



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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J. LEE COMPTON
Chair

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

May 2, 2007

Ms. Mirtha Kopec
New York City Department of Transportation
Division of Franchises, Concessions and Consents
40 Worth Street, 9th Floor south
New York, NY 10013

Re: Revocable Consent – Seismic Retrofit – Port Authority

Manhattan Community Board is grateful for being consulted as part of the process of giving consent to the installation of seismic retrofits to reinforce the Port Authority building on 40th Street between eighth and ninth Avenues.

The Port Authority plans to install 15 fin trusses to enhance the lateral stability of the third to seventh floors of the south wing of the Port Authority bus terminal. The trusses will be installed on 40th street between eighth and ninth Avenues, on the current columns, jutting out by 10.3 feet (full width of the sidewalk) with the lowest point being located at 20 feet above the sidewalk. They will be finished in brushed sliver, similar to the planned facade on Ninth Avenue. The trusses will mitigate the effect of an earthquake and will enhance the physical security of the building as part of a perimeter safety plan approved by the NYPD.

We would like to register the following objections to this consent:

We wonder why the Port Authority did not request this consent before the construction started. While it may not be unusual that work starts before obtaining consent, in this case it is unfortunate. The Port Authority cut more than ten 15-Year old trees on 40th Street to make room for this project, without any consultation with the community. At the same time, the community was seeking funds to install new trees on the avenue. Had we reviewed this consent before the start of the project, we would have requested the relocation of the trees on the Avenue and the implementation of traffic and pedestrian mitigation measures to alleviate the major inconvenience this project has caused at the intersection of 40th street and 9th Avenue (see below for details) . Finally, we would have liked to be consulted on the finish of the trusses and lighting as the Port Authority building has such an overwhelming presence in a low scale pedestrian neighborhood.

While we understand that the Port Authority will replant trees in the original location, it would be preferable if those trees were more than five years old. In addition, we request that the Port Authority procures and install as soon as possible ten trees, grids and bollards on Ninth Avenue and adjacent streets at locations to be designated by the Community Board.

Traffic and pedestrian safety mitigation need to be implemented for the remainder of the construction period of the project: the pedestrian ramp at the North East corner of 40th and 9th Avenue must be protected from left turning vehicles, and cleared of obstructions. In addition, a barricade should be installed across the construction site at the southeast end of 40th Street to prevent illegal parking of vehicles that further obstruct the street, and in turn, cause gridlock at the intersection. Redirection of some traffic from the 40th street exit to the 36th street exit should be considered. We would like to survey the areas of concern with the Port Authority and make some suggestions.

We note that new lighting will be installed on 40th Street. We request that pedestrian-scale white sidewalk lighting be installed, attached to the wall and would like to be consulted in the choice of this urban furniture that affects the character of our neighborhood.

This project started while a three-year old project, the renovation of the Port Authority overpasses and façade on 9th Avenue, is already 24 months late: completion dates have repeatedly been promised and missed. We deplore a situation that has created a blighted zone on 9th Avenue, our community's Main Street, and caused significant hardship to businesses located next to the overpass. We request that the Port Authority complete the 9th Avenue façade and overpass projects first before any other project takes away focus and resources.

We would like to meet with the management of the Port Authority to explore solutions to these objections and look forward to giving our consent once we receive written commitment from the Port Authority that the agreed upon solutions will be made part of the final agreement .

Please note that Community Board 4 received this document on March 19, two days before the date of the Transportation Committee, making it impossible to add this matter to the agenda. The due date for response is April 15, not even a full month delay for a substantive project. The Transportation Committee voted on this matter on April 18, and the board passed this resolution at its full Board meeting on May 2, 2007.

Sincerely,



J. Lee Compton
Chair
Manhattan Community
Board No. 4



Jay Marcus
Chair
Transportation Planning
Committee



Christine Berthet
Co-Chair
Transportation Planning
Committee

Cc: Mr J. Lesko, PA
Cc: Ms D. Ehler, PA
Cc: Ms T. Benczik, PA
Cc: Elected Officials
Cc: Anthony Shorris – PA