



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.ManhattanCB4.org

**JEAN-DANIEL NOLAND**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

February 3, 2011

Kevin Arscott  
NYC Department of Design &  
Construction  
30-30 Thomson Avenue  
Long Island City, NY 11101

Chief Joseph J. Esposito  
New York Police Department  
One Police Plaza  
New York, NY 10007

**Re: Pier 76 – Exterior Lighting**

Dear Mr. Arscott & Chief Esposito:

This letter is in response to your request for a letter of consent for certain lighting improvements (called “Exterior Lighting / Pier 76”) planned for the area along the front roadway and access of Pier 76, North River, as presented to the Waterfront & Parks Committee of Manhattan CB 4 on 13 January 2011. Pier 76 currently houses the NYC’s Manhattan NYPD Tow Pound and NYPD’s Mounted Unit. Pier 76 is within the general area of Hudson River Park at the end of 36th Street (appx) and, although not part of Hudson River Park, when the resident tow pound (and mounted unit) is relocated as required by law, fifty percent of Pier 76 shall be conveyed to the Hudson River Park Trust for use as passive and active public open space as per the NYS Hudson River Park Act (The Act) (1). The lighting plan presented to CB4 consisted of a number of luminaires on poles that will be used to enhance safety and security at the front of the pier. Although there was concern expressed about the relatively high brightness of the lights (appx 14 fc compared to average park levels of under 2 fc) and possible affects to users of the adjacent bike/walkway and Route 9a traffic, after considering the plans and measures described by DDC to control the lighting within the footprint of the NYPD access area in front of the pier, CB finds no reason to withhold its consent.

However, the fact that the city is planning such improvements, however desirable, (and, in addition, as reported, has been in the process of making additional improvements in the interior of the pier), to a facility that is destined to move raises a larger question to CB4: Namely, what efforts have been made by the city, as required by The Act, to find a new location for the tow pound so that 50% of Pier 76 can take its place as part of Hudson River Park. (We note that plans to locate the mounted unit are underway). The Act was passed in 1998 – over 12 years ago. We realize that finding a new location for the pound is not easy. As stated, about 350 towed cars & trucks on average are located in the facility; finding that

large a space in Manhattan is not a simple matter. But this is not an excuse for inaction. Does there exist any sort of task force or study to seek a solution? Can the city tell us what “best efforts” it has taken in the 12 years since the Act was passed?

Finding a solution should not simply be limited to finding a single location or one that needs the same footprint. Several years ago our CB suggested to the city the idea of privatizing the tow pound operation to multiple smaller existing parking lots located throughout the city, which would reduce mileage of the tow trucks as well as make it easier for owners to retrieve their vehicles. Similarly, the operation could be divided into two or three city-operated locations with the same advantages – one each downtown midtown and uptown for instance. Further it was noted that NYC DOS, facing similar footprint issues, has successfully implement “vertical” solutions for their vehicles. Granted, dealing with tow-trucks and their tows on multiple levels is more complicated, but the idea is still worth study. We also realize that these solutions also have costs associated with them, but feel that the city should be taking a long range view regarding costs, and should further study ways that these costs can be mitigated. For instance shorter tow-truck travel might yield savings in fuel, driver time and wear & tear on vehicles, or costs might be offset by higher tow fines and/or surcharges.

These are just a few ideas. The point is, the city is required to “use best efforts to relocate the tow pound on Pier 76.” as quoted from the Act<sup>1</sup>. CB4 respectfully asks that the city (1) provide CB4 with a list of such best efforts it may have taken to date and/or (2) initiate a study or task force to do just that. A simple statement that it’s hard and/or expensive to find a suitable solution is not sufficient.

We hope the city will respond with a serious effort to find a way to vacate Pier 76 at the earliest possible date, and with that assumption, we approve of the lighting plan as presented. Hudson River Park is an important public amenity with enormous quality of life as well as economic benefits to the city. The Park is now at 80% completion and we hope that we can reach 100% within a reasonable timeframe. Thank you for your consideration

Sincerely,



John Weis  
Chair  
Manhattan Community Board No. 4

---

<sup>1</sup> HUDSON RIVER PARK ACT - Approved and effective Sept. 8, 1998

Sec 7, 9 (c) The city of New York shall use best efforts to relocate the tow pound on Pier 76. Subsequent to relocation of the tow pound, the city of New York shall convey to the trust a possessory interest in fifty percent of Pier 76 for passive and active public open space use for a period not to exceed 99 years, provided that such open space portion of Pier 76 shall be contiguous to water. Upon such conveyance, the portion so conveyed will become part of the park and will be used solely for passive and active public open space uses.



John Doswell  
Co-Chair  
Waterfront & Parks Committee

[signed 2/3/11]  
Carmen Matias  
Co-Chair  
Waterfront & Parks Committee

CC: The Mayor, Diana Taylor (HRPT board chair), Connie Fishman (CEO HRPT), Hon Dick Gottfried, Hon Chris Quinn, Hon. Tom Duane, HKNA, A. J. Pietratone (FoHRP), NYPD Commissioner.