



**DELORES RUBIN**  
Chair

**Jesse Bodine**  
District Manager

CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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June 3, 2016

Alba Pico, First Deputy Commissioner  
Special Application Unit  
Department of Consumer Affairs  
42 Broadway, 5<sup>th</sup> Floor  
New York, NY 10004

Ms. Margaret Forgione  
Manhattan Borough Commissioner  
NYC Department of Transportation  
59 Maiden Lane, 37<sup>th</sup> Floor  
New York, NY 10038

**Re: Newsstand Application #3936-2016 ANWS, 34<sup>th</sup> Street at the Southwest corner of 34<sup>th</sup> Street and 9<sup>th</sup> Avenue**

Dear Commissioner Pico and Commissioner Forgione,

After carefully reviewing this application, Manhattan Community Board 4 (CB4) voted to deny the installation of a 6' x12' newsstand at this location.

Contrary to the applicant's description, three fixed planters obstruct the sidewalk at the proposed location.

The clearance section of the Rules of New York<sup>1</sup> indicates "Newsstands may not be placed within 15 feet of any other obstruction, such as scaffolding or construction material, that is present at the time at which the proposed site for the newsstand is inspected by DOT. If the removal of such obstruction may be reasonably expected within one year, an applicant for a new newsstand may propose such a site for placement of a newsstand upon the removal of such obstruction. DCA shall keep all such applications on file for a maximum of one year from the date of application. It shall be the responsibility of the applicant to notify DCA that such obstruction has been removed. After one year,

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<sup>1</sup> [http://www1.nyc.gov/assets/dca/downloads/pdf/about/sidewalk\\_stand\\_law\\_rules.pdf](http://www1.nyc.gov/assets/dca/downloads/pdf/about/sidewalk_stand_law_rules.pdf)

any such application that is still pending for any reason, including the continued presence of such obstruction, shall be denied. “

We also note the presence of an existing Newsstand on the opposite side of 9<sup>th</sup> Avenue at 34<sup>th</sup> Street. The applicant declined to attend the Transportation committee to answer our questions.

Sincerely,



Delores Rubin  
Chair



Christine Berthet  
Co-Chair, Transportation  
Planning Committee



Ernest Modarelli  
Co-Chair, Transportation  
Planning Committee