



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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COREY JOHNSON
Chair

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

December 28, 2011

Margaret Forgione
Manhattan Borough Commissioner
New York City Department of Transportation
55 Water Street, 9th Floor
New York, New York 10041

RE: Parking Regulations, West 53rd Street between 10th and 11th Avenue and Street repaving, 11th Avenue between West 52nd and West 53rd Street

Dear Commissioner Forgione:

Manhattan Community Board 4 (MCB4) requests New York City Department of Transportation's urgent assistance in addressing serious traffic and noise problems along West 53rd Street between Tenth and Eleventh Avenues. For over a year, street residents, particularly those living at 554 West 53rd Street, have been living with severe late hour noise related to delivery of construction materials for the construction of the Mercedes House- also known as "Two Trees" - a large residential building between Tenth and Eleventh Avenues along the north side of West 53rd Street. During the last few months this has been exasperated by the operation of the a Mercedes Benz dealership and repair shop, with an entrance on West 53rd Street across from 554 West 53rd Street.

MCB4 has been in discussions with the residents of 554 West 53rd Street, Two Trees (the developer of Mercedes House) and the local Mercedes Benz dealership to seek to address this situation. We ask for DOT's assistance in implementing several features that will assist in this noise/traffic mitigation:

- **Immediately change the Two Trees (and its related subcontractor) delivery permit for the West 53rd Street construction site to include "No Unloading 7pm to 7am:"** We understand that the Two Trees delivery permits are to be renewed effective 1/1/12. While Two Trees indicates that during its current phase of construction it has "oversized" delivery trucks which must, legally, not travel through streets after 5am, we request such trucks park (but not idle) on West 53rd Street and hold off unloading until after 7am;
- **Change the Bus Parking located on the north side of West 53rd west of Tenth Avenue to "Bus Parking, 7am to midnight, No Bus Parking midnight to 7am"** during the construction of Mercedes House. This will provide spaces for the oversized Two Trees trucks to stand until they can deliver after 7am.
- **Repave the East Side of 11th Avenue between West 50nd and West 54rd Street:** There are currently several potholes and manhole covers on the east side of Eleventh Avenue in this block.

Given the increase in heavy trucks that are using this block both during the Two Trees construction (expected to continue through mid-2013) phase and by the Mercedes Benz dealership for both auto and auto-parts delivery, this has lead to explosive noise and accompanying car alarms being set off. Repaving the road as soon as possible to avoid these bumps would reduce truck and other noise appreciably; it may also require that the manhole covers be secured or replaced by the respective utilities.

- **Install a “No Standing Any Time” sign in front of 554 West 53rd Street (on the south side of West 53rd Street, near Eleventh Avenue) during the Mercedes House construction:** Currently there are no curbside parking regulations posted on the Southwest half of West 53rd Street between Tenth and Eleventh Avenues. While we understand the intent (and occasional enforcement) is for “No Standing Any Time,” as posted mid-block, the lack of signage has lead to delivery vehicles often using this location to idle or to back up for delivery to the construction site or Mercedes Benz entryway.
- **Install “No Idling” signs along West 53rd Street:** While we request that the 10th precinct (copied on this letter) provide increased enforcement for vehicles idling more than the legally permitted 3 minutes during this construction phase, we also ask for signage, since truck deliveries will remain particularly active for this block, given the presence of the Mercedes Benz dealership/repair shop. We understand that such a sign requires the review and approval of the NYC Department of Environmental Protection, and ask for their, as well as DOT’s expeditious handling of this request.

We should note that this request coincides with several commitments by both the Mercedes Benz Dealership/Repair shop and Two Trees that will be outlined in separate letters.

As always, we appreciate your assistance and involvement.

Sincerely,



Corey Johnson
Chair

cc: Humberto Galarza, DEP
Michael Petrillo, 10th Police Precinct
Bonnie Campbell, Two Trees Development, LLC
Blair Creed, Mercedes Benz
Michaela Miller, NYC Council Speaker Quinn’s Office
Colleen Chattergoon, DOT
Local Resident