



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**COREY JOHNSON**  
Chair

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

November 14, 2013

Margaret Forgione  
Manhattan Borough Commissioner  
NYC Department of Transportation  
59 Maiden Lane, 35<sup>th</sup> Floor  
New York, NY 10038

**Re: Construction – 301 West 46<sup>th</sup> Street**

Dear Commissioner Forgione:

Manhattan Community Board #4 conditionally recommends that DOT approve the plans of the Rinaldi Group LLC to temporarily close 120 feet of the sidewalk on the north side of West 46<sup>th</sup> Street immediately west of Eighth Avenue and install a cross walk to the south sidewalk at the western edge of the closed sidewalk area. We make this recommendation because we feel it is a safer alternative to a more complicated enclosed protected pedestrian area on the north side of the street during the contemplated 18 to 24 month construction period, is supported by a substantial number of community residents and surrounding businesses, and would provide a “trial period” for a potential longer term midblock protected crosswalk along West 46<sup>th</sup> Street between Eighth and Ninth Avenue. We note that the approval is conditioned on several commitments made by the Rinaldi Group, outlined below, that must be put in writing and be part of any DOT and/or DOB approval of this plan. It is also conditioned on Rinaldi’s commitment to do additional outreach to surrounding area block and neighborhood associations and continued dialogue with the businesses and residents along Restaurant Row.

The Rinaldi Group LLC is constructing two hotels with a total of 642 rooms and 335,000 square feet, a four story townhouse and twelve units of affordable housing, required as a cure for documented tenant harassment by a previous owner and to be owned by an HPD approved nonprofit agency. It should be noted that this letter is limited to consideration of the proposed sidewalk closure and pedestrian rerouting. Rinaldi has committed to work with the Quality of Life Committee to discuss construction period noise and disturbance and with the Housing, Health, and Human Services Committee on any further discussions of the affordable cure units.

Rinaldi has recently begun to mobilize for construction and anticipates a minimum 18 month period of work and proposed northside sidewalk closure beginning later this year or early 2014. The construction will include 75 days of excavation, 90 days of foundation pouring, 110 days for the building of the first four stories and nine plus months for the additional 23 stories. During this time they would be using a minimum 25 feet curb cut on the north side of West 46<sup>th</sup> Street

for truck and crane placement and material delivery, including approximately half a year of a large crane on the site often overhanging the sidewalk.

During this time Rinaldi proposes to close the sidewalk on the north side of the street for the 120 feet adjacent to the sidewalk fronting 8<sup>th</sup> Avenue and block the one lane of traffic for this portion on the north side of the block, change the parking regulations on the portion of the street in front of the church at 302 West 46<sup>th</sup> Street “No Standing” for a church entrance to “No Standing Anytime, Construction Zone.” They propose to install a 8 feet wide striped pedestrian crossing on the western edge of this zone with a stop sign. Rinaldi also proposes which Community Board approval is conditioned on their submission of such conditions in writing and be made a part of any DOT/DOB approval:

- 24-hour staffing on the block for the entire construction period including at least one worker at all times designated to control traffic at the pedestrian crossing and ensure stop sign enforcement;
- A stop sign on both sides of the block, with a warning sign toward the western end of the site near Ninth Avenue;
- Agreement to a lighting plan to replace the temporary removal of a street light required by this configuration and consistent with the historic nature of the block;
- Agreement to install a minimum of five trees along the affected route immediately after the construction phase;
- Agreement to solicit local artists for artwork in building lobbies, other areas, and for wall covering north side of West 46<sup>th</sup> Street during construction;
- Request DOITT permanently remove the phone booth on Eighth Avenue just north of West 46<sup>th</sup> Street;
- Creating an e-mail blast list and sending out notices of construction work progress, anticipated noise, and expected traffic impact during the entire construction period;
- Limiting the hours of construction and truck arrival and departure to avoid pre-theater dining time (an active time for surrounding businesses);
- Provide the Community Board with a fuller schedule of expected truck arrival and departure times for potential comment and suggestions; and
- Continued meeting with area block associations and business members of Restaurant Row.

It should be noted that Rinaldi presented several dozen letters in support of their proposal, including from the surrounding restaurants and from the church across the street, at the Transportation Planning Committee meeting public hearing on their request.

Sincerely,



Corey Johnson  
Chair



Christine Berthet, Co-Chair  
Transportation Planning Committee



Jay Marcus, Co-Chair  
Transportation Planning Committee