



# Coalition for a Livable West Side

Leading the fight for a better city environment.

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Sept.-Oct. 2000

## Battle of Westside Community vs. US Postal Service –

### Federal Judge Requires USPS to Substantiate Claim That 1992 Environmental Assessment Is Still Valid

**Issue:** Can the United States Postal Service (USPS) relocate its carrier/sorting and trucking operations to a congested Manhattan street ( West 68th Street, between Broadway and Columbus Avenue) without updating a 1992 Environmental Assessment (EA) ?

The USPS's plan to **move the carrier/sorting and trucking operations** to the Ansonia PO has been **stopped and is now in doubt**. On September 7, 2000, Federal Judge Alvin K. Hellerstein, U.S. District Court, Southern District of New York, issued a Memorandum and Order requiring the USPS to substantiate its position that a 1992 Environment Assessment was still valid.

The Coalition for a Livable West Side, representing the community, urged in Federal Court that in the ensuing eight years, neighborhood changes such as Sony's 13 multiplex movie theaters, a

major sports center, and new and projected retail and residential developments, require a supplemental Environmental Assessment. The USPS countered that the 1992 EA did not require any updating, and they requested immediate Court approval of its relocation plans.

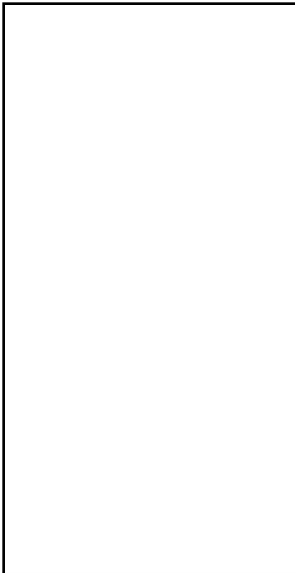
Coalition's attorney, Jack Lester, argued the case for the community. Brian Ketcham, Community Consulting Services, retained by the Coalition, submitted evidence of the increase in development in the area since May 1992.

Judge Hellerstein wrote, "The failure of the USPS to document its decision-process makes meaningful review

impossible." He directed the USPS to submit relevant evidence showing its grounds in declining to supplement the 1992 EA, and added that the community would then have reasonable opportunity to comment. He gave the USPS the option of performing and submitting a supplemental Environmental Assessment. The judge also wrote, "It **does not appear adequate** to rely on **8-year old predictions** of neighborhood conditions, when data drawn from actual, current experience is available or readily obtainable."

Madeleine Polayes, President CLW, commented, "Imagine the arrogance of the USPS in thinking that we would not fight their position that no new EA was needed. This is a **significant victory** for the community and the environment."

### Riverside South - Building B (70th-71st Street)



Excavation permit granted on 9/12/00 for Building B (70th-71st St.).  
53 stories  
494 condos  
220 car garage  
Entrances on W. 70th St. (including the garage) and on Riverside Blvd.  
Emergency vehicles will have **access through West 71st Street**.  
Call CLW at 580-9319 for updated information.



### Public Health and Safety Issues:

- Contaminated Soil in Riverside South
- Sewer Contamination in New Park Area -- E-coli and Coliform Found

The NYC Department of Buildings has granted an excavation permit for work on Building B, even though the site - a former railyard (Penn Yards) - **is still contaminated** with petroleum, heavy metals, pesticides and chlorinated solvents. How do we know the site is **still** contaminated? The Miller Highway Project's Draft Environmental Impact Statement, May 1999, conducted by consultants for the Empire State Development Corporation, a NY state agency, determined that contamination was "present across the project area."

Has Trump submitted a plan to the NYS Department of Environmental Conservation (DEC) **detailing specifically** how and when the contaminants will be removed and how they plan to protect workers, residents in adjacent apartment houses, and children playing in the new park? (continued on page 2)

Graphic is based on 1992 approved plan. Design has been modified.

## Coalition for a Livable West Side

P.O. Box 78 New York, N.Y. 10023-078

**Maximize** your contribution via our 6th Challenge Grant.

# Increasing Traffic and Transportation Congestion on the West Side

## Reduced Service = A 12% Increase in Ridership for the 72nd Street Subway

Outrageously, the Metropolitan Transit Authority (MTA ) plans to further overburden the West 72nd Street Subway Station ridership by instituting a 'plan' to reduce service, which will increase the number of riders on the #2 train by more than **1,600 riders a day**. **A 12% increase!** And that **does not** include the increase of ridership from new developments in the area.

Our elected officials - **Assemblyman Scott Stringer, State Senator Eric Schneiderman and Congressman Jerrold Nadler** - have called on Governor Pataki, the MTA and Mayor Guiliani to block this poorly conceived and very dangerous plan.



To protest write to: Mr. Lawrence G. Reuter, President, MTA, 370 Jay Street, Brooklyn, New York 11201; Governor George Pataki, 633 Third Ave., New York, NY 10017, Mayor Rudy Giuliani, City Hall, New York, NY 10007

## High Volume Restaurant for 180 Riverside Boulevard? More Passengers for Subway and Traffic for West 70th Street?

According to Crain's New York Business (8/21/00). The Trump organization is about to sign a lease with the Florida based Australian-themed Outback Steakhouse. The restaurant is slated for 180 Riverside Boulevard with the **entrance on Freedom Place and 68th Street**. Trump was looking for a restaurant with "family-friendly fare". Can you imagine all the traffic flow coming up and down West 70th Street from a high volume restaurant and the new building with its 494 apartments?

"Family friendly" - but not neighborhood friendly!

## Development Projects



### Huge New Tower For Broadway and 64th Street?

Tenants must vacate **1926 Broadway** (64th St.) by September 2001. Delbro Realty is listed as the owner as of March 2000.

The zoning allows a huge as-of-right tower! No special permit is needed. Although the ownership has not changed, we believe that 1934 Broadway (65th St.) may be part of the planned development site.

### Tower to Replace Low-rise Buildings Amsterdam Avenue (67th-68th Street)

Tishman-Speyer is free to build a 21-story, as-of-right residential building at 160-186 Amsterdam Avenue (67th-69th Street). It would contain 463,398 gross sq. ft.

To get an idea of what that means, Trump's Building D, a 43-story tower at 180 Riverside Boulevard (67th-68th Street) - contains 470,000 gross square feet. We can expect a very dense building.

### New Development on West End Avenue (60th-61st Street)

The Abraham Joshua Heschel School purchased 20-34 West End Avenue and 227-243 W. 61st Street The site zoned for 200,000 square feet, extends along the **entire block** on West End Avenue.

They may renovate one or both of the existing buildings, or tear them down. Since they paid \$20 million for the sites, we believe that a mixed-use high-rise will be built that would include residential units and the new high school.

The Heschel School plans to have the property ready use by September, 2002.

## Columbia May Expand Onto Trump Site

Columbia is talking with Donald Trump about creating a satellite campus... at the...Riverside South project on the Hudson River.

...the university is considering moving its Graduate School of Business and the School of the Arts...to a 7.5 acre riverfront parcel on **West End Avenue** between **59th and 62nd St**. The zoning would also allow the university to build two residential towers for faculty members and graduate students on the site.

But while Columbia sees the neighborhood as a good place to expand, the West Side is already awash in projects that have prompted residents to complain about overcrowding, traffic congestion and pollution. Nearby, John Jay College and Fordham University are expanding; Related Companies is building a 2.7 million square foot Columbus Centre complex, and Douglas Durst, has proposed a large office-studio complex.

...the business school has 1,800 students. The arts school...has about 700 graduate students and offers classes to thousands of undergraduates.

...But any proposal for the site would have to go through a **lengthy land review process**. "One week it's a casino, the next week it's a university campus," **Assembly member Scott M. Stringer** said. "Columbia should be prepared for a serious community review process. In the light of what we are facing in this neighborhood, any new large-scale development has to be examined for traffic and congestion. They're going to have to convince this community that it's **environmentally sound**."

Charles Bagli, NY Times, 9/15/00

**The Coalition for a Livable West Side's prime goal is protecting our community and environment!**

## More Toxics and Pollutants

### “Toxic Peril in the Subway”

“Straphangers and transit workers are being exposed to asbestos by repair crews who say they are under orders to remove the toxic material from subway stations without adequate safeguards.

At the IRT station at **West 86th Street and Broadway** (SE side), on September 7, 2000, a Transit Authority repair crew was spraying asbestos-laced water over the side of the platform while passengers waited for a train.

“It’s not a problem when it’s wet...,” said Gary Germain, a TA worker. ...TA spokesman, Al O’Leary said, “We believe we are in complete compliance.” O’Leary said using water to **flush asbestos** onto the tracks at 86th Street was “**permissible**”.

Officials at the Transit Workers Union say the TA is ignoring stringent industrial codes for asbestos removal and has even won exemptions from state labor laws to speed the work along...” Tom Topousis, NY Post, 9/9/00

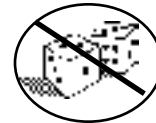
### N.Y. State Environmental Agency Failing to Enforce Laws

“Justice Dan Lamont of the State Supreme Court, found that the New York State Department of Environmental Conservation [DEC] has “failed to come anywhere close” to complying with laws requiring that it catalog clean air requirements and violations for hundreds of major polluters. He ordered the department to accelerate the pace of its work and complete it in two years. The decision was a result of a suit brought by New York Public Interest Research Group (NYPIRG).” Urban Outdoors, July 28, 2000

### EPA Not Doing Enough to Reduce Air Pollution

“On May 22, 2000, the United States Environmental Protection Agency (EPA) issued another blanket extension of the faulty[*air pollution*] regulations in 37 states and territories, the fourth such extension since 1995. The Clean Air Act explicitly prohibits these delays,” said attorney D. Baron, who represents Earthjustice in a lawsuit attempting to force the EPA to enforce its existing laws. The states suffering severe air pollution are the subject of the lawsuit [includes]...New York.” Environment News Service 6/22/00

### “Pataki to Trump: No dice on NYC casino”



According to the Ottaway News Service in upstate New York, Donald Trump said he would build a **casino in Riverside South** but “Governor Pataki shot holes through Donald Trump’s talk of a casino in Manhattan and blasted the billionaire developer’s role in meddling with the St. Regis Mohawks’ plans to build their own in Sullivan County.

...And now, the group Trump secretly financed to attack the tribe’s image is ready to come out fighting against him too. ...As it stands now, **the governor has ultimate say** over who gets to open a casino in New York state.

With three casino properties in Atlantic City, Trump has spent well over \$1 million in lobbying and advertising to fight potential competition that would be closer to New York City than his own properties.”

Reacting instantly to the news, our west side elected officials - Congressman Jerrold Nadler, State Senator Eric Schneiderman, State Assembly member Scott Stringer and City Council member Ronnie Eldridge -said “**No Dice**” .

If your company has a Matching Gift program, please apply on behalf of the Coalition. **We now can accept gifts of stock.** We have no paid staff. If your membership has expired (see label), please renew. If you are not a member, please join.

I wish to support the Coalition's efforts on behalf of the community . [ ] Use my extra contribution for the traffic study. [ ] I wish to contribute to the Clean Air lawsuit. Please write Clean Air on in lower left-hand corner of check. Amt [ ]

My contribution is ( ) \$1000. ( ) \$500. ( ) \$250. ( ) \$200. ( ) \$100. ( ) \$75. ( ) \$50. ( ) \$25. ( ) other  
Annual dues \$25. [ ] Renew 2000 dues. [ ] Pre-Pay Year 2001 Dues

Please make checks payable to: CALW, Inc. - Write Challenge Grant in lower left-hand corner of check.  
Mail to: CALW, Inc., P.O. Box 230078, New York, N.Y. 10023. Contributions are tax deductible [section 501c3]

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**Please print carefully. e-mail address:** \_\_\_\_\_

I can help raise funds for the lawsuits.. ( ) I can help with publicity. ( )  
I can distribute the Coalition newsletters, important flyers, etc. in my building. I need ( ) copies.  
I can attend important meetings, hearings, etc. ( ) I can help with \_\_\_\_\_

# Contaminated Soil in Riverside South continued from page 1

Don't forget, despite soil-watering efforts, prevailing winds will blow excavation dust directly into nearby streets.

Who knows what Trump has done in the last five years of construction in Riverside South to remediate the toxic contaminants? Who knows what happened to the toxic, contaminated soils excavated for the construction of buildings C, D, E and the park?

## New Health Hazard

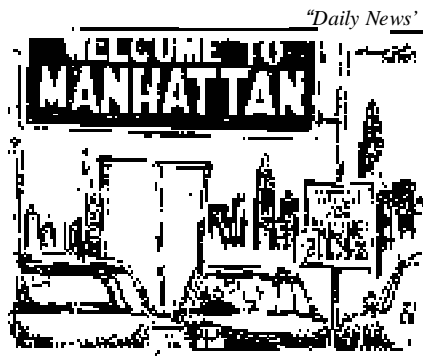
In addition to the existing toxic contaminants in the Riverside South park area, there is a newly discovered **health hazard**. Recent tests by the NYC Department of Environmental Protection (DEP), DEC and the Coalition for a Livable West Side, show the presence of **sewage contamination** - E coli and coliform bacteria - **in the park area**. That clearly means that there is a sewer line break somewhere in the site. Has the city investigated if any construction activity - excavations and pile driving - has damaged city sewers in the site?

In the next few weeks, Trump will open the Riverside South park to the public and turn it over to the city. Our great concern is that the toxic, hazardous contaminants and the presence of e-coli and coliform bacteria in the park, will endanger the health and safety of the public, particularly children.

The public must be assured that the site is free of these toxic hazardous materials and the sewage leak must be found and repaired **before** the park opens. Write to Parks Commissioner Henry Stern - Hon. Henry Stern, Commissioner, NYC Dept. of Parks and Recreation, The Arsenal, Central Park, NY, NY 10021 (Fax 360-1329)- and ask him to confirm that the remediation of the contaminants in the park site is complete and the sewage leak fixed, **before** he takes possession of the park and opens it to the public.

Our elected Westside officials - Congressman Jerrold Nadler, State Senators Eric Schneiderman and Tom Duane, State Assembly member Scott Stringer and City Council member Ronnie Eldridge - are working with us to solve this problem.

## Watch Where You Walk!



*"Daily News"*

### Bricks Fell - 15 W. 63rd Street

Bricks fell from scaffolding attached to 15 W. 63rd St. construction site, at **1:30 p.m.**, on August 24, 2000. One of the bricks struck a pedestrian as she was walking. She was treated for minor injuries. The brick fell from the 40-story Laurel Park apartment tower under construction, on top of the YMCA.

### Hoist Accident on Trump Site Building E (67th-68th St.)

On Monday, August 21, 2000, there was an accident with the south hoist at Bldg E (67th-68th St. - Riverside Drive South). It was hanging precariously and needed repair. Luckily no one was hurt.

Was this reported to the New York City Department of Buildings? What action did they take?

Thanks to Phyllis Gunther for the information.

### "Edifice Wrecks"

"Sometimes you have to wonder how this city manages to survive.

Take the crumbling buildings. An investigation by the Daily News revealed that there are 68 structures - including Kings County Hospital and Manhattan Supreme Court - that have been officially declared unsafe. This means that bricks, comices, chunks of concrete, whatever - could plummet to earth at any given moment. Even more frightening is that the city has just **one** full-time inspector

monitoring repairs.

.... Did you know that if a building is declared unsafe, the law says the owner can erect a shed instead of making repairs within the required 30 days. ..Ought this optional "safeguard" be permitted at all, much less allowed to stand for months or years?

..When it comes to the way the city handles building safety, there is obviously something structurally wrong." Daily News Editorial, August 24, 2000

### Debris Plummets From Trump's Tallest Tower

"Wet concrete fell from the top floor of Donald Trump's controversial 72-story, 856 feet tall World Tower at 845 First Avenue yesterday and shattered the windshields of four cars parked on a E. 48th St, authorities said. Chunks of debris, some 'bigger than bricks,' plummeted more than **800 feet**. No one was injured in the incident, which occurred about **2:15 p.m.**... **No violations were issued** at the site, said Buildings Department spokesman Paul Wein..." John Marzulli, Daily News, Sept. 2, 2000

### "Mob's Shadow Falls Across Building Projects"

"...And during construction of his high-rise apartment complex on Manhattan's West Side in 1997, Donald J. Trump faced problems because one contractor - who was indicted in 1987 in a mob-related bribery case - **provided sub-standard concrete** that had to be replaced." Excerpt. W. Rashburn, NY Times, September 4, 2000

The concrete, **less than half** the required strength, was poured at the fifth floor of 200 Riverside Boulevard. It was reported that the site supervisor rejected the defective concrete but it was used anyway. The defective concrete, discovered by accident after **15 more floors had been built**, had to be replaced.