

Coalition for a Livable West Side

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“Battery Park City” on the Upper West Side - Proposed for W. 59th - W. 61st Street

On October 30, 2008, the Extell Development Corporation gave the community a preliminary preview of its development plans - clearly resembles Battery Park City rather than the West Side - for the southern end of Riverside South – 59th to 61st Street to be called Riverside Center.

“Already, if last night’s meeting is any guide, there are many displeased Upper West Side residents. While the elected officials seem mostly concerned about density, the level of affordable housing and the inclusion of a school, many in attendance were a bit more eager to see the plan ditched entirely.

“A sampling of the dissidents’ denigrations: “The developer is putting lipstick on a pig;” the plan is “a crushing, greedy project;” residents were “aghast” when the plans were revealed; a woman declared, “I just don’t see why we should be seeing any new units on the Upper West Side,” at all.” Eliot brown, NY Observer, 10/31/08

The proposal includes **FIVE** proposed glass towers totaling **3.1 million square feet** containing condominiums, offices, retail space, a hotel, a possible movie theater and auto showroom. A school for 600 elementary children and affordable housing are being considered. It also includes 3.2 acres of **privately owned** open space and 1,880 parking spaces.

- 53-story residential tower on the northwest corner (594 feet in height = 59 story tower)
- 42-story residential tower on the northeast corner, (492 feet in height = 49 story tower);
- 39-story mixed-use tower on the southeast corner (451 feet in height = a 45 story tower)
- 35-story residential tower on the south (415 feet in height = 45 story tower)
- 50-story tower on the southwest corner (560 feet in height = 56 story tower)

On December 11, 2008, the City Planning Commissioner will hold a Public Scoping Session in its very small space at 22 Reade Street. The Scoping Session determines what has to be covered in the Environmental Impact Statement (EIS).

Go to: <http://www.nyc.gov/html/mancb7>, click on “Review the Materials under Riverside South Task Force Meeting for additional background information and most importantly, **questions on what you believe should be covered in the Draft Scope for the EIS** . If you would like a copy of the questions, send a Stamped Self-addressed #10 envelope to CLW, PO Bx 230078, NY, NY 10023.

If there are any changes in date, time or place for the scoping session, we will let you know via email. If we do not have your email address or you would like us to add addresses, just send an email to: livablenewyork@erols.com. We do not share email addresses with anyone!

Coalition for a Livable West Side
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Join the Coalition for a Livable West Side. Membership form is on page 6.

ANOTHER MEGA-DEVELOPMENT - JUST BLOCKS AWAY FROM RIVERSIDE CENTER

FORDHAM UNIVERSITY

Fordham University has proposed **2.378 million square feet of new development** proposed for the entire superblock site from Amsterdam to Columbus Avenues and West 60th to West 62nd Streets

Fordham has completed a very flawed Draft Scope, i.e., a document that purports to outline all the issues, problems, etc., that will be analyzed in their Environmental Impact Statement (EIS) . A grossly flawed Draft Scope guarantees a grossly flawed EIS.

The Coalition for a Livable West Side's traffic consultant, after examining the Draft Scope, has concluded that the data collection and analysis will not be

sufficient for the complexity of travel patterns in the area.

Specifically: The program for traffic counts will not work well for congested intersections. When you do a standard traffic count, you are counting the number of vehicles that pass through an intersection. For an intersection that is over capacity, you are thus counting the capacity of the intersection and not the actual demand. Therefore, for congested intersections, it is important to conduct a "delay study". In these types of studies, you are counting the actual demand and vehicular delays at the intersection - not just the number of cars that are able to pass through. At the very least, the

contractor should do a few delay studies at the most congested intersections to calibrate the HCM model.

And most importantly, the traffic data must show the full cumulative impact on traffic in a very broad area. The traffic study area must include West 52nd Street to West 96th Street (especially since the demolition of the 72nd Street Northbound Exit Ramp has increased traffic pressure on the West 79th Street and West 95th Street exits from the West Side Highway), from Central Park West to 12th Avenue.

The Alfred Condominium Fordham Committee's succinct summary reveals why the Fordham Proposal must be rejected. "**Reject** it because of the disastrous effects that thousands of additional students and residents will have on already overburdened public transportation and pedestrian walkways as well as vital services such as sanitation, public safety and sewage disposal.

"**Reject** it because it is an unjustified and a totally disproportionate construction of a 167% increase in "academic" space to accommodate a modest 33% increase in students which includes students, faculty and programs moved from other spacious Fordham campuses .

"**Reject** it because of the enormous reduction of open green space from 65% to 37% and the walling-off of "community" campus gardens.

"**Reject** it because of the substantial increase in air pollution and traffic congestion that will be caused by three new garages and the 1,400% increase in campus parking from 35 to 535 spaces.

"**Reject** the seven new 23 to 60 story buildings on a campus which has been restricted to 20 stories.

"**Reject** the profiteering \$300,000,000 sale to a developer of luxury condominiums, of two sites on the campus that the City created under eminent domain, by evicting thousands of poor families and demolishing their homes - and the potential for an additional sale on Columbus Ave. Although Fordham has promised that the land on Columbus Avenue will never be sold to a developer, the proposed Extell proposal shows that such agreements/covenants are meaningless pieces of paper.

"**Reject** it because the entire two block campus was originally "sold" to Fordham for \$2,250,000, a third of its cost to the city, *under a covenant that restricted its use to non - profit educational and community purposes.* "

These TWO mega-developments - Fordham University and Extell's Riverside Center (see page 1) - must go through the 7-month Public Review Process called ULURP (Uniform Land Use Review Process). We can keep you informed via email - send an email to livablenewyork@erols.com. We never share email addresses with anyone!

Environmental Impact Statements May Not Reveal the Truth About a Development's Impact on a Community or the Environment

Rethinking Environmental Impact Statements. Tom Argotti

"In the reviews of major developments, developers must disclose potential negative environmental impacts and propose measures that address them. Here in New York, any proposed land use changes that come before the City Planning Commission and City Council must first undergo an environmental review and, if they are considered to have a potential negative impact, the developer must prepare a detailed Environmental Impact Statement (EIS).

"The EIS for major projects like the Fordham University and Riverside South Plans are about as understandable to the lay person as a doctoral dissertation on civil engineering.

"Contrary to common belief, the EIS doesn't stop anyone from doing something that damages the environment. It only forces them to publicly declare it.

"Neighborhood and environmental groups rarely have the time, money and expertise to challenge the EIS, and courts are unwilling to second-guess the technical expertise brought before them when they themselves may not have it.

"The city's mayoral agencies that oversee the [EIS] process are traditionally boosters of development - real estate is perceived as the city's major industry - and reluctant to make a fuss. **In other words, the foxes are watching the chicken coop.**

"People in the city's neighborhoods ask:

- Is a project going to pollute the air or create more noise?
- Will it affect our health?
- What will be the long-run effects on future generations?

"The EIS doesn't really help answer these questions. The city's community boards manage the land use review process but don't have the professional staff to thumb through thousands of pages of technical jargon, charts and tables **to figure out what they're saying or pick out errors or omissions.**

"The EIS can't answer the most important questions because its methodology is flawed.

- It looks at environmental impacts as a series of simple short term cause-effect relations, not as a complex of interrelated factors.
- It doesn't deal with the cumulative impacts of many similar developments over a long period of time - spanning generations, not years.
- It looks at the effect of individual pollutants discharged in the environment, and doesn't consider what happens when pollutants interact with one another.
- It doesn't consider the impact of pollution on public health - i.e., how many more cases of asthma are likely to be generated by the added traffic?
- It doesn't look at the effect on the level and quality of public services which are very much a part of the quality of the urban environment.

"Yet another problem is that **many large-scale projects evade the EIS entirely because they are "as-of-right"** - that is, they require no zoning change or other official land use action. An as-of-right 500-unit apartment building in Manhattan can result in more traffic and noise in a neighborhood that's already overburdened, and there will be no environmental review.

"Overhaul of the environmental review system is long overdue. Right now, New York City jumps from one project to the next without a clear strategic plan.

"City government needs to develop a broad environmental planning framework that looks at long-term multi-generational indicators of environmental quality."

Tom Argotti is Professor of Urban Affairs and Planning at Hunter College from: gothamgazette.com July 2004

Department of Environmental Protection Fails to Protect the Environment

The NYC Department of Environmental Protection (DEP) has a duty under the law to protect the human environment, but sadly, when it comes to traffic and pollution, it fails in its duty.

To determine if a proposed project's increase in traffic and pollution at an intersection has a "significant" impact on the environment, DEP has set an arbitrary threshold of 90%. If a project's Environmental Impact Statement shows that traffic at an intersection reaches only 89% of this threshold, the increase in traffic and pollution are not deemed to have a "significant" impact on the environment! **DEP does consider not the cumulative impact of traffic at intersections in the same area.**

To dramatize the enormity of the city DEP's procedure we offer: **The Case of the Insignificant Dose**

Synopsis: Twenty-five greedy fortune hunters, legatees of a rich old man, gather at his home for a birthday celebration. They conspire to obtain their legacy without further delay. By agreement, each of the twenty-five adds a sub-lethal dose of poison to his host's coffee. Interestingly, the city coroner is present. Perhaps mindful of the potential inheritance tax revenues, he assays each guest's contribution and certifies in writing that the dose is insufficient to cause death.

Your Member Money at Work Protecting Pedestrians

Advocating Safe Cycling Behavior

The Coalition for a Livable West Side sponsored a Transportation Alternatives (TA) Working Cyclist Campaign on Manhattan's Upper West Side.

The project focused on delivery cyclists who ride on the sidewalk, who bike the wrong way down the street and who fail to yield to pedestrians.

TA created two new bicycle "hang tags"; one in Spanish and the second in Chinese, that clearly show the delivery cyclists how to obey the law so that streets will be made safer for pedestrians and delivery workers. They inform the delivery cyclist that:

- the police can take away their bicycle and fine them \$300;
- riding with traffic is a \$55 fine;
- they must yield to pedestrians crossing streets; and
- they must have the business name and phone number on their clothing and bicycles (fine to the business owner is \$150.)



The "hang tags" have been distributed to restaurant owner/managers in the community. They have been asked to discuss the cycling law with their delivery cyclists before distributing the "hang tags" to them.

We know that the delivery cyclists are *only one part of the problem of illegal cycling on sidewalks*. Transportation Alternatives is working hard to get ALL cyclists to obey the law.

Why Are West End Avenue and West 79th Street More Prone to Car Crashes?

Manhattan's Upper West Side is a neighborhood plagued by overdevelopment and traffic congestion, though only 11% of the population there own motor vehicles. This neighborhood also has one of the highest pedestrian injury and fatality rates in Manhattan, especially for senior citizens.

The Coalition asked Nelson\Nygaard Consulting Associates (NCCA) to look at specific intersections to determine the root cause of why certain places are crash prone.

NCCA studied Lincoln Towers (Amsterdam Avenue to Freedom Place, West 66th Street to West 70th Street) and West 79th Street. The cleanest crash statistics were gathered for each of these intersections and the mid-block locations. Unfortunately, NCCA could not obtain a clean data set of accidents since the 72nd Street off-ramp was closed and demolished.

Four intersections stand out as having the worst crash rates in each of these areas consistently: *West 66th St. and West End Avenue; West 66th St. and Amsterdam Ave.; West 79th St. and Amsterdam Ave.; and West 79th St. and Northbound Broadway.*

NCCA found that the particular configuration of an individual intersection, not size, was a key factor in accidents. The south crossing of the intersection at West 66th Street and West End Avenue puts pedestrians at a disadvantage because the southeast corner dips down so strongly toward West End Avenue. That results in a short uphill crossing for pedestrians heading west, and a short downhill crossing for pedestrians heading east. This dip makes pedestrians harder to see by

motorists and increases the crossing time for pedestrians.

Because most of the cars at the intersection tend to want to turn from West 66th to West End Avenue, they are much more likely to cut off the pedestrian in the crosswalk rather than yielding to the pedestrian.

The same is true for West 79th Street and Northbound Broadway. The drainage is designed in such a manner that cars turning from northbound Broadway to eastbound West 79th Street dip down into 79th street when they are making the turn, and pedestrians are not as noticeable because they aren't on the same level as the other corners.

Almost every intersection along West End Avenue had more crashes than Amsterdam Avenue. The real issue is that drivers use West End Avenue as a speedway as the lights allow for faster speeds.

The first possible solution to the problem of crashes on the Upper West Side is obvious. Adjust the signals on West End Avenue and add traffic calming measures throughout the street to force motorists to drive slower. Another easy, inexpensive solution is removing a parking spot from each side of the intersection. Everyone using the intersection can see each other. These former parking spots are then striped and flexible poles with reflective materials are put around the area to keep drivers from parking in the spot. This shortens crossing distance and forces motorists to pay at least some attention when they are entering an intersection.

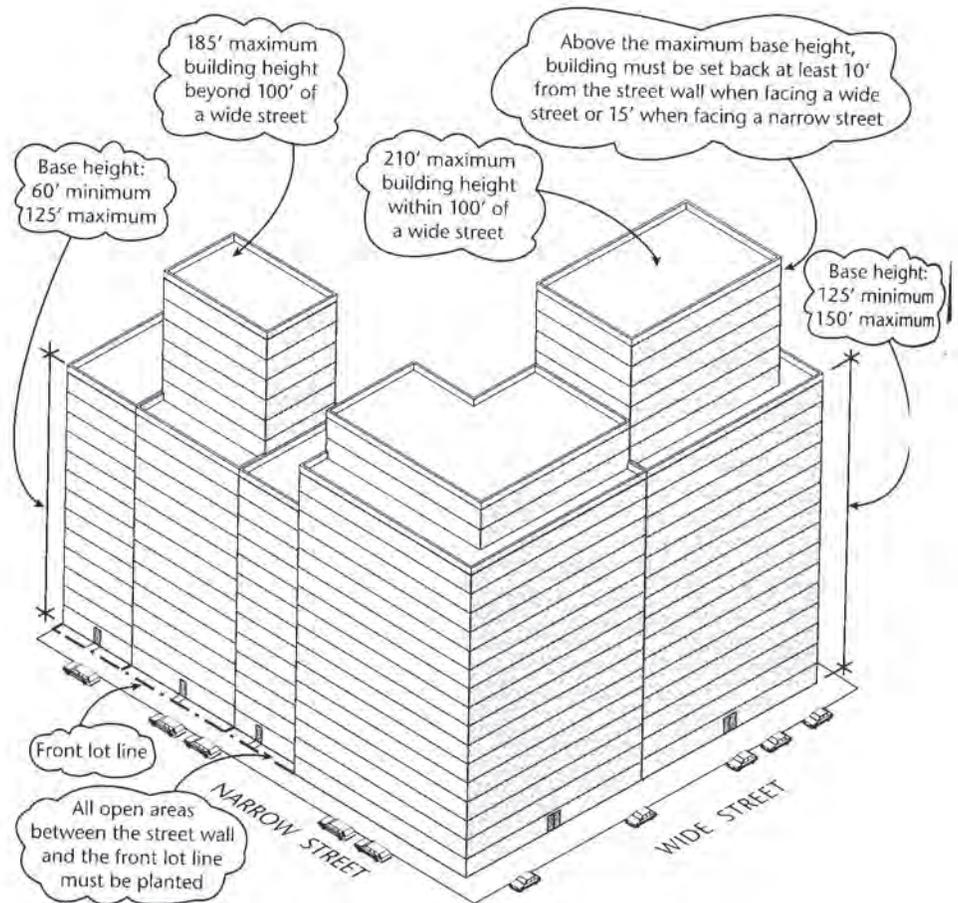
How Tall Can a New Building Be on West End Avenue, Broadway or Central Park West?

R-10A ZONING

"The Quality Housing regulations that are mandatory in R10A districts typically produce the large apartment buildings set on the avenues and wide cross streets of Manhattan, such as West End Avenue, Broadway and Central Park West.

"The maximum height of a building is 210 feet within 100 feet of a wide street and 185 feet beyond 100 feet of a wide street."

From: Zoning Handbook, New York Department. of City Planning.



Preserve West End Avenue - W. 70th to W. 107th Street Sign the Online Petition

The zoning code (see above) allows 210 foot towers to be constructed on West End Avenue. On West 86th Street and West End Avenue, a 21-story tower is under construction. A number of small brownstones have been targeted for destruction.

West End Avenue's buildings are primarily 12 to 15 stories in height, with a handful of brownstones. Most of these beautiful buildings were built in the 1910's and 1920's.

The West End Preservation Society (WEPS) has led the fight to create an Historic District that encompasses the full length of West End Avenue between W. 70th and W. 107th Streets. All of our elected officials support the proposal along with Community Board 7, Landmarks West!, the Coalition for a Livable West Side, and many other groups.

Sign the petition that asks the Landmarks Preservation Commission to create this new West End Avenue Historic District. Go to <http://www.petitiononline.com/WEPSHD/petition.html>.

The Missing Landmarks Commission

"...The Landmarks Preservation Commission should be a vital part of the planning process in New York City. Instead, it has become a bureaucratic black hole, the place where requests for evaluation — the formal nominations of buildings or districts to be landmarked — go to get filed and forgotten.

"There are hundreds of requests from all across the city waiting to be acted upon. Some have been held up for years. Moving as slowly as it does — and nearly always without public hearings — *the landmarking process is routinely outflanked by developers*. What is clearly missing is the political will needed for the landmarks commission to do its job. For that, it must have the full backing of the mayor, who appoints the commissioners..

"New York is such an extraordinary place because of both its past and its future. The commission — in full consultation with the public — should play a critical role in balancing the two." Editorial, New York Times, October 18, 2008

The Fox Guarding the Chicken Coop

More than **84%** of the building plans submitted under the New York City's "**self-certification**" program are plagued with zoning violations. This program allows architects and engineers to **approve their own work**.

Coalition believes that an underlying cause of collapsed buildings, cascading facades and chronic corruption is the "self-certification" program. We believe it must be ended in order to ensure public safety.

The NYC Department of Buildings must hire qualified civil servants to examine plans and inspect buildings to ensure safety code compliance.

Here's one egregious example of a self-certification project.

In "A Hole in Brooklyn, and Scandal at City Hall", (NYT 10/27/07), Jim Dwyer

wrote of a construction site in Brooklyn, about which neighbors had complained to the City stating that three 90-foot slabs of concrete were missing (and are still missing) from the foundation. The foundation for the new building had to be completed by February 15, 2006 to beat a new zoning code.

"...the Brooklyn Borough Commissioner of the NYC Department of Buildings said 'the foundation was complete on 2/15/2006.' How could a borough building commissioner say the foundation was complete if it was missing three 90-foot-long slabs?"

"After questions from The New York Times, the city abruptly withdrew the building permit for the site because the foundation was incomplete. Not only were the slabs missing, but so were other concrete footings."

Coalition's Vision for Riverside South 59th - 61st Street

At Community Board 7's Riverside South Task Force meeting (Oct. 30th), the Coalition for a Livable West Side asked the Extell Development Corporation to devote much of the land between 59th and 61st Street for **THREE NEW SCHOOLS** – a 650 student elementary school, a 6-8 grade middle school for 750 students and a high school for 1,000 students.

We asked for ample outdoor space for the three schools, including outdoor play areas for pre-kindergarten/kindergarten and grades 1-5, as well as, outdoor areas for grades 6-12 for track, baseball, football and basketball.

Partial Victory for the Community 10 Parking Spaces Not 20

The Extell Development Corp had requested permission from the City Planning Commission to build a garage with 20 parking spaces, for its new building (under construction) on West End Avenue and West 86th Street.

The West 86th Street community organized to protest the garage and the 20 parking spaces. The safety of children, seniors and all pedestrians were cited as the major cause of their opposition.

The City Planning Commission approved the garage but with 10 spaces not 20. Commissioner Amanda Burden and others spoke of the strong opposition of the community, via petitions (over 500 signatures from residents on the block), e-mails and letters.

Send us an e-mail - livablenewyork@erols.com. We NEVER give anyone or organization your email address. E-mails are sent as blind copy. We send out frequent updates via e-mail.

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

Name _____ Address _____ Apt. _____ City/State _____ Zip _____
My contribution is: Annual Dues: \$25 New Member Renew - Year 2008 Dues Pre-Pay Year 2009 Dues
 \$500 \$75 I wish to support the Coalition for a Livable West Side's efforts on behalf of the community.
 \$250 \$50 I can help with publicity. I can attend important meetings, hearings, etc.
 \$200 \$25 I can distribute the Coalition newsletters, important flyers, etc. in my building. I need _____ copies.
 \$100 other _____ I can help with _____

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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.