

# Park West Village Tenants' Association

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## Memorandum

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Mayor's Office of Environmental Coordination  
253 Broadway, Fourteenth Floor  
New York, N.Y. 10007

The residents, developers, and city agencies responsible for the Upper West Side neighborhood in which we live would all have greatly benefited if established environmental planning and review processes were available and applicable to our neighborhood. As far as the city's present planning and review processes go, we are not entitled to participate.

This letter is intended to offer a rationale for extending access to environmental planning and review to projects other than those for which the city is responsible.

Current processes required under the City Environmental Quality Review (CEQR) as well as other entities often neither provide nor allow for the sound environmental planning and review desired by many city agencies, construction firms and developers' staff and consultants and residents' organizations, in particular. As a result, those who could make constructive comments are left frustrated by a lack of information and opportunity for input. This leads to a certain skepticism and distrust of existing development regulations and procedures.

Some examples:

Health protection - During the construction of a 30-story apartment building on Columbus Avenue, one of four still in progress along with a dozen stores between 97<sup>th</sup> and 100<sup>th</sup> Streets, residents asked the Department of Health (DOH), the Department of Environmental Protection (DEP) and other agencies for information and materials that could help residents deal with the noise, dust, blasting, tree destruction, and other work affecting their eyes, ears, nose, throats and cleanliness. With no materials available from the agencies or construction firms, residents organized a Forum at which representatives of DOH, DEP, and the construction firms discussed how residents could protect themselves. The agency and construction representatives commented it was one of the best such forums in which they had participated. DOH offered to consider preparing a brochure but has not yet done so. So residents prepared their own instruction sheet for the five thousand residents of Park West Village and others also affected in the neighborhood. All parties would have benefited from advance consultation, early warning, printed material, and better information sharing. Attachments included.

Design - How the new development would be situated within the context of the existing Park West Village design was and is a matter of urgent concern to residents of this Upper West Side neighborhood. The seven original buildings were skillfully organized around a central spine of open space, serving both to visibly unite the east and west blocks of the complex, and to maximize views from all the buildings to Central Park. The design and placement of the new buildings would critically affect not only the current residents' quality of life, but the underlying value of Park West Village as a long term real estate investment for both the developer and the condo owners in four of the PWV buildings.

PWVTA invited the Columbia University School of Architecture's Urban Technical Assistance Program to do a shadow study to show the potential effects of the 30-story building to be built directly in front of an existing building and cleaving the central open space that united the existing complex. Residents prepared an alternate design to show how the developer could use all his planned footage for development and still retain the essential open integrity of Park West Village. A meeting with the developers to discuss these designs was cancelled by the developers the night before it was to have taken place. The alternate ideas were given to the developers but never discussed. The attached "Park West Village: Guidelines for Future Development" of 20 November 2006 remain viable. A city mandate and process to enable such dialogue as we tried to instigate could help both communities and developers – and in our case might have led to a design that would better reflect the very criteria that the MOEC sets out.

Traffic - With a 57,000 square foot Whole Foods store about to open, and a dozen more branch stores replacing the formerly neighborhood owned retail shops, we asked for help in planning traffic, parking and curb cuts. DOT staff were helpful, yet they told us repeatedly that they do not anticipate problems, but rather deal with them when they arise. Residents commissioned a traffic evaluation from an experienced professional traffic engineer. He urgently recommended a complete traffic study, which has not been done. We respectfully submit that it would be a more prudent approach, and in the best interest of the city, the developers, the retailers, and the residents to identify potential problems in advance to better ensure more proactive planning.

It is frustrating to review the excellent list of CEQR comprehensive analysis of relevant issues and understand that they are applicable but not available to the Park West Village project. Community Board Seven staff and committees have been most helpful, as have a number of agency staff, but their hands are tied by the very city procedures we want to utilize in support of our concerns.

These observations are made in an effort to broaden the availability and application of sound environmental development review in New York City. The building and rebuilding of our community will continue for many years, and we will live with the scope and impact of these developments. I write on behalf of the Park West Village Tenants' Association, but our views are reflected in our wider community.

Sincerely,



Maggi Peyton, President

MP:wa

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Park West Village: Guidelines for Future Development 20 Nov. 06

# The Park West Tenant

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The Newsletter of the Park West Village Tenants' Association

Summer 2007

## WHERE WERE YOU WHEN THE WALL FELL DOWN?

It was 7:00 p.m. July 25th. A shock reverberated through Park West Village. The retaining wall abutting 784 Columbus Ave. had collapsed and residents were evacuated until 2:00 a.m. However, people in the "P" line could not return for one week.

Immediately after the collapse, local politicians, the media, and the Police and Fire Departments were out in force. A Stop Work Order was issued by the Department of Buildings at all three construction sites until such time as certain conditions would be met to satisfactorily complete the remedial work.

Preceding the collapse, there were multiple dynamite blasts accompanied by an extended period of pile driving on the other side of Columbus Avenue. Both the developers and the Department of Buildings (DOB) are now conducting forensic investigations to try to determine the cause of the retaining wall collapse.

For now, residents in the "P" line of 784 Columbus will be compensated for their inconvenience by a cash amount of \$400 and an Amex gift card of \$250. As a follow-up, Assembly Member Daniel O'Donnell and Manhattan Borough President Scott Stringer have actively pursued a response from city officials.

Several hundred residents met on August 13th at the Children's Aid Society (Columbus Ave. and 104th Street) sponsored by the PWVTA for an update and discussion on the construction failure, and how tenants and owners can contribute and give support. Suggestions included:

- **Keep up the vigilance on violations**, reporting them to 311 whenever they occur. If you see any work — except that allowed for shoring-up of the foundation and retaining wall of "808 Columbus" — report it.
- **Become active in the PWVTA** — join committees such as Legal, Quality of Life, and Communications.
- **Pressure the developers to take out insurance** guaranteeing a home for displaced tenants over a lengthy period of evacuation.

Dedicated members of the PWVTA have given their best efforts in trying to influence the owners to include some consideration for the welfare of the residents of Park West Village in their plans to change the face of our community.

CONSTRUCTION FAILURE

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Retaining wall collapse at 784 Columbus Ave.  
Photo by Nina Berman July 25, 2007

## SELF DEFENSE AMIDST CONSTRUCTION

*How to Keep Healthy and Sane During Construction* was the topic engaged by City Health and Environmental Protection officials, two PWV construction managers, and 50 affected residents at a June 20 Health Forum organized by PWVTA and the Coalition to Preserve West Park North.

The widespread impact of current construction on breathing, eyes, skin, rodents, and of noise was articulated by residents of PWV and the wider neighborhood. The effectiveness of the hundreds of 311 complaints made over the past months was acknowledged

SELF DEFENSE

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### NEW RGB GUIDELINES NUMBERS

On June 26<sup>th</sup>, the NYC Rent Guidelines Board adopted guidelines for rent-stabilized apartments renewing leases between Oct. 1, 2007 and Sept. 30, 2008:

#### For Apartments:

- 3% for a one-year lease renewal
- 5.75% for a two-year lease renewal
- 10% sublet allowance

**CONSTRUCTION FAILURE**

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To mention a fraction of the effort we've expended: we have met with and tried to involve our local politicians; on numerous occasions we have met with the owners to present them with alternate plans for construction, put together at our expense; we've been participants in the monthly meetings of the Construction Coordinating Committee under the auspices of CB7, headed by District Manager Penny Ryan, representatives from the DOB, EPA, Police and Fire Departments, Health Department, elected officials, Peter Rosenberg (Project Manager for the construction), and employees of Gotham and Tishman Construction Companies; and we've continually presented our concerns regarding the construction to CB7.

Despite reassurances on the part of the owners, nothing stays or changes their course. Their plans continue to call for loading docks on 97th Street, no indication of change in their plan to point the vents in the direction of the residents. In communion with this city's administrators, developers ask — and they receive.

At a press conference August 15th at Columbus Avenue and 97th Street it was shocking to hear Council Speaker Christine Quinn's description of the lax current rules for blasting: the awarding of three year permits, regardless of how conditions might change, no mandatory supervision on site, and much more. She said it has been plain luck that there haven't been any major blasting disasters in the City.

A new bill, to be introduced in the City Council next month, will tighten current regulations, increase inter-agency communication, and begin a wide-ranging community notification plan when blasting in a neighborhood.

Nevertheless, the wall collapse could be viewed as a blessing in disguise. Fortunately, no one was hurt, but it pointed-up to the politicians and the media just how serious the concerns of many Park West Village residents really are.

But politicians and the media have a very short attention span. We have to keep up the momentum. We have to grow in numbers, pay our dues, keep after the politicians, reminding them that we are a force to be reckoned with and maybe we can come out of this with some impact on the people who have the power to change our lives.

**SELF DEFENSE**

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by the officials. The Department of Health (DOH) and Department of Environmental Protection (DEP) officials, the construction managers, and representatives of our "electeds" all took notes and have followed up. Numerous suggestions were discussed.

Dr. Nathan Graber of DOH noted that construction dust comes in large particles, exhaust dust and fumes in smaller particles, and that both can temporarily irritate nose, eyes and throat, as well as exacerbate existing lung conditions.

He advised residents to keep their windows shut during construction hours. Use air conditioners set for exhaust or recycle (**not** intake or fresh air) and wash or change the filters monthly.

To remove dust in the apartment, use a damp mop or cloth, don't sweep; and if your vacuum can take a HEPA filter, they are often effective in diminishing dust.

Gerry Kelpin and Humberto Galarza described DEP's enforcement mechanisms under the regulations for air quality and the noise legislation (updated July 1.) Fugitive dust should be controlled by frequent watering down of both site and trucks and the use of gravel to tamp the dust. Exhaust emissions should be contained by reducing idling and the use of ultra-low-sulfur fuel. Construction hours are limited to and enforceable as 7 a.m. to 6 p.m. DEP and the 24th Precinct have issued many violations re: construction on this site.

Construction Managers Moe Aziz (Gotham) and Val Norets (Stellar) discussed measures they have taken and will take to try to improve the situation for residents. Gravel is used, but there is so much traffic that it's often buried or gets carried away. Watering down can be (and has been) extended, but mud can create problems. Gotham reports ultra-low-sulfur fuel is used by all their trucks. Further suggestions are welcome.

Anne Wangh of 788 demonstrated the \$41 "ear-muff" ear phones she purchased online which she finds effectively shuts out construction noise (tel: 1-800-334-9291).

NYC surprisingly has not yet published an "advisory" for citizens on protecting themselves during construction and will now prepare one. Meanwhile, additional suggestions made at the Health Forum can be seen in a fuller report at [www.preservewpn.org](http://www.preservewpn.org) or [www.pwvta.org](http://www.pwvta.org).

In a press release issued on July 27th, Lois Hoffmann, the President of the PWVTA said, "There has been no regard for the community's interest, and frankly, no regard for the potential tenants of the commercial space, or the eventual residents of the buildings under construction. We want this project to be entirely rethought from the perspective of sustainability, proportion, and place in the neighborhood."

The notable architectural firm of Skidmore Owings & Merrill created the plan for Park West Village in compliance with rigorous criteria regulating population density, apartment distribution and residential ground coverage mandated by the Title I Housing Act of 1949. Height and setback were established by the City's land use regulations of 1952. These criteria were considered at the time to be vital to the quality of urban life, and remain as pertinent today as they were in the era of their inception.

In comparison with the numerous "towers in a park" developments built under urban renewal programs across the nation in the 1950's and 1960's, Park West Village stands out for the singular success of its physical plan. At the heart of the plan is the manner in which the seven residential buildings are skillfully organized around a central spine of open space, serving both to visually unite the east and west blocks of the complex and to maximize views from the buildings to Central Park. Of the fourteen building facades, only three do not have views to the Park. Further, the alignment of the buildings to the Manhattan gridiron, the convenience of access and layout of vehicular roadways, the integration of surface parking, and the provision of playgrounds and sitting areas set in a generous open landscape of trees, all serve to establish a high standard of urbanity and quality of life within a complex of more than 2500 apartments with a population of over 5000 people.

How new development is situated and shaped within the existing context critically affects not only the quality of life of the current residents, but the underlying value of Park West Village as a strong, long term real estate investment. Importantly, the proposed design of new residential and commercial construction should maintain and build upon the values inherent in the original plan.

Any new development should be guided by the following six principles:

1. Acknowledgment of the open central axis of space as the key organizing device of the complex, preserving views to the Park and the spatial sense of openness intrinsic to the planning concept.
2. Limitation of commercial development to the four corner plots on Columbus Avenue as established by the Title I Redevelopment Plan.
3. Respect for the traditional pattern of development along avenues in Manhattan, which is characterized by individual block fronts separated every two hundred feet by the gridiron of east-west streets. In the entirety of Manhattan's avenue frontages, including multi-block assemblages, only one building—that of the Javits Convention Center, which is one thousand feet in length—exceeds the two hundred foot dimension typical of north-south blocks.
4. Conformity to the scale of the existing Park West Village complex in the height of buildings.
5. Preservation of mature trees. The location, size and kind of existing trees should be documented prior to new construction.
6. Selection and proportioning of exterior materials in a manner that contributes to the coherent appearance of existing and new buildings in the complex.

Within the greater landscape of Manhattan Island, Park West Village is at once an integral part of the urban fabric of the city and a distinctive place in its own right. These qualities should not be compromised, but rather embraced and extended by the new development. With thoughtful planning and design effort, not only a profitable real estate investment, but a development with measurable added value, can be achieved.