

Earthquake Code Redux

The recent earthquake in Seattle proved the validity of its upgraded earthquake building code. Its retrofitted and new buildings withstood the earthquake. Seattle did not allow any exemptions to their new code. Unfortunately, New York City cannot make that same claim.

Prodded by the Federal Emergency Management Agency (FEMA), and after years of study, the City Council passed the City's earthquake code - Local Law 17 on February 21, 1995. This code requires new buildings to be able to withstand possible earthquakes. But outrageously, the NYC Department of Buildings allowed developers to be exempt from the law if applications were filed before February 21, 1996 - even if construction was years away.

Trump filed all his applications for 16 new Riverside South buildings before the deadline. But three applications were disapproved. Trump resubmitted them **after** the deadline and managed to get them approved.

One of the disapproved buildings, B (70th -71st Street), the tallest in the project (55 stories), is now under construction and does not conform to the earthquake code.

Building B is being built on a highly seismic landfill site and is especially vulnerable to liquefaction during an earthquake. Because of the exemption, the soil did not undergo a required analysis. Will the Prospectus for this condominium reveal these facts to buyers? Stay tuned.

Miller Highway Final Environmental Impact Statement (FEIS)

Congressman Jerrold Nadler, State Senator Eric Schneiderman, State Assembly member Scott Stringer and City Council member Ronnie Eldridge, in response to the Final Environmental Impact Statement (FEIS) for moving the Miller Highway and closing the 72nd Street ramps, recently wrote: "... We are greatly disappointed by the recommendation of the FEIS. We are unanimous in the belief that the Preferred Alternative (PA) is not in the best interest of the residents of our district and of the City as a whole.

"We seriously question the necessity of this mega-project and are concerned about its colossal price tag. As is well known, taxpayers spent nearly \$90 million rebuilding the Miller Highway, including the reconstruction of the 72nd Street off-ramp. In addition, the New York State Department of Transportation just repainted the Highway at a cost of another \$3 million. This newly refurbished highway has a useful life of 30-50 years. We would be derelict in our duty as legislators if we supported the \$300 million + cost of demolishing the Miller Highway and burying it to benefit the Trump luxury development. It is our responsibility to ensure that no State or Federal monies are appropriated for this project.

"...based on the findings contained in the FEIS, the recommended alternative clearly does not provide for safe and efficient transportation. [It] fails to meet many New York State Department of Transportation design safety criteria.

- The vertical tunnel clearance ...is below the DOT guidelines and is not high enough for busses and emergency vehicles.
- The FEIS says that the existing Miller Highway is noisy, yet the PA places tunnel portals in the park, and the noise impacts from the "jet fans" have not been analyzed in the FEIS.
- FEIS misuses traffic accident data to make the build alternatives seem safer than the no-build alternative.
- All the build alternatives include closure of the 72nd Street northbound off-ramp and on-ramp. Closure of the ramps will divert traffic to the next off and on-ramps at 79th Street. The FEIS admits that traffic congestion on some local streets will increase, but it completely ignores the secondary impact of increased accident rates on those local streets. Without adequate analysis of the numerous impacts of closing the exit ramp, the FEIS is incomplete. Again we must reiterate our strong opposition to the closing of the ramps.

"Spending of this magnitude to replace a perfectly good highway is irresponsible. This is especially true since the noise, safety and environmental impacts were not disclosed and addressed in the FEIS document to our satisfaction."

Coalition's consultants detailed the problems with the FEIS. The FEIS is fatally flawed, never should have been approved and should be withdrawn by the Federal Highway Administration.

Coalition for a Livable West Side

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There must be responsible, thoughtful planning and development and we urge that priority be given to development that respects and protects the integrity of communities.

Overdevelopment Update

The Board of Education-Midwife to Developers

The Board of Education (BOE) will not only aggressively pursue the selling of air rights over schools, it will also pursue **the sale of existing schools in Manhattan** to developers -- especially if there is an adjacent playground

The BOE, not content with "releasing" air- rights from a school building for sale to a developer, has added a new twist.

Recently, Deputy Chancellor David Klasfield suggested that developers could tear down an existing school building, construct a new building that doubles the number of seats in the school and build a tower on top. Although the development/school site would be in Mahattan, the new schools could be built in Queens or the Bronx. He did not name any schools.

The new schools would be in lieu of payment for the developement/school site. The BOE plans to issue requests for proposals in the near future.

Update - 1926 Broadway

A 29-story as-of-right building will be built on West 64th Street and Broadway (1926 Broadway) . It will occupy three quarters of the Broadway block and part of West 65th Street (off Broadway). Tenants have been told that they must vacate the premises by September 2001.

However, it may really be a much larger tower. We are trying to obtain the actual height of the building and to learn whether the developer plans to buy the air-rights from the owners of the Chase Bank building on the corner of West 65th Street.

Some schools with adjacent playgrounds in Manhattan are:

PS 199, 270 W. 70 St.

MS 44, 100 W. 77 St.

PS 9, 100 W. 84 St.

MS 247, 32 W. 92 St

PS 333, 154 W. 93 St.

PS 163, 163 W. 97 St.

PS 6, 45 E. 81st St.

PS 11, 320 W. 21st St.

Information from: West Side Spirit.
Sandra Yin 2/1/01



Message to the BOE: Don't sell these schools, or air rights from schools, to any developer!



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New Development Site W. 76th Street and Broadway

There is a new development site located on the southeast corner of West 76th Street and Broadway (Avis and Ernie's).

The site is adjacent to a low-rise garage. Air rights can be bought from the garage which makes the possibility of a building taller than the zoning allows.

Air Rights (more precisely known as Transfer of Development Rights or "TDR") allow a property owner to transfer its right to further develop a property to another nearby property.

Update- PS 191's Air Rights

The City planned to sell P.S. 191's air rights (W. 61st St. Amsterdam & WEA) to the LHL Realty Company. LHL planned to build two luxury towers with 550 apartments (60th-61st St., between West End Avenue and Amsterdam Ave.)- a plan that we believe is now dead because the West End Avenue site was sold to the Abraham Joshua Heschel School.

We believe P.S. 191's air rights remain unsold . Will the Heschel School purchase P.S. 191's air rights? The Heschel School has not released its plans for the site. We will keep you informed.

More Vulnerable Sites

The entire east side of West End Ave. **W. 70th-W. 69th Street** (A&P etc.) development site adjacent to PS 199. Will its air rights be sold?

W. 67th-W. 69th St., W. side of Amsteradam Ave. development site near Martin Luther King Jr. High School. Will its air rights be sold?

New Development Site W. 96th St. (WEA & RSD)

A luxury mid-rise (15-story) apartment building, (172 units), will be built at 323 W. 96th St. Construction will begin soon and will be completed in 18 months.

Problem: This site was a former garage/ gasoline station and there are underground storage tanks that must be removed. State **Senator Eric Schneiderman** is pursuing this with the NYS Department of Conservation.



Clinton/Hell's Kitchen Major Victory Over Taller Skyscrapers

A Victory for All Neighborhoods

The NYS Appellate Division recently issued its decision on the Theater Subdistrict Zoning Amendments (TSZA), effectively reducing the broad and unprecedented ability to transfer air space ("air rights") from 2.4 million square feet to less than 1.2 million square feet. Increases in new building size attributable to air rights - from 40th to 57th Street and from Sixth to Eighth Avenue - have been reduced by over 50%!

Although the Court left in the first 20% increase, it knocked out an additional 24% increase because the City Planning Commission *failed to*

conduct an environmental review (Environmental Impact Statement).

And the ruling upheld the Clinton community's earlier victory which excluded 12 blocks of the west side of Eighth Avenue from the TSZA. A substantial victory for Clinton Special District Coalition.

The Clinton Low Rise Special District area, west of Eighth Avenue, is under enormous pressure from developers. Residents concerned about traffic, noise, and the impact of massive office and luxury apartment buildings

on existing tenants brought the lawsuit against the City.

John Fisher, President of the Clinton Special District Coalition, the neighborhood group that filed the legal challenge, called the court's ruling abolishing the 24% bonus plan, "a resounding victory for the neighborhood and for sound environmental planning. We hope the city takes this decision as a message that it cannot ram through zoning changes that authorize increases in building bulk, without taking into account the impact on local neighborhoods."

Supplemental Environmental Review Demanded

The twin towers (750 feet) of the Time/Warner Project (58th-60th Street and Broadway) will be *one-third larger* than the original approved project. Yet no environmental review has been done on the additional 700,000 square feet and its impact on traffic congestion and air pollution! The Committee for Environmentally Sound Development (CFESD) is filing a lawsuit in State Court requesting further *environmental review of the additional 700,000-square feet*. CFESD has opposed the demolition of the Coliseum site for 15 years with numerous lawsuits.

More Traffic Police for 72nd Street

Thanks to **Assemblymember Scott Stringer**, the Transit Authority has reassigned one of the transit police officers it withdrew from the busy area around West 72nd Street and Broadway. There is always a problem of illegal traffic in the area.



Number of Trucks Reduced - Judge Rules in Favor of USPS

Well, it's over. It was a good battle, one worth fighting for. Coalition's consultants and attorney fought the good fight. But Judge Hellerstein ruled that "the USPS need weigh only the marginal impacts of its own actions."

However, USPS will reduce the number of truck trips to the Ansonia PO from twenty-four to fifteen each weekday, and on Saturdays from eight to four. That's still too many. Those 5-7 ton truck deliveries to the Ansonia Post Office will worsen the traffic problem on a very congested street -West 68th Street between Broadway and Columbus Avenue

We may not always win - but we're always in there fighting for what's right for the community.

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 . []
 My contribution is () \$500. () \$250. () \$200. () \$100. () \$75. () \$50. () \$25. () other
 Annual dues \$25. [] New member [] Renew 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]

Name _____ Address _____ Apt. _____
 City/State _____ Zip _____ Phone _____ Fax # _____

Send your e-mail address to livablenewyork@erols.com

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 _____

Request for Proposal for a Cafe/Concession in Riverside South Park at West 70th Street Approved by Community Board 7 on March 6, 2001

The original Draft Request for Proposal (RFP) of the NYC Parks Department to put a huge floating barge/theater off the pier at West 70th Street died because of community and CB7 Parks Committee opposition. It metamorphed into a floating barge/cafe and it too died. It was resurrected as a full service cafe near the pier and it was withdrawn by the Parks Department.

Due to the efforts of the community, members of CB7's Parks Committee and the responsiveness of Charles McKinney, Administrator, Riverside Park, a new scaled down Draft RFP was prepared. There will be no table service and the RFP will clearly limit the cafe/concession to 24 tables.

The Café would:

- have walk up service only, no table service; be located north of the pier in the paved triangle area only.
- serve liquor.
- be open as early as 9AM on week-ends; open May-October; close at 11 PM every day.

The café service building would: be placed under the Miller Highway; be a semi-permanent building (between 20 to 30 feet in size) and contain a grill and kitchen.

The successful concessionaire will have a five-year contract and be responsible for:

- construction, operation and maintenance and security of all structures, including the public bathrooms.
- removing sewage, which would be stored in holding (septic) tanks and which must be removed by a disposal service.
- connecting to the sewer line when Building B (70th-71st St.) is completed.
- opening for business this summer.

Trucks bringing in supplies, food, etc. would come in at 59th Street in the morning and would use both the asphalt under the highway and the bike path. Garbage would be picked up after midnight every night.

There are no provisions for parking or services in Riverside Park for either the concessionaire or customers. Deliveries would be made early in the morning. Under no circumstances will parking, other than delivery, be permitted in the park.

Planned Riverside South Buildings

Building "B" (220 Riverside Blvd. - 70th-70st St.) 55 stories stories (588 condos.) *Under construction.*

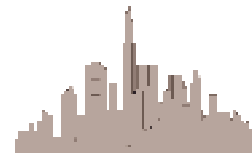
Expected to be finished in 20 months. Building will be about one to two feet away from 345 W. 70th St. All lot line windows will be blocked.

Building "A" (240 Riverside Blvd. - 71st - 72nd St.) 35 stories (297 condos). Charles Reiss, VP Trump Organization said that when 80% of the condos are sold in B, construction of "A" would begin. "A" would abut the landmarked Chatsworth, 344 W. 72 St. and all lot line windows would be blocked.

Building "F" (140 Riverside Blvd. 66th-67th St.) 30 stories stories (368 rental apts).

Building "G" (120 Riverside Blvd. - 65th-66th St.) 21 stories (288 rental apts).

Twenty percent of the apts in "F" and "G" would be subsidized (80/20). Buildings "F" and "G" would be built at the same time. Possibly by the end of 2001.



Traffic Alert

Con Edison to Close Streets

"ConEd work will soon close parts of streets on the Upper West Side. Once the City Departments of Environmental Protection and Transportation have issued permits for the projects, sections of West End Avenue at 65th Street and 107th through 110th Street and Broadway will be closed.

"At West 65th Street, ... the center lane of West End Avenue should be closed for a month....Work should begin shortly.

"On Broadway from 107th to 110th Streets, ConEd will begin work starting in March. The east lane on the south-bound portion of Broadway will be closed for up to three months." The Spirit, 2/15/01

Saving 2 Columbus Circle

Kudos to Olive Freud, Committee For Environmentally Sound Development, who has worked tirelessly for years to preserve 2 Columbus Circle (the original Huntington Hartford Museum) as a center for the Dahesh Museum.

Organizations that continue to support her effort are: Coalition for a Livable West Side, Clinton Special District Coalition, Fine Arts Federation, Historic District Council, Federation of Westside Neighborhood and Block Associations, the Turtle Bay Association, the 63rd and 64th Street Block Association and the West Village Committee.