



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS
Chair

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

October 16, 2009

Beverly Gotay, Deputy Director
Special Applications Unit
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004-1716

Application: Sidewalk Newsstand (NEW)
Proposed Location: 411 W 42nd Street. NWC West 42nd Street & Ninth Avenue
DCA Application#: 1329441
Applicant: Siu Shen Kung

Dear Ms. Gotay:

Manhattan Community Board 4 (CB4) recommends denial of this application for a new newsstand approximately 125 feet west of 9th Avenue on the north side of West 42nd Street at 411 W 42nd Street (Ollie's Restaurant) because it does not meet New York City's minimum requirements for such application:

- The proposed newsstand does not comply with DCA guidelines of maintaining two feet distance from wastebaskets. The measurements on the hand-drawn site plans submitted with the application do not correctly reflect the actual dimensions of the site. If five feet are maintained between the newsstand and the building entrance, the eight-foot newsstand actually overlaps with existing furniture (litter basket).
- Photographs submitted with the application are not legible.
- The applicant did not notify the building owner
- There is currently scaffolding on this site for ongoing building repair. Installation of a new newsstand will not be allowed until after the removal of the scaffolding.

The applicant's husband indicated to CB4, via telephone, that due to an emergency, the applicant needed to leave the country for a few months and therefore was not able to attend the Transportation Planning Committee on Sept. 23, 2009 to answer the community's questions.

When the applicant reapplies, CB4 looks forward to receiving proper documentation and meeting with the applicant to resolve any remaining issues.

Sincerely,

Chair
Manhattan Community Board 4

c.c.:Department of Transportation
Siu Shen Kung