



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
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COREY JOHNSON
Chair

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

July 27, 2011

Ricky Wong
Special Applications Unit
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004-1716

Re: Newsstand application (LICENSE #1396324)

Dear Mr. Wong:

Manhattan Community Board 4 (CB4) recommends a denial of a proposed newsstand to be located on West 42nd Street at the southwest corner near Dyer Avenue. We reject this application for two reasons:

- The plan provided by the applicant did not reflect all sidewalk obstructions (like tree pits) and adjacent building particulars (service doors).
- The measurements used for distance to entrances did not follow the newsstand rules that clearance be measured parallel to the curb from a line drawn between the curb and the nearest edge of such entrance (rather than from the actual entrance). Under these rules, the location does not have the proper clearance. This is particularly important given the substantial number of apartments in the building near the newsstand (MiMA) and the proposed location across from the buildings' entrance and service doors.

Please note. the majority of the sidewalk on the south side of West 42nd Street between Dyer and Tenth Avenues is still fully blocked and under construction.

We would welcome an application from the proposed newsstand operator in September, when sidewalk construction should be completed and after he has time to properly prepare the drawings and identify a location that meets newsstand placement rules related to distance from entrances. We also encourage the applicant to work with MiMA's management, who seemed interested in identifying a mutually agreeable location.

Sincerely yours,

Corey Johnson
Chair
Manhattan Community Board 4

Christine Berthet
Co-Chair
Transportation Planning Committee

Jay Marcus
Co-Chair
Transportation Planning Committee

cc: Related /MIMA
Dipal Patel, Applicant
Electeds