



CITY OFFICIALS HELP TRUMP 'TRUMP' THE COMMUNITY

WEST 72ND ST. HIGHWAY EXIT RAMP CLOSURE PLAN SPURS LAWSUIT - RESIDENTS OUTRAGED OVER PLANNED 7-LANE SPEEDWAY ON WEST END AVENUE

The Coalition for a Livable Westside (CLW) announced on April 13, 2004, that together with *Congressman Jerrold L. Nadler; State Assemblymember Scott Stringer; Councilmember Gale A. Brewer; State Senator Eric T. Schneiderman, and State Assemblymember Daniel O'Donnell, three Manhattan Civic groups, and nine West Side coop and condo boards*, a lawsuit has been filed in New York State Supreme Court against the New York City Department of Transportation (DOT) and its Commissioner, Iris Weinshall, and Hudson Waterfront Associates, developers of Trump Place.

The lawsuit seeks to *overthrow DOT's decision to close the West Side Highway 72nd Street off-ramp and create a seven-lane roadway on West End Avenue from W. 57th to W. 70th Streets.*

The Plaintiffs' attorney, Richard J. Lippes, Esq. stated, "The plaintiffs seek revocation of the city's arbitrary, capricious and unlawful issuance of approvals for the closure of the northbound exit ramp at 72nd Street from the Joe Dimaggio Highway (Miller Highway) and the implementation of the mis-named West End Avenue Improvement Plan (WIP). The city violated the requirements of both city and state environmental review laws in granting the approval. It failed to follow the proper procedures required by those laws. The actual amount of increased traffic that would result from closing the exit ramp is **substantially understated** in the developer's technical memorandums".

The closing of the 72nd Street exit ramp will clog the 79th St. exit from the highway and negatively impact the 96th Street exit, causing serious traffic congestion at those points and on West End Avenue (WEA). DOT admits that *there will be an increase in traffic on WEA.*

DOT's solution to that increased traffic is the so-called "West End Avenue Improvement Plan". WEA would become a **seven-lane roadway from 70th Street to 57th St.** with no parking during rush hours. There would be a change in green time in traffic lights. DOT *never evaluated* the impact of the plan on the increased hazards created to pedestrians crossing West End Avenue its side streets and to vehicular traffic.

The bottom line for the plaintiffs: DOT must **NOT CLOSE** the W. 72nd Street exit ramp **until** the entire Riverside Boulevard is completed connecting Riverside Boulevard to Riverside Drive at W. 72nd St. **Or** alternatively, make the connection - and it is possible to do so- **WITHOUT CLOSING** the ramp. But **NEVER, NEVER** implement the Orwellian West End Avenue Improvement Plan.

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OUR CHALLENGE GRANT WILL MATCH YOUR CONTRIBUTION

Lloyd E. Rigler

The Coalition for a Livable West Side mourns the passing of Lloyd E. Rigler.

Making life more livable was a passion for Lloyd Rigler—more livable through the arts, through a healthier urban environment, through humanitarian efforts where it could genuinely make a difference in the lives of people from America to Africa.

The Lloyd E. Rigler Challenge Grant to the Coalition started in 1992, and every year it has served as a magnet for our fund raising. As a long time resident of Manhattan's West Side, he understood the impact of over-development on our community's quality of life, on our infrastructure and environment.

He urged us to continue the fight to preserve our community and improve our environment.

He will be missed—but his caring will continue to inspire us—and he will live on in the most meaningful way.

Save our environment
CLW
Coalition for a
Livable West Side
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JOIN THE COALITION TODAY

WHY DOT APPROVALS FOR RAMP CLOSING AND THE WEA IMPROVEMENT PLAN MUST BE OVERTURNED

Congressman Jerrold Nadler stated, "Closing the 72nd Street northbound exit will set off a domino effect of serious problems on the West Side of Manhattan. If the City of New York cannot find its way to make a decision based on accurate traffic, environmental and community concerns, I hope that the New York State Supreme Court will."

Required Mitigation For Increased Trump Place Traffic

In 1992, when Trump received city approval to build Riverside South, (now called - what else? - Trump Place), the major mitigation for the increase in traffic created by the project was a new road parallel to West End Avenue called Riverside Drive South. The new road, renamed Riverside Boulevard, would connect Riverside Boulevard to Route 9A (at 59th St.) and W. 72nd Street and Riverside Drive - thereby relieving traffic on West End Avenue .

Now, simply because the developer of Trump Place (Riverside South) requested it, the NYC Department of Transportation (DOT) approved the closing of the W. 72nd Street West Side Highway north-bound off-ramp and the implementation of a 7-lane speedway on West End Avenue (from W. 57th to W. 70th St.) *even though Riverside Boulevard is incomplete and stops at W. 65th Street.*

"DOT originally determined that the off-ramp should remain open until Riverside Boulevard is completed," declared **Assemblymember Scott Stringer**. " But now they have reversed that position because the private developers of Trump Place (Riverside South) requested the closure of the ramp. I demand that DOT keep the promise it made to the community in 2001 by *keeping the ramp open until Riverside Boulevard is completed.*"

"The significant increase in traffic that will be caused by the closing of the off-ramp for the benefit of a private developer, will have myriad negative environmental impacts on the community," stated **State Senator Eric Schneiderman**.



"If the ramp closure goes through, West End Avenue will be turned into a highway. This will result in a considerable threat to the safety of all residents, particularly parents, children and seniors," said **Councilmember Gale Brewer**.

Assemblymember Daniel O'Donnell noted that, "Traffic on the upper West Side is already a tremendous problem, and closing the off-ramp will only push the problem to the north and to the south without regard for the impacts throughout the area."

Plaintiffs in the Lawsuit

Coalition for a Livable West Side, Congressman Jerrold Nadler, NYS Assemblymember Scott Stringer, NYC Councilmember Gale Brewer, NYS Senator Eric Schneiderman, NYS Assemblymember Daniel O'Donnell, the West Side Federation of Neighborhood and Block Associations, Inc., Association of Tenants of Lincoln Towers, Inc., Far West 74th Street Block Association, Inc., 205 WEA, Howard House Owners Corp., 260 Apartment Corp., Sherman Square Realty Corp., Eleven Riverside Drive Corp., 321 West 78th Street Corporation, 450 Tenants Corp., Sexton Condominium Board and the 160 Riverside Corporation.

What You Can Do:

Call Commissioner Iris Weinshall (DOT) at (212)-676-0868 or write to her: Commissioner Iris Weinshall, DOT, 40 Worth St., New York, NY 10007 or Fax her at (212)-442-7002 or send an E-mail to her at Commissioner@dot.nyc.gov

Call Mayor Michael R. Bloomberg at (212) 788-3000 or write to him : Mayor Michael R. Bloomberg, City Hall, New York, NY 10007 or Fax him at (212) 788-8123 or email him mayor@cityhall.nyc.gov

Other Traffic Changes On West End Avenue

The street directions of West 61st and West 64th Streets would be changed.

- *West 61st Street* would become one-way *westbound* between Amsterdam and West End Avenue.
- *West 64th Street* would become one-way *eastbound* between West End Avenue and Amsterdam Avenue.

New Tower On West End Ave. West 69th - West 70th Street

Developers plan to begin *construction in the Summer of 2005* on a new building on the east side of West End Avenue (69th-70th Streets).

The new building is as-of-right (no special permits are needed). The size of the building can be increased by 20% using the Inclusionary Housing bonus. Therefore a 40-story tower - which includes 30 feet for the rooftop mechanicals - can be built.

The Board of Education has not sold the air rights over PS 199 and has no plans (as of now) to do so.

Community Board 7 Resolution on Closing of Ramp



On Feb. 3, 2004, by a vote of 33 to 2, Community Board 7 passed a resolution that states it:

- is opposed to granting approval for the closing of the 72nd St. northbound off-ramp;
- urges DOT to withdraw approval;
- recommends that any further consideration of the matter be postponed until the balance of the Riverside South project, and particularly Riverside Boulevard, are completed; and
- urges the Department of Transportation to reconsider the traffic, parking and quality-of-life effects of the 72nd Street off-ramp closure in a much more comprehensive way, including specifically in face-to-face consultations with the community, before the matter is ever considered again.”



Let Us Count the City Giveaways to Trump on the Riverside South Site - Which Saved Trump Tens of Millions of Dollars

1. In 1982, the NYC Board of Estimate approved a plan for 7.3 million square feet of development - including 4,300 apartments on the old Penn Yards site (59th-72nd Street, Hudson River to West End Avenue). In return for the approval of the new zoning, the developer was *obligated* to pay \$100 million in amenity commitments to the city - which included \$31 million for the 72nd Street subway and \$2 million for the 66th Street subway, tied to the cost of inflation. The money was to be given *before* the project started.

Those commitments were written into a binding agreement - a Restrictive Declaration - between the City and the developer, Mr. Macri. They were to run with the land for 99 years and were enforceable by adjoining landowners.

A key legal requirement required that the city had to be informed *before* any sale of the property could take place so that city officials could “secure from any new developer a binding promise to honor the \$100 million amenity commitments.

When Macri signed a contract with Trump, they ignored that legal requirement. Donald assumed full responsibility for the joint decision to violate this provision...Trump was so sure the city would not invoke its presale notification, he agreed to hold Macri harmless if it did.” From: Wayne Barrett. Trump: *The Deals and the Downfall*. HarperCollins. c1992

2. Trump did not have to honor those commitments! In 1992, the city voided the 1982 Restrictive Declaration; the one with the \$100 million in amenity obligations; the one that was to run with the land for 99 years; the one enforceable by adjoining landowners.

If the obligation for the 72nd St. subway station had been tied to just an annual 3% inflation rate, by 1992, Trump would have had to pay a minimum of \$44,295,484.00 to fix the subway *before* he began to build Riverside South.

The city now requires Trump to pay only \$10 million for the 72nd St. subway and it is paid *after* Riverside South’s buildings receive certificates of occupancy. Nothing for the 66th St. subway station

3. In March 1991, Trump signed an agreement with Mayor Dinkins - fifteen months before the Public Review Process (ULURP) was to begin.

Mayor Dinkins agreed to give Trump 8.3 million square feet for development - *an increase of 1 million square feet* . In return, Trump promised to build a 25-acre park. The park is now 21.5 acres.

4. The City Council passed a new Earthquake Building code in early 1995. In August 1995, the New York City Department of Buildings issued a regulation exempting developers from the earthquake code if they filed plans before February 1996.

Trump filed all his applications for Riverside South and beat the deadline, even though the Riverside South site is listed as an S-4 site “most unpredictable, and the worst for foundations.”

This action by the City saves Trump *approximately 12%* in building costs.

5. In 1995 to help Trump obtain Federal Housing and Urban Development (HUD/FHA) mortgage insurance guarantees, the New York City Department of Housing Preservation and Development (HPD) labeled - *W. 59th to W. 72nd Street, from Broadway to the Hudson River - as blighted* .

Trump had applied for almost \$356 million in FHA mortgage guarantees for four buildings (66th-70th St.) *and the park*, under the “blighted, needs assistance to develop” section of the Federal Housing and Urban Development (HUD) code.

The Coalition’s consultant analyzed the application and found it was grossly inflated and included the cost of building the park. Congressman Jerrold Nadler gave the analysis to the HUD Inspector General who did his own analysis and recommended that the Trump application *be denied*. It was!]

GIVEAWAYS TO TRUMP TO BE CONTINUED IN OUR NEXT NEWSLETTER.

New Construction Updates

Columbia's New Building Under Construction W. 103rd St. E. side Broadway

Columbia University's new residential building at W. 103rd St. and Broadway will contain 83 faculty apartments.

Although it is 264 feet high, it is listed as a 13 story building.

New Development Site W. 100th St. , W. side Broadway 2633 Broadway

Gristedes' owner, John Catsimatidis, plans to build a high-rise on the site of the present Gristedes.

He also purchased the two brownstones on W. 100th Street, between Broadway and West End Avenue.

Congregation Shearith Israel W. 70th St., Central Park West

The landmarked Congregation Shearith Israel has proposed building a 15-story residential tower at 8 W. 70th St., site of a vacant lot and community house that belong to it.

On December 9, 2003, the city Landmarks Preservation Commission held its fourth public meeting about the project - and decided not to vote on it yet.

Riverside South - Building A W. 71st - W. 72nd Streets

The first occupants (floors 1-7) will move into the building in the Fall of 2004.

The next phase for move-in will be floors 8-14. The final move-in will be by end of 2004.

There are 174 condominiums and 125 parking spaces.

The main entrance will be on W. 71st Street. The secondary entrance will be on the Riverside Boulevard side of the building.

Riverside South - Building G W. 65th - W. 66th Streets

Building "G". is under construction and will have 279 condominium units and be 18 stories. But the actual height of the building (including the rooftop mechanicals) will be 234 feet.

The building is expected to be completed by November 2005.

Contact For Construction Issues On Buildings "A" and "G"

Call Penny Ryan, District Manager, CB7. at 212-362-4008 and report the problem. Be specific with your information (problem, date, time of occurrence, etc.)

Dealing With the NYC Department of Transportation (DOT)

"No other public space issues raise the ire of civically active people like the intransigence of some NYC DOT engineers.

"In community after community, required public input is duly recorded and often ignored because the public is not qualified to delve into the 'science' of traffic engineering. The public landscape of the city ends up being used in a way that is contrary to the interests of livability and public health.



"In a recent issue of the NY Press, Aaron Naparstick wrote a cover page article entitled 'Cars, Cars, and more Cars' that clearly outlines some of the excesses of the Agency and quotes local experts, former insiders and a respected former DOT engineer. Go to <http://www.nypress.com/17/9/feature/feature.cfm>."

From: Urban Outdoors. The Neighborhood Open Space Coalition and Friends of Gateway monthly newsletter.

Be Pro-Active - Join the Coalition for a Livable West Side Today

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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]

I wish to support the **Coalition's** lawsuit to overturn DOT's approvals of ramp closing and WIP. []
I wish to support the **Coalition for a Livable West Side's** efforts on behalf of the community . []
My is contribution () \$500. () \$250. () \$200. () \$100. () \$75. () \$50. () \$25. () other
Annual dues \$25. [] New member [] Renew - Year 2004 Dues [] Pre-pay Year 2005 Dues

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 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 _____