



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

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

February 23, 2009

Amanda M. Burden, AICP
Chair
New York City Planning Commission
22 Reade Street
New York, NY 10007

**Re: ULURP Application No. 090239ZRY
Waterfront Zoning Text Amendment**

Dear Chair Burden:

On the recommendation of its Waterfront and Parks Committee, Manhattan Community Board 4 voted at its February 4, 2009 meeting to recommend approval of ULURP application number 090239ZRY with the comments listed below.

The proposed waterfront zoning text amendment would update design regulations and administrative requirements for new or enlarged residential, commercial or community facility use developments on the waterfront. The new design guidelines would improve the design and facilitate construction and operation of high-quality public spaces on privately owned waterfront sites.

CB4 supports the objective of improving the design of waterfront areas and encouraging public access by focusing on requirements for seating, railing, plantings, lighting, signage, etc. Additionally, the new requirements should allow for greater design flexibility and creativity within the accepted parameters while ensuring that maintenance obligations are met. CB4 believes the proposed amendment is a welcome step and offers the following comments and suggestions for your consideration.

- We believe that there is only one privately owned waterfront site in CD4, the New York Waterways location at 39th Street just south of the ferry terminal. This site is located within the Hudson River Park. When the Hudson River Park is eventually built in that area, there should be no conflict with the current design of the Park due to these proposed regulations. Are the proposed design changes consistent with the current design of the Hudson River Park?
- Under 62-631(1), we would like to see the hours that the waterfront has to be publicly accessible expanded. In the summer, perhaps opening times should be at dawn instead of at 6:00 a.m. Likewise, a dusk closing time instead of 8:00 p.m. may make the waterfront more available to the public during the warmer months.
- Regarding the trash receptacles, we would encourage the placement of recycling receptacles in addition to the standard trash receptacles.
- Per 62-354, we are concerned that the proposed bulk modifications (tower top articulation and set back requirements) will lead to greater shadows on the pathways. Can you

please explain the reasoning and rational behind the proposed changes, and if you concur that this would result in larger shadow areas.

- While there appears to be a process in place to certify initial compliance with the zoning regulations, who is going to monitor ongoing compliance with the design and maintenance requirements? We want to be certain that there continues compliance with these guidelines in the years ahead.

CB4 supports the proposed text amendment because it would promote greater design flexibility while ensuring certain standards, encourage public access to the water and improve the look of waterfront spaces. We hope you will consider our comments and suggestions in an attempt to make the amendment even more effective.

Sincerely,



Jean-Daniel Noland, Chair Manhattan Community Board 4



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



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

Cc:
DCP Calendar Office