



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

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

October 6, 2008

Adrian Benepe, Commissioner
New York City Department of Parks and Recreation
The Arsenal, Central Park
830 Fifth Avenue
New York, NY 10065

Re: Tree Removal at 511 Ninth Avenue

Dear Commissioner Benepe:

It has come to the attention of Manhattan Community Board 4 ("CB4") that a beautiful, large pear tree at 511 Ninth Avenue (between 39th and 40th Streets) was cut down by IBEX Construction Corp. on August 24, 2008. A permit was apparently issued by the Parks Department for this action, but the community was not notified of the tree's destruction before it occurred and is upset by the loss of a 40 plus year old part of the neighborhood. In the future, CB4 requests that it be notified prior to the removal of existing trees and when mature trees are cut down that they be replaced with like trees in the same location.

While the developer may have argued that the tree removal was necessary in order to install scaffolding across the sidewalk, this is not the case. Plenty of pedestrian bridges are constructed throughout the City that are built around existing trees, including scaffolding that was erected for another building right across the street from this site. This same developer cut down another tree on a side street adjacent to the construction site in order to install a construction trailer. If the developer had merely moved the construction trailer over a few feet, no such destruction would have been necessary.

Unfortunately, this is not an isolated incident in our district. A few months ago the Port Authority received authorization to destroy 18 fully-grown trees in conjunction with renovations to the bus terminal.

As the City works toward its PlaNYC goal of planting a million new trees, it makes no sense to be needlessly cutting down healthy, large existing trees. Therefore, CB4 is requesting that in the future the Parks Department provide adequate prior notification to CB4 when a permit is issued for cutting down an existing tree. Additionally, if it is determined that a developer or property owner must remove a tree, such owner should be required to replace the tree with one of equal height, age and species and in the same location. It is not acceptable to the community to have old, mature trees replaced by immature trees that provide little shade or greenery. To insure that removed trees are replaced by like trees in a timely manner, the Parks Department should require a deposit from property owners sufficient to cover replacement costs prior to any tree removal. The deposit would be placed in escrow until the new trees are planted.

We look forward to working with the Parks Department to stop the needless destruction of mature trees in our neighborhoods and to put a process in place that meets the needs of property owners and the community.

Sincerely,

Handwritten signature of Jean-Daniel Noland, consisting of the letters 'Jd' in a cursive, stylized font.

Jean-Daniel Noland, Chair Manhattan Community Board 4

Handwritten signature of Capt. John Doswell, featuring a stylized 'J' and 'D'.

Capt. John Doswell, Co-Chair
Waterfronts & Parks Committee

Handwritten signature of John D. Lamb, featuring the letters 'J.D.' followed by a stylized flourish.

John D. Lamb, Co-Chair
Waterfront & Parks Committee

Cc: Office of the Mayor, PlaNYC
Ms. Jennifer Greenfield, NYC Tree Trust, Department of Parks and Recreation