



THE COUNCIL
OF
THE CITY OF NEW YORK
CITY HALL
NEW YORK, N.Y. 10007

January 30, 2013

Robert LiMandri
Commissioner
Department of Buildings
280 Broadway
New York, NY 10007

Janette Sadik-Khan
Commissioner
Department of Transportation
55 Water Street, 9th Floor
New York, NY 10041

Dear Commissioner LiMandri and Commissioner Sadik-Khan:

We write to you to inquire about the policy of the Department of Buildings (DOB) and the Department of Transportation (DOT) regarding the granting of after-hour and weekend variances for non-emergency construction work. As you may know from our previous correspondence, our offices have recorded an increase in constituent complaints about construction being performed outside the normal work hours of 7 a.m. to 6 p.m, Monday through Friday. There exists considerable confusion about what factors are taken into consideration when the DOB and DOT decides whether or not to grant these variances.

In that light, we write to ask for information about how these decisions are made. Specifically, we would like to know how the DOB and DOT determine whether or not to grant an after-hours or weekend variance, and whether the number of variances previously granted or requested by the applicant at each site is taken into account. In addition, once these after-hour and weekend variances are granted, we want to know how the agencies notify the community, specifically the community boards and local elected officials' offices. Furthermore, we would like to know if there has been a recent policy change that might correspond with the uptick in complaints about early morning and late night work that we have recently received.

We understand that some after-hours work is necessary as part of the many construction projects throughout the city. However, we strongly believe that these needs must be balanced with the needs of the community. The granting of variances that adversely affect the lives of a project's neighbors should not be taken lightly. Thank you for your attention to this matter, and we look forward to your response.

Sincerely,

Handwritten signature of Daniel R. Garodnick in black ink.

Daniel R. Garodnick

Handwritten signature of Gale A. Brewer in black ink.

Gale A. Brewer