37<sup>th</sup> Floor  
6 New York, NY 10038  
7

8 **Re: Bicycle and Motorcycle Parking**  
9

10 Dear Commissioner Forgione:

11  
12 Manhattan Community Board 4 supports the request of the New York Motorcycle and Scooter  
13 Task Force (NYMSTF) to install “motorcycle only Parking” signs in our district. Based on the  
14 observations of NYMSTF and Transportation Committee members the locations we recommend  
15 are as follows:  
16

- 17 1. Three locations requested in June 2010 - Now that the bike lane is completed and bike share  
18 stations have been assigned, let us know when such parking regulations can be installed.
  - 19 a. Southwest corner of West 22<sup>nd</sup> Street and 7<sup>th</sup> Avenue (28’ or 7 motorcycle/scooter  
20 spaces);
  - 21 b. Northwest corner of West 28<sup>th</sup> Street and 8<sup>th</sup> Avenue (24’ or 6 motorcycle/scooter  
22 spaces);
  - 23 c. Northeast corner of West 38<sup>th</sup> Street and 9<sup>th</sup> Avenue (24’ or 6 motorcycle/scooter  
24 spaces, starting 15’ from the fire hydrant).
- 25  
26 2. New locations in spaces on the floating parking lanes on 9<sup>th</sup> Avenue that are too small for car  
27 parking.
  - 28 a. An area at the southeast corner of 9<sup>th</sup> Avenue and 38<sup>th</sup> Street, between the pedestrian  
29 refuge and the fire hydrant requisite clearance (4 motorcycle/scooter spaces)
  - 30 b. An area within the boundary of the bicycle corral, at its north end, located between  
31 35<sup>th</sup> and 36<sup>th</sup> Streets (4 motorcycle/scooter spaces)
- 32  
33 3. New location on 37<sup>th</sup> Street where there is an increased residential use of the sidewalks:  
34 replace one bus parking space (40’) with a combination bike corral/motorcycle parking on  
35 the north side of 37<sup>th</sup> Street, from the eastern property line of 431 West 37<sup>th</sup> Street, to a  
36 distance of 40’ East, on the bridge.  
37

38 These new locations will continue to reduce sidewalk use for motorcycle/scooter  
39 parking and encourage more commuting by motorcycle instead of cars.  
40

41 In the future we recommend that all new bike corrals allow space for three to four motorcycles  
42 and that the parking regulation be amended accordingly.  
43

44 Sincerely,  
45

1 **Transportation Planning Committee**

**Item #:23**

2  
3 Mr. Steve Napolitano  
4 Port Authority of New York & New Jersey  
5 625 Eighth Avenue  
6 New York, New York 10018

7  
8 **Re: Motorcycle parking**

9  
10 Dear Mr. Napolitano,

11  
12 Manhattan Community Board 4 (CB4) supports the request of the New York Motorcycle and  
13 Scooter Task Force (NYMSTF) to establish a legal “motorcycle only Parking” on Dyer Avenue.

14  
15 The area north of 36<sup>th</sup> Street, across the Dyer Avenue Plaza would be a convenient location  
16 where up to 10 motorcycles could fit on Port Authority private property without encroaching on  
17 the sidewalk.

18  
19 These new legal locations will continue to reduce sidewalk use for motorcycle/scooter parking,  
20 and encourage more commuting by motorcycle instead of cars.

21  
22 Sincerely,

23  
24 CJ/CB/JM

25  
26 cc:  
27  
28

1 **TRANSPORTATION PLANNING COMMITTEE**

Item #: 24

2  
3 Borough Commissioner Margaret Forgione  
4 Department of Transportation  
5 59 Maiden Lane, 35<sup>th</sup> Floor  
6 New York, NY 10038  
7

8 **Re: Change in parking regulations – 325 West 52nd Street**

9  
10 Dear Commissioner Forgione:

11  
12 Manhattan Community Board 4 (CB4) requests a swap in parking regulations so that three postal  
13 trucks which currently park in front of the residence at 325 West 52<sup>nd</sup> Street, can park in front of  
14 the US Post Office at 322 West 52<sup>nd</sup> Street instead.  
15

16 Because of the many clubs operating on this block, the presence of large postal trucks has  
17 created a safe harbor for illegal activity on the sidewalk and in between the trucks in front the  
18 residential windows, thereby causing noise and inconvenience to the residents of 325 West 52<sup>nd</sup>  
19 Street. These residents have appeared many times in front of various committees of the board to  
20 complain about this situation.  
21

22 Relocating the trucks to the front of the Post office where the sidewalk is much wider and better  
23 lit will alleviate these security concerns and improve the quality of life for the residents.  
24

25 CB4 requests that on the north side of the street, from the light pole in front of 325 West 52<sup>nd</sup>  
26 Street to the western property limit, the parking regulation be converted from “No standing any  
27 time, post office vehicles” to “2 Hour Parking 9 AM – 7 PM except Sunday. Sanitation Hours:  
28 8:30AM - 9AM except Sunday.”  
29

30 CB4 also requests that simultaneously, on the south side of the street, from the eastern property  
31 limit of the Post Office at 322 West 52<sup>nd</sup> Street, to the “no parking sign,” the parking regulation  
32 be converted from “2 Hour Parking 9 AM – 7 PM except Sunday. Sanitation Hours: 8:30AM -  
33 9AM except Sunday” to “No Standing Any Time, Except Authorized Vehicles, Post Office  
34 Vehicles.”  
35

36 The Postal service representative, M. Wing Yu reviewed and supports the proposal since the  
37 same amount of parking will be allocated to the trucks. There will be no negative impact on the  
38 Post Office operations.  
39

40  
41 Sincerely,  
42  
43

1 **TRANSPORTATION PLANNING COMMITTEE**

Item #: 25

2  
3 Beverly Gotay, Deputy Director  
4 Special Applications Unit  
5 NYC Department of Consumer Affairs  
6 42 Broadway  
7 New York, NY 10004-1716  
8

9 **Re: Newsstand - NW corner of Tenth Avenue and West 54<sup>th</sup> Street**

10  
11 Manhattan Community Board 4 (CB4) supports the installation of a ten foot long newsstand on  
12 Tenth Avenue, starting at 34 feet and nine inches south from the corner of the property line and  
13 ending five feet north of the tree pit.  
14

15 It should be noted that there is a vault located under the sidewalk just short of ten feet from the  
16 newsstand. The coop board and the retail tenant of the adjoining building are concerned that the  
17 installation may damage the vault. CB4 asks that the Department of Consumer Affairs and the  
18 Department of Transportation perform all appropriate tests to verify that the vault will not be  
19 damaged.  
20

21  
22 Sincerely,  
23  
24

DRAFT

1 **Clinton/Hell's Kitchen Land Use Committee**

**Item #: 26**

2  
3 June 5, 2013

4  
5 Mr. Steve Napolitano  
6 Port Authority of New York & New Jersey  
7 625 Eighth Avenue  
8 New York, New York 10018  
9

10 **Re: Big Apple Supermarket**

11 Dear Mr. Napolitano:

12  
13  
14 Manhattan Community Board 4 would like to sit down with you, at your convenience, to discuss  
15 the possibility of securing the former Project Find site, located on Ninth Avenue between W. 41<sup>st</sup>  
16 and W. 40<sup>th</sup> Street, as a site for the Big Apple Supermarket.  
17

18 As you know the Big Apple Supermarket has moved from its site on Ninth Avenue between W.  
19 42nd Street and W. 41<sup>st</sup> Street to 529 Ninth Avenue, between W. 40<sup>th</sup> and W. 39<sup>th</sup> Streets. We  
20 understand that prior to the relocation, Port Authority and the Big Apple owner, discussed the  
21 use of the former Project Find Site on Ninth, under the overpass, as a possible site for the  
22 supermarket.  
23

24 The Board also understands that the Project Find site may have been considered by the  
25 supermarket to be a more useful site, in terms of size, location on one floor, and convenience of  
26 delivery.  
27

28 The Big Apple is considered an asset by many local residents who are poorly served by  
29 supermarkets in the immediate area. Locating the supermarket in a larger site might prove to be  
30 of great benefit to the Hell's Kitchen community. It would also enliven the now empty site with a  
31 much needed community resource.  
32

33 We look forward to working with you.

34  
35 Thank you,

36  
37 Corey  
38 JD

39  
40 cc: Electeds  
41

1 **Clinton/Hell's Kitchen Land Use Committee**

**Item #: 27**

2  
3 June 5, 2013

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

10  
11 **Re: Text Amendment Application No. 130233ZRM**

12  
13 Dear Chair Burden:

14  
15 Manhattan Community Board 4 voted to deny the application to amend the ZR §32-421 unless  
16 the Special Clinton District, Special Hudson Yards District and Special West Chelsea District are  
17 exempt from the change.

18  
19 **Reason for Proposal**

20  
21 The proposed text amendment would allow a first-floor restaurant on the East Side of Manhattan  
22 to also operate on the second floor. Under present zoning it cannot. We feel the proposed  
23 amendment has the potential to affect Manhattan Community District 4.

24  
25 **Current Zoning**

26  
27 ZR §32-421 permits second floor commercial use in buildings located in C1-8, C1-9, C2-7 or  
28 C2-8 districts or in C1 or C2 districts mapped within R9 or R10 districts only if constructed after  
29 September 17, 1970. The rationale of this limitation is to protect second floor residential uses in  
30 older buildings.

31  
32 **Proposed Text Amendment**

33  
34 §32-421 would be amended to allow second floor commercial use in buildings constructed  
35 before September 17, 1970, provided that two conditions are met:

- 36 (1) The second floor was not occupied by residential or community facility use on April 22,  
37 2013 (the date this application was referred for public review); and  
38 (2) The subject building is located on a block front that includes at least one other building with  
39 a commercial second floor.

40  
41 **Potential Sites**

42  
43 The universe of potential sites affected by the proposed text is extremely small. There are  
44 approximately 2,100 pre-1970 buildings located at least partially within the affected zoning  
45 districts. A field sampling of 120 of these sites was conducted. Based on that sampling, it is  
46 estimated that about 12 sites may be in a position to take advantage of the proposed text change.

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**Board’s Rationale**

The Board notes that the estimated number of sites which could take advantage of the proposed text change was based only on a field sampling, not on a complete survey. Given our years of experience with how certain owners operate and our awareness of the enforcement capabilities of the Department of Buildings, we are concerned that this change could have an effect in certain areas of Community District 4. The effect we are most concerned about is an extension of a nightlife venue or activity to the second floor of a building, potentially affecting the quality of life of the adjacent residents and residents above the second floor.

The Board believes the best and only way to prevent this possibility is to exclude from the proposed text amendment the special districts within District 4: the Special Hudson Yards District, the Special West Chelsea District, and, particularly, since its rationale was to strengthen and defend a residential neighborhood, the Special Clinton District.

Sincerely,

Corey  
JD

cc: Applicant representative  
Electeds

1 **New Business**

**Item #: 28**

2  
3 June 5, 2013

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

10 **Re: Seamen's House YMCA Designation**

11 Dear Chair Tierney:

12  
13  
14 Manhattan Community Board 4 strongly urges the Landmarks Preservation Commission to  
15 designate the Seamen's House YMCA at 550 West 20<sup>th</sup> Street in Chelsea as a New York City  
16 Landmark as soon as possible.

17  
18 The building is under imminent threat. It served as a YMCA dedicated to seamen until 1966 and  
19 later as the Bayview Correctional Facility. The Bayview facility is slated to close under New  
20 York State's Fiscal Year 2013-14 Budget. The Governor's Fiscal Year 2013-14 Executive  
21 Budget Briefing Book anticipated proceeds from the sale of Bayview in Fiscal Year 2014-15 and  
22 media accounts have recently reported that Empire State Development may put the facility up for  
23 sale within weeks.

24  
25 If ESD goes forward with the sale, current development pressures in Chelsea will almost  
26 certainly result in demolition of the building and its replacement by as large a building as zoning  
27 will permit on the site.

28  
29 The only effective protection for the Seamen's House YMCA is prompt action by the Landmarks  
30 Preservation Commission to designate the building as a New York City Landmark. The process  
31 of disposal to private ownership almost certainly presents a window of time which would allow  
32 New York City Landmark designation. We believe designation is fully warranted on the merits  
33 of the building's architecture and character defining embodiment of neighborhood history. The  
34 Landmarks Committee of Community Board 4 has begun documenting the building and its  
35 history in support of a Request for Evaluation which it intends to submit imminently. This  
36 information should be an effective starting point for designation.

37  
38 The Seamen's House YMCA was built in 1930-31. It was designed by notable firm Shreve,  
39 Lamb & Harmon, architects of the Empire State Building, which was completed in the same  
40 year. With the American Seamen's Friend Society and the Seamen's Christian Association, the  
41 YMCA was then one of three seamen's welfare organizations near each other on the Greenwich  
42 Village-Chelsea waterfront. Seamen's House established for the YMCA a symbolically  
43 prominent presence directly opposite Chelsea Piers' White Star Line operation. Landmark  
44 designation of the Seamen's House YMCA would be consistent with the designation in 2000 of  
45 the American Seamen's Friend Society Sailors' Home and Institute at 505-507 West Street, and  
46 the 2007 designation of the Keller Hotel at 150 Barrow Street. The latter is cited in its

47 designation report as “a significant reminder of the era when the Port of New York was one of  
48 the world’s busiest and the section of the Hudson River between Christopher and 23rd Streets  
49 was the heart of the busiest section of the Port of New York,” a description which applies no less  
50 to the Seamen’s House YMCA.

51  
52 The building exterior is in excellent condition. It has been significantly altered only by the  
53 introduction of a steel superstructure for a rooftop fence. This addition, which detracts from the  
54 compositional interest of the building’s roofline, could easily be removed. Primarily clad in  
55 brick, the building has handsome art deco massing, a distinctive corner entrance and scores of  
56 polychrome terra cotta medallions featuring nautical themes as well as modeled terra cotta  
57 window surrounds and string courses.

58  
59 Sincerely,

60  
61 CJ

62  
63 cc: Electeds

64  
65

DRAFT