



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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DELORES RUBIN
Chair

Jesse R. Bodine
District Manager

July 19, 2017

Martin Rebholz
Manhattan Borough Commissioner
NYC Department of Buildings
280 Broadway
New York, NY 10007

Vincent Sapienza, Acting Commissioner
Department of Environmental Protection (DEP)
59-17 Junction Boulevard,
Flushing, NY 11373

Dear Borough Commissioner Rebholz and Commissioner Sapienza:

The Leadership of Manhattan Community Board 4 (CB4) writes to express its sincere concern and frustration with the lack of environmental mitigation plans at Xin Development's construction site at 615 10th Avenue between West 44th Street and West 45th Street. CB4 strongly urges the Department of Buildings (DOB) to put all current excavation permits on hold for this location.

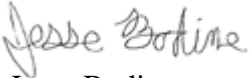
CB4 has been meeting with representatives of Xin Development in good faith for nearly a year in preparation for this project. Throughout those meetings CB4 repeatedly highlighted the communities concerns regarding the environmental impact this project will have on the neighboring schools and residents. Representatives of Xin Development repeatedly stated the project would meet city regulations and work with the agencies to follow best practices. In particular, at the last meeting on May 9th representatives of Xin Development agreed to work with the Department of Environmental Protection (DEP) to finalize an alternative noise mitigation plan and provide that plan to the group (meeting notes enclosed). To CB4's knowledge this was not done and it is clear that only the bare minimum in terms of mitigation is being done currently.

Representatives from NYC DOB, NYC DEP, and the New York Police Department (NYPD) have visited the site in response to neighboring residents concerns. DOB and DEP have issued violations and all three agencies have reported to CB4's office that the mitigation techniques occurring on the site are minimal. More importantly DEP's recommendations are not being adhered to by the contractor onsite.

For these reasons, CB4 does not believe that work on the site should continue until Xin Development and it's contractor enact a complete alternative mitigation plan that addresses dust, air quality, noise, and

vibration and that plan be reviewed by the enforcing city agencies, the elected representatives, and the community.

Sincerely,


Jesse Bodine

District Manager
Manhattan Community Board 4

cc: PS 51
Beacon High School
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council
Hon. Brad Hoylman, State Senate
Hon. Marisol Alcantara, State Senate
Hon. Linda B. Rosenthal, State Assembly
Hana Kolarikova, Operations and Project Director, XIN Development International Inc.
Lizhou Zhang, Director and Chief Executive Officer, XINYUAN REAL ESTATE CO., LTD.

**615 10th Avenue - Construction Coordination Meeting
5/9/17**

Summary of Updates and Outstanding Action Items

Time Frame:

- Within the next two weeks, The Contractor, McGowan Builders, will capture the site.
- First phase of excavation will be approximately 6 months

Proposed Hours of Construction\Operation:

- Work Hours: M-F: 7am-6pm Sat: 8am-6pm Sunday 8am-6pm and Sunday 9am-6pm
- Truck Delivery Hours: M-F: 9am-2pm / Two flagmen will be at entrance\exit points during truck Deliveries
- There will be overnight security on site (24/7)

Outstanding Action Item:

- Impact on quality of life from Weekend After Hours Variances - CB4/Mayor's office will work with NYC DOT with the goal of removing the need for afterhours weekend work.

Construction site lighting and trash removal:

- Security lighting has yet to be replaced. Xin Development and contractor agreed to return the lighting and enhance the site's clean up procedures starting immediately. As reported by Xin Development has been done on 5/15/17

Noise mitigation Plan:

- Noise baffling and equipment mufflers will be in use.
- Noise and vibration monitors will be onsite.

Outstanding Action Item:

- Xin Development and the Contractor will work with DEP enforcement staff to review the alternative noise mitigation plan.
- Xin Development will provide a list of noise mitigation and monitoring that are being done on site.

Air Monitoring:

- Xin Developer and contractor confirmed there will be onsite air monitoring.
- In the case of air contamination the monitors will be triggered and work will stop.

Outstanding Action Item:

- Xin Development and Contractor will work with schools to provide notice if air monitors are triggered.
- Xin Development agreed to review possible alternative mitigation techniques in regard to dust and air contamination entering rear yard of 511 West 44th Street and PS 51.

Current Project Manager Contact:

Matt Cutrone:

Construction Manager

[212-321-7358](tel:212-321-7358)

615@xindevelopment.com

Construction Coordination on West 44th/45th Street (10/11 Ave)

Agenda

Construction Coordination on West 44th Street (10/11 Ave)

- Introductions (5 Minutes)
- Status of Follow Ups from Nov 18th Walk through (10 Minutes)
 - DOT – Status of Street Closure during School bus Drop-off (7am-9am, and 2pm-3:30pm)
 - Midtown North Precinct – Request to traffic division to place Traffic officer 7am-9am, and 2pm-3:30pm
 - DOB – Q&A
- Project Summary: Phasing & Hours\Site Safety\Community Outreach (40 Minutes)
 - 550 West 43rd Street
 - 572 11th Avenue
 - 535 West 43th Street
 - 615 10th Avenue
- Additional items of concern (20 minutes)
 - Noise mitigation
 - Delivery Coordination
 - Coordinated Site Safety
 - Routine Look aheads and Community Notice
- Next Steps and Action Items (5 Minutes)

P.S. 51 and Beacon High School Traffic and Student Safety Concerns

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Construction Coordination on West 44th Street (10/11 Ave)

Friday, November 18th, 2pm

Meeting Notes

Part I: P.S. 51 and Beacon High School Traffic Concerns

- Introductions (See Sign in Sheet)
- Summary of current drop off/pick up conditions and student safety on West 44th Street (P.S. 51 & Beacon School Leadership)
 - P.S. 51 and Beacon High School Buses (26 in total) arrive for drop off from 7am-9am and pick up from 2pm-3:30pm
 - Significant congestion and gridlock along West 44th Street from Westside Highway to 10th Avenue cause buses to run extremely late. Delays due to the following:
 - Gridlock blocking the intersection at West 44th Street and 11th Ave
 - Current and future construction sites on West 44th Street between 11th and 10th Avenues create bottle necks
 - Additional issue: mobility impaired students need pedestrian ramps to get access from their buses to the sidewalk to enter the school midblock.
- Recommended Mitigations
 - Dept. of Transportation will study the possibility of closing the block to traffic from 7am-9am and 2pm-3:30pm Monday through Friday. NYPD and owners of 505 West 43th Street offered to provide barricades, presently schools would be responsible for manning the barricades and removing them.
 - Midtown North and Community Board 4 will contact Manhattan Traffic Division to request a traffic management officer be posted at the intersection of West 44th and 11th Ave during drop off and pick up times.
 - A meeting with all of the development projects on West 44th Street (572 11th Avenue, 546 West 44th Street, 505 West 43rd Street, and 615 10th Avenue) along with Dept. Of Buildings and Dept. of Transportation will be scheduled for early December (Tentatively, Monday, December 5th at 9am at P.S. 51 525 West 44th Street).
- Construction update
 - 615 10th Avenue
 - Developers are Xin Development

- Project Description: When complete the site will be a single 7 story mixed use residential with ground floor commercial building. <http://a810-bisweb.nyc.gov/bisweb/BScanJobDocumentServlet?requestid=4&passjobnumber=121190889&passdocnumber=01&allbin=1083790&scancode=ES369612430>
- Xin Development has met with Community Board 4, both Schools, and representative from West 45th Street Block Association and has agreed to continue to meet.
- Project is scheduled to start excavation and foundation work in January 2017.
- Project will use close parking lane on West 45th Street for construction and not West 44th Street.
- 505 West 43rd Street
 - Owners of the site are Elad Group.
 - Project Description: When complete the site will have two 15 story residential buildings and enclosed court yard. <http://a810-bisweb.nyc.gov/bisweb/BScanJobDocumentServlet?requestid=4&passjobnumber=121187456&passdocnumber=05&allbin=1806360&scancode=ES905547859>
 - Construction deliveries to the site are only permitted between 9am-2pm so as not to interfere with school drop off and pick up hours.
 - The project is building over the Amtrak rail lines and requires Amtrak approval for construction work hours.
 - Sidewalk and parking lane on South side of West 44th Street will require closure. A pedestrian walkway will be created and jersey barriers and flag men will be positioned to secure pedestrian safety during work hours.
 - First phase will include the following work:
 - Installation of the property line construction fence (work possible to begin week of 11/21/16)
 - Installation of interior safety/security fence. Amtrak is requiring developer to install during late night/early morning work hours (11pm -6am) so as not to interrupt Amtrak schedule. Amtrak is yet to announce start date.
 - Developer agreed to prepare a weekly look-aheads and notifications to the schools and the community.
 - Developer will work along with Community, other constructions site, City Agencies, and Schools to maximize safety along the block.
- Future discussion topics

- Assisting schools with street closures
 - Central traffic\pedestrian safety coordinator
 - Midblock pedestrian ramps for mobility impaired students
 - Scheduling of future coordination meetings
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- Next Steps and follow ups:
 - NYC DOT to Study closure of West 44th Street (7am-9am, and 2pm-3:30pm)
 - Midtown North Precinct to request traffic management officer at intersection of West 44th Street and 11th Avenue.
 - Community Board 4 to organize construction coordination meeting to be held on **Monday, December 5th at 9am at PS 51, 525 West 44th Street.**