



Coalition for a Livable West Side

Leading the fight for a better city environment.

Visit our Website livablenewyork.org

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Letter from CLW President

The Board of Directors of the Coalition for a Livable West Side wishes to share its deep and heartfelt sympathy with all who have suffered the tragic loss of loved ones, friends, colleagues or neighbors in the September 11th terrorist attack on the World Trade Center and the Pentagon. Our hearts go out to all who mourn.

Out of the unspeakable horror of September 11th has come unprecedented compassion and kindness. We salute the extraordinary heroism of our firefighters, police and emergency medical workers. We are grateful to all the volunteers and especially the iron workers and construction crews who continue the painful task of recovery at the site of the massacre. They are true heroes.

The following Fire Houses in our community suffered terrible losses and continue to need everyone's support and love. Please walk over and ask them what they need and what you can do.



Engine Co. 40 and Ladder Co. 35 **lost 11 men.**

141 Amsterdam Ave. (66th St.).

Engine Co. 74, **lost 1 man**

120 W. 83 St. (Amsterdam-Columbus Ave.)

Division 3 and Ladder Co. 25, **lost 9 men.**

205 W. 77 St. (Amsterdam-Broadway)

Engine Co. 76, Ladder Co. 22 (**still needs your hugs**)

145 W. 100th St. (Columbus-Amsterdam Ave.)

New York City will rebuild. There is an enormous opportunity to make New York better, more creative and truly strong for all New Yorkers.

We regret that the new agency for "rebuilding downtown" will be a subsidiary of the New York State Empire Development Corporation, a "super-agency" that can circumvent local environmental review, take property through eminent domain and finance its activities through the sale of bonds.

The outstanding documentary on New York City by Ric Burns, broadcast on PBS, clearly showed the devastation inflicted upon our great city by the "Super-Agency" approach to development.

It's everyone's responsibility to make sure this job is done right. We must not allow community participation and environmental review to be sacrificed in the name of "Rebuilding Downtown".

There must be responsible, thoughtful planning and development and we urge that priority be given to development that respects and protects the integrity of communities. (more on page 3)

Sincerely,

Madeleine Polayes

Miller Highway, Lifeline For Our City - Coalition Files Lawsuit to Protect New Yorkers

The Coalition for a Livable West Side has challenged the approval of the Miller Highway Relocation Final Environmental Impact Statement (FEIS) by the Federal Highway Administration (FHWA). Our lawsuit was filed in the US District Court for the Southern District of New York, and names Norman Minetta, Secretary, US Department of Transportation, and Mary Peters, Administrator, Federal Highway Administration as "Defendants".

Why does the Coalition seek to have the approval nullified and cancelled? Because even though no monies have been allocated to move and relocate the Miller Highway (thanks to Congressman Jerrold Nadler), we want the Court to direct the "Defendants" to stop all further plans and actions related to the Miller Highway until an *adequate and complete environmental impact statement* is completed in accordance with the National Environmental Policy Act of 1969 ("NEPA").

The Miller Highway is designated by the Federal Emergency Management Agency (FEMA) as a New York City "lifeline". As such, in case of an emergency, trucks and busses must use it, as they have ever since the September 11th terrorist attack. (continued on page 2)

Coalition for a Livable West Side

P.O. Box 78 New York, N.Y. 10023-078

Maximize your contribution via our 6th Challenge Grant.

Miller Highway Lawsuit (continued from page 1)

The Miller Highway was a primary route for emergency vehicles, tractor trailers with medical supplies, emergency generators, fire trucks, ambulances and busses to evacuate the wounded and to bring in rescue workers.

It is unbelievable that the Trump Organization and New York State want to tear down the Miller Highway and bury it in a tunnel that would not be safe for emergency vehicles.

The tunnel proposal in the Miller Highway Final Environmental Impact Statement (FEIS) has many substandard features that are particularly dangerous for trucks, such as steep 6.5% grades vs the 4% standard, and excessive stopping sight distances.

The "tunnel alternative" in the FEIS failed to address emergency situations. The lawsuit asks that the tunnel not be considered as a feasible or prudent selection.

Riverside South on Shaky Ground - Earthquake Building Code Again!!

On October 27, 2001, a magnitude-2.6 earthquake hit under Manhattan. "That's more than a tremor - that's a small earthquake," stated Dr. John Ebel, director of the Weston Observatory at Boston College. He added that it is difficult to predict a major earthquake based on two small tremors, but experiences from around the world suggest that a major quake, anything above 5 on the Richter scale, could not be ruled out "**The places where large earthquakes occur are usually where there have been a history of small earthquake activity in the region of a magnitude of 2, 3 or 4,**" Dr. Ebel said.

Though the metropolitan region is often characterized as dormant (a major earthquake hasn't hit New York since 1884), seismologists warn that the city presents a serious potential for an earthquake.

In 1999, Klaus Jacob, a Columbia University seismologist explained that the real danger for a major earthquake lies in the soil itself. For example, landfill is highly seismic because it can liquefy during an earthquake - and Trump's Riverside South site (59th to 72nd Street) is therefore highly seismic. (Information from Associated Press, 10/27/01; Daily News, 10/28/01; Manhattan Spirit, 9/2/99; NY Times, 8/21/99, Riverside South Final Environmental Impact Statement, Oct.1992)

For the last five years, the Coalition for a Livable West Side, together with our West Side elected officials, have tried - in vain - to get the City, State and Federal government to prevent developers from circumventing NY City's Earthquake Code. The code, based on a Federal Emergency Management Agency (FEMA) requirement, calls for new buildings to be able to withstand possible earthquakes.

Outrageously, the NYC Department of Buildings exempted developers from the Earthquake Building Code, if their applications were filed before February 21, 1996 - like Trump's Riverside South. So all of the 16 Riverside South buildings are exempt from the new code, even though they may be years away from construction.

Of course, it costs more to build to the new code. It is horrifying to note that a developer with a most vulnerable site, is a key financial benefactor of the exemption to the code.

The Coalition will alert our new Mayor and City Council to this public danger. It may be too late for the first five buildings completed or under construction. But it should not be too late for Building 6 and beyond.

Can the new City Council and the new Mayor do anything to force or persuade the Trump Organization *to* adhere to the Earthquake Building Code and **put a community's safety ahead of profits?**

We will let you know what you can do to help in this effort

Mail Sorting Operation Must Not Be Moved to the Ansonia Post Office

The United States Postal Service is preparing to move its mail sorting operation to the Ansonia Post Office on West 68th Street and Columbus Avenue.

We strongly urge that this move be stopped in light of recent **Anthrax contaminations of Post Office Centers.**

A mail sorting operation **must not** be placed in a 55-story tower which houses residential and commercial tenants, 13- movie theaters, a 5,000 member Sports Club and retail stores.

No other United States Postal Service sorting operation is located in a residential tower.

Please write to or e-mail:

Congressman Dan Burton, Chair, Committee on Government Reform, 2157 Rayburn House Office Building, Washington, DC 20515 (e-mail www.house.gov) and Senator Joe Lieberman, Chair, Government Affairs, US Senate, Washington, DC 20510 (e-mail senator_lieberman@lieberman.senate.gov)

Kindly send a copy of your letter to Congressman Jerrold Nadler, 201 Varrick St. (669), New York, New York 10014, Att: L. Rosenthal, (e-mail Linda.Rosenthal@mail.house.gov)

**Ferry Service From W. 69th St.
In Riverside South Park?**

The New York City Dept. of Transportation (ferry unit) is applying on behalf of Trump's Riverside South Planning Corporation, for \$1.3 million in **Federal transportation enhancement** funds (TEA-21). The funds would be used to restore the gantry (the former NY Central RR float bridge) at West 69th Street in the park and for a possible **ferry service**.

The rationale for the ferry service at W. 69th Street is that it will relieve the congestion at the 72nd Street subway station. Yet there has not been any market research study to determine if there will be adequate ridership for a ferry service at West 69th Street to the downtown area and whether it would relieve the congestion at W. 72nd Street.

If the Federal funds are granted and the gantry fully repaired but there is no ferry service, could it be said that the ferry service was the subterfuge for obtaining the funds to repair the gantry?

Coalition believes that a market research study should have been done, and if a ferry service is viable, another location - West 66th Street, West 79th Street or West 59th Street - would be a more appropriate location. A ferry service at West 69th Street will not reduce traffic congestion at the 72nd St. subway.

We will keep you informed.

Why You Should Join the Coalition

A member wrote this letter to the residents in his building, "The Coalition's newsletter is valuable for those of us whose home is on the West Side. It makes us aware in advance of plans that can hurt us, as well as those which can help us.

"This watchdog group has accomplished much with limited resources. It keeps us informed and it takes action to improve our quality of life. We may not agree with every single stance they take, but their consistent advocacy does keep other interests more "honest."

"If more of us became members or contributed, the Coalition for a Livable West Side could do even more. Membership is only \$25 a year. It is a good investment. And if you choose to support them with more, they will come and hug you."

If your company has a Matching Gift program, please apply on behalf of the Coalition. **We now can accept gifts of stock.** We have no paid staff. If your membership has expired (see label), please renew. If you are not a member, please join.

I wish to support the Coalition's efforts on behalf of the community . []
My contribution is () \$500. () \$250. () \$200. () \$100. () \$75. () \$50. () \$25. () other
Annual dues \$25. [] New member [] Renew Year 2001 Dues [] Pre-pay Year 2002 Dues

Please make checks payable to: CALW, Inc. - Write Challenge Grant in lower left-hand corner of check.
Mail to: CALW, Inc., P.O. Box 230078, New York, N.Y. 10023. Contributions are tax deductible [section 501c3]

Name _____ Address _____ Apt. _____
City/State _____ Zip _____ Phone _____ Fax # _____

Send your e-mail address to livablenewyork@erols.com

I can help with publicity. ()
I can distribute the Coalition newsletters, important flyers, etc. in my building. I need () copies.
I can attend important meetings, hearings, etc. () I can help with _____

Major Victory For Subway Riders!



State Senator Eric Schneiderman filed a lawsuit on behalf of all subway riders to keep the MTA from closing token booths. State Supreme Court Justice Diane Lebedeff's decision prevents the MTA from closing token booths throughout the city without Public Hearings. A major victory!

The MTA tried to enact "stealth" cuts by closing token booths, thereby restricting access of thousands of riders. Subway riders would have had to use the narrow turnstiles that look like revolving doors, making that station entrance inaccessible to parents with strollers, etc.

The Justice's ruling was based on the Public Authorities Law (1977) written by **Congressman Jerrold Nadler** when he was an Assemblyman. The law requires the MTA to seek local opinion before altering stations.

The MTA may appeal the decision. The "Keep the Token Booths Open Coalition" will continue keeping the pressure on the MTA.

The Coalition for a Livable West Side, which supports the "Keep Token Booths Open Coalition," is grateful to **State Senator Schneiderman** and everyone who supports this effort to keep all token booths open.

*We can keep you better informed if you send your e-mail address to livablenewyork@erols.com or your fax number. All e-mails are sent as blind copies, neither your name nor e-mail address appears in the e-mail. Addresses and fax numbers are **NEVER** shared with anyone.*

"Tax Breaks For Stock Contributions."

"...By giving appreciated assets, donors enjoy a twin break. Suppose you bought 500 shares of a stock at \$10, and now it is \$40. If you've held it for more than a year, you're sitting on a potential capital-gains tax bill of \$3,000. By donating the shares, you erase the capital-gains tax and also get to deduct their full \$20,000 value on Form 1040. If you're in the 36% bracket, your tax bill would fall by \$7,200. R. Barker. Business Week. 11/13/00

If your stock is held with a brokerage firm, the electronic transfer to the Coalition can be done very simply and quickly.

Donate appreciated assets to the Coalition for a Livable West Side by year's end and enjoy that twin-tax break. Call 580-9319 and leave your name, phone number and address.

Rebuilding Lower Manhattan

We must remember that the WTC area is not just a business area - it has a viable residential community. The Coalition for A Livable West Side believes that the following would help create a vibrant business/residential community in the WTC area:

- Give grants, not loans to small businesses in the area;
- Rebuild only 2 million square feet of office space after securing major tenants for the space;
- Create good transportation links to the area;
- Create a good traffic management plan;
- Create truly affordable housing in the area so that there is a true mix of housing , a place where City workers could live;
- Restore the original street pattern in the area;
- Remember that the WTC site is a burial site and plan accordingly;
- Analyze the cost to New York City of all City/State tax abatement and subsidy programs; and
- Re-examine those programs as to their efficacy. Were the stated goals, usually increasing jobs, met? If not, why keep the program? If the job data is not available, or doesn't exist, demand money back from those companies receiving the tax breaks.

Stop Bidding Wars To Retain Businesses

Arthur Leavitt, former Chairman of the Securities and Exchange Commission stated, "I would not use... pure tax subsidies to keep companies and induce companies to come down there." He suggested that the most important long-

term strategy is to stop bidding against other states or cities to retain businesses. "You can't do that without getting the cooperation of other regional long-term planners," he said. Excerpted from "Halting Business Flight." Edward Wyatt. NY Times. 11/12/01 article.

Twenty-five Million Square Feet of New Office Space Not Needed

There appears to be a consensus among major real estate companies that there must be a "go-slow" approach to rebuilding downtown; and 25 million square feet of new office space is not needed in the WTC area. Major real estate companies in the City - **Cushman & Wakefield, Newmark & Company and Insignia/ESG** - agree that there is 23 million square feet of vacant space in Manhattan.

Many real estate experts say there is a need to build just **two million square feet** of new office space. Yet the State and City's plan for lower Manhattan calls for **25 million square feet** of new space. That is equivalent to building twelve new Empire State buildings. (Charles Bagli. NY Times)

Urban planners and some state officials say transportation improvements are far more important to the future of Lower Manhattan than subsidized office buildings since they would make the area accessible.

Mary Ann Tighe of **Insignia/ESG** cautioned against "crude" stimuli like 1980s west-Midtown incentives that nudged developers to build without tenants, resulting in empty towers and foreclosures. Information from "Plan May Propose Too Much Too Soon." Charles Bagli. NY Times. 10/10/01 article and from "Too Much Space On the Market." Steve Cuozzo. NY Post. 10/30/01 article.

Riverside South Update

- Building A (71st to 72nd Street) is on-hold.
- Bikers and rollerbladers will be moved to a path under the Miller Highway (W. 62nd - W.70th St.), reserving the existing path for pedestrians.
- There is still a smell of rotten eggs, i.e., hydrogen sulfide, between the Miller Highway and the shoreline. That means there is a broken sewage pipe. If you smell rotten eggs in the park, record the date, time and place and please call 1-718-DEP-HELP and Coalition (580-9319).

Neighborhoods Create Bonds Among People.

"The World Trade Center towers should not be replaced. Our collective strength as a nation and as New Yorkers, is rooted not in power or tower, but in the love evidenced in the rescue efforts. Community breeds such devotion.

Neighborhoods, not architectural statements, create bonds among people. Neighborhood residents, workers and visitors share needs, pleasures, adversities, celebrations and commemorations.

To design a multipurpose locale with community creation as its driving

force presents a far more arduous architectural challenge than that of attempting to scrape the sky.

Instead of isolating towers, let us choose to embody the core of our society in a community designed to bring commuters and residents together in an all encompassing complex of residential, cultural, educational, health, business, commercial and gathering place uses. And, most importantly, at the center create a tangible monument to all those who so tragically lost their lives on the site. " Mary Brendle, Manhattan resident (Community District 4 Manhattan Historian) (former Chair CB4)