



Coalition for a Livable West Side

Leading the fight for a better city environment.

Visit our Website livablenewyork.org

Vol. 17 No. 2

July - August 2003

The Incredible Chatsworth Decision!



On March 4, 2003, Acting Supreme Court Justice Diane A. Lebedeff ruled that Donald Trump can build a residential tower to within **3 inches** of a **101 year-old**, landmarked building - the **Chatsworth** - at 344 W. 72nd Street.

She made that decision even though the City Code (1902 Tenement Act), requires **that 8 feet** of unobstructed clearance for air and light be provided by windows in habitable rooms.

The **1902** law forbids windows in a building facing an adjoining property that could be developed. However, when the Chatsworth was completed in 1904, its "lot-line" windows were approved by the City. The "lot-line" windows looked over a very active railyard and a sheer drop of approximately 40-50 feet to the railroad bed. Both the city and state were involved in the creation of the railroad yards which were considered a public benefit. Despite that almost century-old history, Justice Lebedeff

ruled that if the final shape of the Trump building resulted in a building code violation, **the Chatsworth - not Trump - would have to assume responsibility** for the burden of maintaining the 8 foot clearance for light and air.

Although the attorneys for the Chatsworth owners filed a notice of appeal, we don't know why they didn't ask for a "Stop Order". They expect the case to be heard in September 2003. Both the Coalition for a Livable West Side and the Chatsworth Tenant Association will file Amicus briefs. The issue is one of light, air and safety, not lost views! Although the wall of the new Trump building will be **three feet** away from the Chatsworth facade, affecting 102

windows, it will be only **three inches** from the Chatsworth's fire escapes. That is clearly an issue of safety for the tenants of the Chatsworth.

The final bitter irony is that the portion of the Trump building closest to the Chatsworth on West 72nd Street is being constructed very rapidly. Its height will exceed the Chatsworth before the appeal is heard.

Both the Fire Department and the Department of Buildings played "Pass the Buck". Each has said it was the other's responsibility to deal with the issue of the fire escapes. Imagine having to live in a 13-story building whose fire escapes are only a mere 3 inches from the solid wall of an adjoining building!

Update: Planned Water Taxi vs. "No-Plan" Ferry Service

The New York Water Taxi company ("Water Taxi") and not New York Waterway plans to offer its service from the new section of Riverside Park. This distinction is important (see 2nd paragraph).

The "Water Taxi" will begin service at Pier I at West 70th Street once all the necessary city, state and federal approvals are in place. Despite its name, it does not offer taxi service.

New York Waterway submitted a letter of interest in providing ferry service when Trump applied for over \$2 million in federal transportation funds for the restoration of the W. 69th St. gantry - **a Trump obligation** - and "possible" ferry service. We said that the inclusion of the "ferry" was a **subterfuge** for Trump to obtain the federal funds to pay for his obligation - the restoration of the gantry. We believe that we were right!

Coalition has grave reservations about locating a water taxi service at Pier I.

The W. 69th St. location was inappropriate for a ferry service because there is a steep incline or steep stairway that has to be traversed to reach the site. How would handicapped people be able to reach it? The same question is appropriate for the New York Water Taxi company.

Although the New York Water Taxi company's target ridership appears to be tourists, accessibility is still an issue.

Because of the bus connection to the 79th St. rotunda - a very important factor for the riding public - Coalition believes that the pier at West 79th Street would have been a better starting point for the "Water Taxi"

Note:

One million dollars in Federal funds has been awarded to the the NYC Department of Transportation (DOT) for the gantry's restoration and "ferry service". No one seems to know when DOT will begin the work.

Newsbox/Newsrack Update

The Department of Transportation (DOT) has begun to enforce the law that governs “newsboxes or newsracks”. You may have noticed a large white violation note that has been pasted to the front of offending “newsboxes”. There have not been too many but hopefully we will see more of them. DOT can issue fines - \$100. to \$500. per violation, per box . They can also remove boxes that do not comply with the new standards.



Call 311, ask for DOT enforcement and report “newsboxes/newsracks ” that do not comply with the following regulations:

- Be no taller than 50 inches, or wider and deeper than 24 inches.
- Be kept operational, clean and free of graffiti.
- Display the name, address and phone number of its owner.
- Cannot be in bus stops, crosswalks, curb cuts, driveways, subway entrances and street corners or in areas near fire hydrants.

Traffic And Pedestrian Safety 96th Street Traffic Update

To correct the nightmare intersection at W. 96th Street and Broadway, Community Board 7 (CB7), has asked the NYC Department of Transportation (DOT) for the immediate implementation of the following recommendations:

- An advance left turn arrow signal from both north and south traffic on Broadway at W. 96th St. and Broadway:
- Installation of ‘Stop - Wait for Green’ signs in the mall area on Broadway at 95th, 96th and 97th Streets.
- Signage suggesting that traffic turn left on Columbus Avenue as the best route to the Henry Hudson Parkway. Suggested text was ‘Use Columbus Avenue and 96th Street for Henry Hudson Parkway.’
- Signage on Henry Hudson Parkway, northbound before 95th-96th Street exit saying ‘Best Route to the Eastside - Use West 96th Street’.

Recommendations are based on Manhattan Borough President C. Virginia Fields’ “The 96th Street Corridor Traffic Study” and CB7’s priorities for the DOT.



Letters in support of the recommendations should be sent to: Hon. C. Virginia Fields, 1 Centre St. (19th Fl), New York, NY 10007. 212-669-8300, Fax 212-669-3380. email - bp@manhattanbp.org



Bus Bunching

Bus bunching! You wait 10, 15, 20 minutes for a bus, and then lo and behold there are two, three or four buses arriving together.

Gene Russianoff of the Straphanger’s Campaign, says the buses are prone to bunching because there are not enough buses on the street to begin with, and bus stops are too crowded. Most New York City Transit Authority officials blame traffic congestion.

Most New Yorkers understand intuitively why so many bus lines are affected by bus bunching. It's simple. When a bus is late, it will have more people waiting for it at the next stop. This means that it will take longer than usual for everyone to board, delaying the bus even further. Meanwhile, the bus behind it will have fewer people waiting to get on, and so it will easily catch up to the preceding bus.

In September 2000, after more than two years of delays and ballooning costs, the Metropolitan Transportation Authority (MTA) fired the company that had been hired to create a satellite tracking system for City buses to ease the bus bunching problem. In test runs, Manhattan’s tall buildings blocked the satellites’ connection with buses.

Now the MTA plans to use Global Positioning Satellite technology to tell dispatchers how far along the route buses are at all times. Dispatchers could then regulate the distance between buses and help drivers respond faster to disruptions in service. Initial parts of the project are slated to be done in 2004, but the system is not scheduled to be in place until **2009**. From: Erica Pearson. GothamGazette.com 5/5/03

Register your complaints or recommendations about bus service to: Millard Seay, senior VP of the Department of Buses at MTA, New York City Transit, 370 Jay Street, Brooklyn, NY 11201; phone: (718) 243-4186; fax: (718) 243-4400. *e-mail is bseay@nyc.t.com*

Send a copy of any complaint to New York City Transit President Reuter at MTA New York City Transit, 370 Jay Street, Brooklyn, NY 11201; phone: (718) 243-4321; fax: (718) 596-2146.

Safety Issue on Freedom Place

There are critical safety issues at the corners of W. 66th and W. 70th St. and Freedom Place because there are no stop signs for cars exiting from the Trump site.

Please write to: Hon. Margaret Forgione, Manhattan Boro Commissioner, 40 Worth St. (11th fl.) New York, NY 10013 or by e-mail to mforgion@dot.nyc.gov

Please ask her to have DOT install urgently needed crosswalks and stop signs on the west side of West 66th and West 70th Streets and Freedom Place.

Under Construction



455 Central Park West W. 105th - W. 106th St.

There will be 19 condominiums in the renovated 5-story landmarked chateau-like structure (the infamous, old Towers Nursing Home).

On an adjacent lot - to the rear of the Landmarked Tower - there will be a 39-story tower (36 +3) - 25 floors and 81 condominiums.

The ceilings range from 12 ft to 36 ft. high. A representative from the construction company told us that the height of the new building is 356 feet. A minimum of 3 floors are added to house the mechanicals. One generally divides the actual height of a building by 10 to estimate its true height.

Columbia University has purchased 52 units on floors 2 thru 15 .

2700 Broadway

Columbia University is building a 13-story residential building - 87 units for faculty - on the North East Corner of W. 103rd Street and Broadway.

110th Street and Broadway

Columbia University has almost completed a 12-story building on the southeast corner of W. 110th Street .

It will house a 650-student private elementary school - some local students will be selected via a lottery- a bank, a supermarket and 27 faculty apartments on the top six floors.

2770 Broadway

The Olympia movie theater is being demolished and a new luxury, "as-of-right", residential tower (over 30 stories) will be constructed on W. 107th Street, on the east side of Broadway. Plans for the building will be finalized in the Fall.

517 West 121st Street

Teachers College (Columbia University) is building a 22-story (19+3) 252 studio apartment dormitory in the middle of a low-rise block. The dormitory is on a block bounded by Broadway, Amsterdam Avenue, 121st and 122nd Streets.

57th and 11th Avenue

A 37-story luxury residential tower, with 580 apartments, is being built on the northwest corner of 57th Street and 11th Avenue.

Proposed Construction

West 60th Street WEA-Amsterdam Ave.

Tuoro's Women's College has proposed building a mid-block, mixed-use 24-story tower (includes 3 floors for mechanicals) at 223-227 West 60th Street (West End-Amsterdam Avenues).

The tower would house the Lander Women's Division of Tuoro College and 101 market-rate condominiums. A developer has been selected.

The college's application with requests for six variances concerning bulk, dwelling units and open space requirements was submitted to Community Board 7 (CB7). CB7 rejected the application. It is now before the Board of Standard and Appeals (BSA).

Coalition's comments: The Tuoro College proposal is a prime example of "spot zoning". We fully support the existing mid-block zoning which protects the low-rise character of neighborhoods and preserves a community's character .

We oppose all present and future applications that need the waiving of existing zoning for mid-block "block-busting" building developments.

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

Send an e-mail to livablenewyork@erols.com so that we may update you in a more timely manner. All e-mail is sent as Blind Copy, so that neither your name nor e-mail address appears anywhere in the e-mail. **We never share either our membership list nor our e-mail list with anyone!**

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 for a Livable West Side'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 2003 Dues [] Pre-pay Year 2004 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 _____

Proposed Development

Cathedral Church of St. John the Divine Congregation Shearith Israel.

Community voices have respectfully raised questions regarding the proposed development of sites at the landmarked **Cathedral Church of St. John the Divine** and the landmarked **Congregation Shearith Israel**. They suggest that a way *must be found* - one that does not involve selling or leasing adjacent property sites to developers - to help religious institutions like the Cathedral Church of St. John the Divine and Congregation Shearith Israel, maintain their outstanding programs and preserve their beautiful buildings of worship.

The Cathedral Church of St. John the Divine - Precedent Set for Development

On June 17, 2003, the Landmarks Preservation Commission (LPC), landmarked the main Cathedral building of the **Cathedral Church of St. John the Divine** and its footprint, including the front steps.

The LPC **excluded potential development sites**—the northern border along 113th St. and the south-east corner at Cathedral Parkway and Morningside Drive - parts of the cathedral property, from landmark designation.

The landmark designation calls for the cathedral trustees to use “a significant portion of the proceeds from the future development of the site for the preservation of the cathedral.”

The Cathedral Church can now lease that development land to *Columbia University*, with whom it has been in negotiations.

What can be built? How big? David Dunlap of the New York Times wrote, “...One building, overlooking Morningside Park, might be **20 stories tall**, rivaling the nearby 424 Cathedral Parkway tower. The north site has a height limit of 146 feet, equivalent to the point where the cathedral roof line begins....The southeast site has a two-tiered height limit of **160 and 200 feet** above the level of the cathedral grounds. Because it occupies a promontory, it would rise up to **235 feet above** Morningside Drive. A parking lot and the

former Cathedral Stoneworks fill the north site. The rose garden and playground on the southeast site would be relocated.”

The reaction of the neighboring community is best summarized by Joyce Hackett, the president of Morningside Heights Neighbors who said, “Let’s try to imagine the French allowing a building that would block views of Notre Dame”.

Carolyn Kent, a founding member of the Morningside Heights Historic District Committee, called the Landmark commission’s decision “*a terrible mistake*” and “*a cultural crisis*.”.

From: “Big Buildings Planned on Grounds of St. John the Divine” by David W. Dunlap. NY Times. 6/27/03 and “CU One Step Closer to St. John Expansion.” By Isaac Vita Kohn. Columbia Spectator. 6/18/03



Congregation Shearith Israel's Proposed Development Project

The landmarked **Congregation Shearith Israel** (W. 70th and CPW) plans to build a 14-story, 157-foot building that would include the synagogue’s community house at its base and 10 condominium floors above. The funds received from the developer - to be selected - will be used for synagogue repairs, preservation and programs.

The synagogue is still seeking permission to transfer air rights and waive applicable zoning laws. The waiving of those zoning laws is another example of “spot zoning”. (see page 3, Tuoro College). Some changes have been made to the original plan which would actually make the building even taller.

The new building would rise next to the landmarked synagogue on 70th Street, taking the place of a vacant lot and the current four-story community house, built in 1954.

The site is in the Upper West Side Central Park Historic District. The scale of the proposed building is being criticized by preservationists as a destructive precedent citywide.

“The entire application is a way to create spot zoning that would compromise the contextual zoning district for midblocks,” said Simeon Bankoff, executive director of the Historic Districts Council. “They’re breaking the zone by proposing a new design that has twice the height of allowable buildings.”