



BULLETIN January 20, 2019

West 65th St to West 66th St Tower near CPW is Ordered to be Lower in Height

This past week our Lincoln Square and UWS community won a huge victory towards maintaining new construction within existing bounds. Please read below how the efforts of our community preservation advocacy organization, Landmark West!, caused the NYC Building Dept to re-evaluate this project and rescind its permits. We applaud its efforts and encourage your further support.

<https://www.landmarkwest.org/>

<https://www.westsiderag.com/2019/01/17/permit-for-upper-west-sides-tallest-tower-rescinded-by-department-of-buildings>

200 Amsterdam Ave at W 69th St had its State Supreme Court Day on Jan 17

We commend the efforts of another community advocacy group named The Committee for Environmentally Sound Development (CFESD) to enable this proposed 668 foot tall building to be reevaluated at City agencies and now in court.

We gladly reprint this report provided by CFESD and its Supporters:

The lawsuit from the **Committee for Environmentally Sound Development (CFESD)** and the **Municipal Art Society (MAS)** was heard on Thurs 1/17. There was substantial, impactful community presence supporting a legal, proportionate building height.

Judge W. Franc Perry has not issued his ruling (timing is TBD), but the key participants were encouraged by traction gained by the key arguments:

- **Olive Freud, President of CFESD**, reported:
 - *"We don't know how the judge will rule, but from his questions he seemed to wonder about the developer's "unsubdivided" argument, along with their unusual*

use of tax lots, both of which are crucial in the developer's justification for the 668 ft height of 200 Amsterdam."

- **One of the CFESD/MAS lawyers** noted:
 - *"The argument went really well. Every comment the judge made seemed to favor us.*
 - *We made three arguments that are well-supported legally: (1) the BSA had a chance to consider it and didn't, and if it were permitted to treat cases by addressing only one issue at a time, the cases would just volley back and forth between the court and the agency ad infinitum; (2) this is a purely legal question, and courts don't need to defer to agencies to resolve those; and (3) the two legal issues are connected: if the judge accepts our argument that (a) an "unsubdivided" tract of land must be a "lot of record" and (b) a "lot of record" must be a single tax lot, then a fortiori he will have decided the question of whether the zoning lot is "two or more lots of record." In cases like that, there's absolutely no need to go back to the BSA.*
 - *Our arguments are solid; I'm pretty hopeful."*

Actual construction at 200 Amsterdam has been slow. They have built approx 10 floors out of a planned 50 or so (but 668 feet high). Their building permit has been suspended several times by the NYC Department of Buildings (DOB) for major safety violations, including last fall's failure to build a sidewalk shed once the crane was up, and more recently, unsafe practices in pouring concrete (all as reported in the NYC news). The tall crane, now approaching 400 feet, does not turn on its WARNING LIGHT at night! The developer is using all non-union labor, and the unions cite his inadequate safety practices.

Fortunately re timing: even as the building goes higher, the developers cannot claim that it is too late to change their plans. In any arguments re such "sunk costs", the developers accepted due to last year's CFESD/MAS litigation that they can only cite construction completed and money spent up through May 1, 2018.

At 200 Amsterdam, your tireless organizers at CFESD and MAS are in this for the long haul. If this judge does not require a properly zoned building at 200 Amsterdam, then his decision will be appealed!

All this takes both dedication and money. Most of you have donated already (one or more times)...but as this drags on, further support is necessary (tax deductible):

TAX-DEDUCTIBLE DONATIONS TO:

COMMITTEE FOR ENVIRONMENTALLY SOUND DEVELOPMENT

P.O. Box 20464
Columbus Circle Station
New York, NY 10023

Please include the following information along with the donation amount

Name

Street Apt #

City/State Zip

Email address (will not be distributed; can cancel anytime)

JANUARY 23 – Wednesday : NYPD Meeting on W 68th St

Being able to meet and converse with the police officers patrolling our neighbourhood streets is a very important step in resolving problems and concerns. The West 68th St Pizza and Police event held last fall was a superb introduction of these officers to our street. They are here once again to meet with you, bring you up to date on projects and discuss new concerns.

You are cordially invited to join our community for a meeting with our 20th Precinct Neighborhood Coordination Officers Bridget Fanning and Brett Kuras, get an update about our neighborhood, and share your concerns.

When: Wednesday, January 23 at 7pm

Where: Stephen Wise Free Synagogue, 30 West 68th Street

For more information or to join their mailing list please do contact Officer Fanning directly

Bridget.Fanning@nypd.org

W 69th Street Construction Noise between CPW and Columbus Ave

This continues to be a substantial demolition and construction project. Terrible noise and disruption will continue to April. We are trying to obtain a daily work schedule so everyone will know how to plan their day.

Please contact us for more info.

RODENT CONTROL

We experienced a surge in population in the fall. Happily we can report a better situation. Many worked to locate and seal nesting areas and to increase baiting locations.

We especially thank the efforts of JoAnne, and buildings 61, 57 & 53.

The "Rat Patrol" always needs your help. Please join now. Thank you