



Coalition for a Livable West Side

Leading the fight for a better city environment.

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West Side Officials Urge Federal Safety Review of Riverside South Buildings Above Amtrak Rail Line

Question NYC Decision to Exempt Huge Trump Project From Strict 1995 Earthquake Code

Four elected officials from Manhattan's Westside - Congressman Jerrold Nadler, State Senator Eric Schneiderman, Assemblymember Scott Stringer, and Councilmember Ronnie Eldridge - have called on the Federal Emergency Management Agency (FEMA) to examine the public safety issues involved in the construction of eight residential towers directly above Amtrak's rail lines in the Riverside South project being developed by Donald Trump.

In a Sept. 17 letter to the Director of FEMA, the officials expressed "grave concern" that the Riverside South project was granted an exemption

from the City's own earthquake code enacted in a 1995 Local Law.

"We have been informed that the Riverside South site is particularly vulnerable to earthquake damage," the letter stated.

"In the City's earthquake code, on the scale of soils from S1 to S4, this soil profile is S4, the weakest and most unpredictable, and the worst for foundations.... Old maps show streams here that are now underground. Deep fill and sediment, and the high water table of the site, make soil liquefaction possible during an earthquake

When soils liquefy, they lose strength. Piles may move, buckle or break."

The letter went on to point out that FEMA's own consultant "believes that that the real danger in an earthquake is the soil itself.

Due to these concerns...it would be irresponsible for FEMA to allow structures that do not comply with the latest standards of seismic safety to be built directly over Amtrak tracks, particularly on a site as vulnerable to earthquake as Riverside South."

The letter concluded, "It is vitally important that these issues be addressed by the City and FEMA immediately."

See the full letter on Page 2. It is a "must read." We will keep you advised of FEMA's response and further developments on this critical public safety issue.

Alert - Additional Traffic Congestion and Air Pollution in West 68th Street Area, If.....

If the United States Postal Service (USPS) moves the Ansonia Post Office's sorting and distribution operations to West 68th Street, between Broadway and Columbus Avenue, there will be an unbearable increase in traffic congestion and air pollution. **We can stop that move with your help!**

Our attorney, Jack Lester, after extensive research, has **filed a lawsuit** in New York State Supreme Court, challenging the United States Postal Service's plan to proceed with moving the sorting operation to West 68th Street.

Our lawsuit asks for an injunction to stop the USPS from putting in the curb-cut needed for the huge trucks. The lawsuit is based on :

- The failure of the United States Postal Service (USPS) to update their 1991 Environmental Assessment;
- The failure of the USPS to comply with the New York State rules and regulations promulgated in 1992 under the federal Clean Air Act; and
- The failure of the USPS to comply with the New York City Charter.

Coalition for a Livable West Side

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Letter to FEMA

September 17, 1999

James Lee Witt, Director, Federal Emergency Management Agency
500 C Street S.W., Washington, D.C. 20472

Dear Mr. Witt:

We are writing to express our grave concerns regarding New York City's adherence to its own earthquake code (Local Law 17 of 1995).

The effective date of the City's earthquake code was February 21, 1996. Several new buildings located within our districts were granted exemptions by the City administration from the requirements imposed by the code. We are concerned that the developer of the Penn Yards site (the Riverside South complex being developed by Donald Trump) has been granted an exemption that will put the residents of these buildings in grave danger if a major earthquake occurs.

We have been informed that the Riverside South site is particularly vulnerable to earthquake damage. The soils at these sites comprise 20 to 50 feet of uncontrolled fill over soft organic silt, sand and bedrock. The bedrock, which slopes toward the Hudson River, is twenty to one hundred feet below ground surface. In the City's earthquake code, on the scale off S1 to S4, this soil profile is S4, the weakest and most unpredictable, and the worst for foundations. The water table is also high in this area. If the earthquake code were applied here, the developer would have to investigate the possibility of soil liquefaction.

Trump's waterfront site is all landfill, and its skyscraper apartment towers are supported on tall slender piles, that are hammered through the fill until they hit rock. Perhaps the most earthquake vulnerable site is between West 67th and West 68th Streets. The bedrock is very deep here, about seventy feet below layers of fill, sand, and silt. Old maps show streams here that are now underground. Deep fill and sediment, and the high water table of the site, make soil liquefaction possible during an earthquake. When soils liquefy, they lose strength. Piles may move, buckle, or break.

The Riverside South developer has already erected two residential towers on the site, and is in the process of constructing a third, and states that he is planning to build at least five more. All of these buildings have an impact on Amtrak's Empire line which runs through the development site, which constitutes an additional hazard in case of an earthquake. The City's current earthquake code requires an analysis of the potential for liquefaction on a site like the building under construction, but Trump's buildings are exempt from the Code and the requirement to analyze the soil's potential for liquefaction. As a result, Riverside South's towers do not have to be built to the new safer standards that went into effect February 1996.

We understand that FEMA is in the process of conducting a study calculating the effects of a major earthquake on vulnerable sites in New York City. The Federal Emergency Management's Agency's (FEMA's) consultant, Klaus Jacob, believes that the real danger in an earthquake is in the soil itself. Due to these concerns, it is vitally important that all new construction, including the Riverside South site, be constructed in accordance with the City's most recent Earthquake Code.

These are serious concerns for New York City residents, elected officials, and the Federal Emergency Management Agency that deserve investigation. It would be irresponsible for FEMA to allow structures that do not comply with the latest standards of seismic safety to be built directly over Amtrak tracks, particularly on a site as vulnerable to earthquake as Riverside South.

It is vitally important that these issues be addressed by the City and FEMA immediately. Thank you for your prompt attention to this matter.

Sincerely,

Scott Stringer, Assemblymember
Ronnie Eldridge, Councilmember

Jerrold Nadler, Congressman
Eric Schneiderman, State Senator

Why Action From FEMA Is Critical

Two recent articles in the New York Times highlighted earthquake risks in the New York Metropolitan area. Some excerpts:

"As seismologists study the origins of the recent earthquake in Turkey, they are calling for intensified research to gauge the likelihood of **future seismic events in the metropolitan area**...Some scientists say this focus on New York's geology is long overdue...the metropolitan region" is also "important from the standpoint of seismological hazard," Mr. Seeber of Lamont-Doherty Earth Observatory of Columbia University in Palisades, N.Y.said. fr. NYTimes, 9/1/99

Another area of interest, Mr. Seeber and others said, will be testing a theory that surface **damage is worse** in area with **soft surface sediment** than in areas with a stronger base."fr. NYTimes, 8/21/99

FEMA did not require the imposition of a national earthquake code, but instead gave localities some discretion in enacting responsible legislation. FEMA indicated that emergency funds might be withheld from jurisdictions within moderate seismic zones, such as New York City, that did not require the consideration of seismic loads in their building codes.

Is FEMA aware, however, that four years **after** the enactment of the code, and three years **after** its putative "effective date", a series of residential towers ranging in height from 20 to 50 stories, with several thousand dwelling units and millions of square feet in area, will be built directly over Amtrak tracks without the protection of the local seismic code?





Agency Shows Contempt for Public

A recent Bureau of Standards and Appeals's (BSA) ruling allows Riverside Drive South (Riverside Boulevard) to be built on fill instead of a viaduct

In its decision, the BSA showed its contempt for public diligence, scrutiny and honesty.

It allows Trump to contemptuously ignore the many commitments he made to the City and the community in the Restrictive Declaration, the Final Environmental Impact Statement, and in City Planning Commission and City Council resolutions regarding Riverside South.

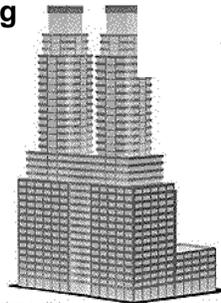
The BSA ruling means that community promises can be blown away with impunity. Future discretionary city zonings founded on promises contained in Restrictive Declarations will be all the more difficult to achieve.

Potential New Development = More Overcrowding

It has been reported that Jerry Tishman of Tishman-Speyer has purchased the land at 200-214 West End Avenue and 160-186 Amsterdam Avenue for \$25 million.

A **31-story as-of-right residential building** can be built on the site of existing retail structure located on W. 70th-W. 69th Street, entire E side of West End Avenue. The developer can buy air-rights from the adjoining school, P.S. 199, making the tower taller.

A **21-story as-of-right residential building** can be built on the site of existing retail structures located on 160-186 Amsterdam Avenue. The developer can buy air-rights from synagogue (at 190) and the Red Cross Building making the tower taller.



This is the 1992 approved design of Building E. The building under construction differs in the design of the towers. [38 stories, 438 apts.]

Under Construction

Although construction has resumed, it appears that there may be major problems with the construction of Building E (67th-68th St.) in Trump's Riverside South.

It has been under sporadic construction for a couple of months. That is very unusual and very costly to the developer.

We have heard a number of theories for the delays including one that suggests that the foundation poured infringes on the Amtrak right-of-way.

We will keep trying to find out the truth and keep you informed.

What Are Air Rights?

Air rights, also known as development rights, refer to the difference between the actual size of a building and the maximum size allowed on its land by existing local zoning regulations.

Usually, air rights can only be sold or transferred to sites next door, across the street, cater-cornered from, or under the same ownership as the building ceding the rights.



The Hole On West 67th St.

A 2-story Victoria Secrets building is under construction on the west side corner of Broadway and 67th Street. Previous owner had sold the building's air rights to the developer of the Bel Canto (next door).

No Hudson Greenway in Riverside South

"A multi-use path stretching from the Battery to the northern tip of Manhattan is tantalizingly close to being built. However, the future of the critical link between 59th and 72nd streets is clouded by an official Riverside South park plan that **does not** include the greenway.

...It is **urgent** that a **greenway through Riverside South** be constructed. To the south, the Route 9A greenway is expected to be complete in the summer of 2000. To the North, work on the greenway is progressing in Riverside Park. The car-free bike path along Manhattan's Hudson waterfront will be one of the most important bicycling routes in the country." Transportation Alternatives, Summer 1999

The Trump organization has resisted a continuous bikeway and walkway through the Riverside South site. Perhaps, Trump would prefer to keep his Riverside South park isolated as a private public park. So he does not want a continuous bikeway.

WRITE: Mayor Rudolph Giuliani, City Hall, New York, NY 10007 and tell him that you support an interim and permanent Hudson Greenway through Riverside South.

Transportation Issues

Decrease in M-79 and M-86 Buses

The Transit Authority (TA) plans to put "articulated" buses on the M79 and M86 crosstown lines in December 1999 and January 2000. These are buses that are longer and bend in the middle (accordion-like section).

Since the articulated bus can hold more people, the TA will **decrease** the number of buses by 25% - 4 regular buses will be replaced by 3 articulated buses. That would mean an even longer wait for the bus.

The TA seems to believe that you won't mind waiting longer for a bus if you could get a seat.

Write to: Mr. Lawrence Reuter, President, MTA, 370 Jay Street, Brooklyn, NY 11201

Insane Choice

The Transit Authority (TA) wants to use Broadway, **between W. 63rd and W. 64th Streets**, on the down-town side, for the layovers of the proposed M-20 bus (Lincoln Center to Battery Park City).

Buses layover at the start and end of their runs and congregate on the layover block.

Community Board 7 opposes using W. 63rd-W. 64th St. because of the congestion in the Lincoln Center area. It suggested another site.

Write to: Mr. Lawrence Reuter, President, MTA, 370 Jay Street, Brooklyn, NY 11201

"Wrong Way on Buses"

"Safe, efficient and reliable public transportation is an absolute necessity in this city, where almost everyone takes a turn as a straphanger.

Yet, by all indicators, **public transportation in Manhattan is steadily declining**. A report recently released by the New York Public Interest Research Group (NYPIRG) shows that bus service is down by 6 percent, even though ridership is up by 27 percent.

This translates to longer delays between buses and more crowded rides. Among the worst routes in the city is the West Side's **M104 line**, which runs along Broadway and the **M 7 line**, which runs on Columbus Avenue.

Service cutbacks have made the bus experience decidedly unpleasant. Schedules are only erratically adhered to.

The Transit Authority must act to insure sufficient bus service by **immediately increasing** the number of buses that run on the West Side." Editorial. The Spirit. 6/3/99



Community Board 7 Rejects M-72 Route Change

The Transit Authority (TA) wants to change the M-72 route because it wants new riders from Riverside South. This despite the fact that there is a free jitney service (3 buses) from Riverside South to West 72nd Street and Broadway during morning and evening rush hours.

Community Board 7 passed a resolution that "insists [that] the Transit Authority not change the route of the M72 bus at this time" because of "safety issues that were raised by community residents concerning pedestrian and vehicular safety on Freedom Place and 70th Street and W. 66th Street."

There is no need to change the existing route. If needed, the TA can add an additional pick-up stop on the northeast corner of W. 70th Street.

Write to: Mr. Lawrence Reuter, President, MTA, 370 Jay Street, Brooklyn, NY 11201



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