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THE CITY RECORD

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ELI BLACHMAN, Editor of The City Record.

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PUBLIC HEARINGS AND MEETINGS

See Also: Procurement; Agency Rules

CITY COUNCIL

■ PUBLIC HEARING

NOTICE IS HEREBY GIVEN THAT the Council has scheduled the following public hearings on the matters indicated below:

The Subcommittee on Zoning and Franchises will hold a public hearing on the following matters in the Council Committee Room, City Hall, New York City, New York 10007, commencing at 9:30 A.M. on Monday, February 23, 2009:

HORUS CAFÉ

MANHATTAN CB - 3 20085198 TCM
Application pursuant to Section 20-225 of the Administrative Code of the City of New York, concerning the petition of El Sayed I Corp., d/b/a Horus Café, to construct, maintain and operate an enclosed sidewalk café at 93 Avenue B a.k.a. 601 East 6th Street.

CIAO

MANHATTAN CB - 2 20085471 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of Gallo Nero, Inc., d/b/a Ciao, to establish, maintain and operate an unenclosed sidewalk café at 185 Bleecker Street.

HELL'S KITCHEN

MANHATTAN CB - 4 20085645 TCM
Application pursuant to Section 20-226 of the Administrative Code of the City of New York, concerning the petition of 523 9th Avenue, Inc., d/b/a Hell's Kitchen, to continue to maintain and operate an unenclosed sidewalk café at 523 9th Avenue.

SHOPS AT GATEWAY

BROOKLYN CB - 5 C 080051 ZSK
Application submitted by Morgan B. Realty, LLC, pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-922 of the Zoning Resolution to allow the development of large retail establishments (Use Group 6 and 10A uses) with no limitation on floor area on property located at 830 Fountain Avenue (Block 4452, Lot 425), in an M1-1 District.

SPECIAL FOREST HILLS DISTRICT

QUEENS CB - 6 C 090104 ZMQ
Application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 14a:

- eliminating from within an existing R7-1 District a C1-2 District bounded by Austin Street, Ascan

Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly centerline prolongation of 72nd Road;

- changing from an R7-1 District to an R5D District property bounded by Austin Street, Ascan Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly centerline prolongation of 72nd Road;
- changing from a C4-2 District to an R5D District property bounded by Austin Street, the southwesterly centerline prolongation of 72nd Road, the northeasterly boundary line of the Long Island Rail Road right-of-way, and the southwesterly prolongation of a line midway between 70th Road and Continental Avenue-71st Avenue;
- changing from a C8-2 District to an R5D District property bounded by Austin Street, the southwesterly prolongation of a line midway between 70th Road and Continental Avenue-71st Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and Yellowstone Boulevard;
- changing from a C4-2 District to a C4-4A District property bounded by a line 240 feet northeasterly of Austin Street, 72nd Road, Austin Street, and a line midway between 70th Road and Continental Avenue-71st Avenue;
- changing from a C8-2 District to a C4-4A District property bounded by a line 240 feet northeasterly of Austin Street, a line midway between 70th Road and Continental Avenue-71st Avenue, Austin Street, and 70th Avenue;
- changing from an R7-1 District to a C4-5X District property bounded by Queens Boulevard, 72nd Road, a line 100 feet southwesterly of Queens Boulevard, and a line midway between 71st Road and 72nd Avenue;
- changing from a C4-2 District to a C4-5X District property bounded by Queens Boulevard, a line midway between 71st Road and 72nd Avenue, a line 100 feet southwesterly of Queens Boulevard, 72nd Road, a line 240 feet northeasterly of Austin Street, a line midway between 70th Road and Continental Avenue-71st Avenue, a southwesterly service road of Queens Boulevard and its northeasterly centerline prolongation, and 70th Road.
- changing from a C8-2 District to a C4-5X District property bounded by Yellowstone Boulevard, a southwesterly service road of Queens Boulevard and its northeasterly centerline prolongation, a line midway between 70th Road and Continental Avenue-71st Avenue, a line 240 feet northeasterly of Austin Street, 70th Avenue, and Austin Street;
- establishing within a proposed R5D District a C2-3 District bounded by Austin Street, Ascan Avenue, the northeasterly boundary line of the Long Island Rail Road right-of-way, and Yellowstone Boulevard; and

- establishing a Special Forest Hills District ("FH") bounded by Yellowstone Boulevard, a southwesterly service road of Queens Boulevard, 70th Road, Queens Boulevard, 72nd Road, Austin Street, Ascan Avenue; and the northeasterly boundary line of the Long Island Rail Road right-of-way.

as shown on a diagram (for illustrative purposes only), dated September 22, 2008 and which includes CEQR Designation E-222.

SPECIAL FOREST HILLS DISTRICT

QUEENS CB - 6 N 090103 ZRQ
Application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, creating the Special Forest Hills District in Article VIII, Chapter 6, and amending related sections of the Zoning Resolution,

Matter in underline is new, to be added
Matter in ~~strikeout~~ is old, to be deleted;
Matter within # # is defined in 12-10 or
* * * indicates where unchanged text appears in the Zoning Resolution

ARTICLE I GENERAL PROVISIONS

* * *

11-12 Establishment of Districts

* * *

Establishment of the Special Forest Hills District

In order to carry out the special purposes of this Resolution as set forth in Article VIII, Chapter 6, the Special Forest Hills District is hereby established.

Establishment of the Special Garment Center District

* * *

12-10 DEFINITIONS

* * *

Special Forest Hills District

The "Special Forest Hills District" is a Special Purpose District designated by the letters "FH" in which special regulations set forth in Article VIII, Chapter 6, apply. The #Special Forest Hills District# appears on the #zoning maps# superimposed on other districts and its regulations supersede, supplement and modify those of the districts upon which it is superimposed.

Special Garment Center District

* * *

Chapter 3 Sidewalk Cafe Regulations

* * *

14-44 Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

* * *

Queens	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
Forest Hills District*	No	Yes

Downtown Jamaica District No Yes

*#Sidewalk cafes# are not allowed on Austin Street

* * *

Article VIII, Chapter 6, (86-00) is new text; it is not underlined

* * *

ARTICLE VIII SPECIAL PURPOSE DISTRICTS

* * *

Chapter 6 Special Forest Hills District

86-00 GENERAL PURPOSES

The “Special Forest Hills District” established in this Resolution is designed to promote and protect the public health, safety, general welfare and amenity of Forest Hills. The general goals include, among others, the following specific purposes:

- to ensure that the form of new buildings is compatible with and relates to the built character of the Forest Hills neighborhood;
- to preserve, protect and promote the special character of Austin Street as a regional shopping destination;
- to create a graduated transition from the lower-scale character of Austin Street to the higher-scale character of Queens Boulevard;
- to support a broad and vibrant mix of commercial and residential uses throughout the Special District
- to enhance the pedestrian setting of Austin Street through appropriate ground floor uses and structural requirements;
- to promote the most desirable use of land and thus conserve and enhance the value of land and buildings, and thereby protect the City’s revenue.

86-01 Definitions

Special Forest Hills District

The “Special Forest Hills District” is a Special Purpose District designated by the letters “FH” in which special regulations set forth in Article VIII, Chapter 6, apply. The #Special Forest Hills District# appears on the #zoning maps# superimposed on other districts and its regulations supersede, supplement and modify those of the districts upon which it is superimposed.

86-02 General Provisions

In harmony with the general purposes of this Resolution and in accordance with the provisions of the #Special Forest Hills District#, the regulations of this Chapter shall apply to all #developments#, #enlargements#, alterations and changes of #use# within the Special District. Unless modified by the particular provisions of the Special District, the regulations of the underlying zoning districts shall remain in effect. In the event of a conflict between the provisions of this Chapter and other regulations of this Resolution, the provisions of this Chapter shall control.

Any special permit granted by the Board of Standards and Appeals before [Effective Date of this amendment], may be started or continued, in accordance with the terms thereof, or as such terms may be subsequently modified, pursuant to the regulations in effect at the time such special permit was granted, subject to the provisions of Sections 11-42 (Lapse of Authorization or Special Permit Granted by the City Planning Commission Pursuant to the 1961 Zoning Resolution) and 11-43 (Renewal of Authorization or Special Permit).

86-03 District Plan and Maps

The regulations of this Chapter are designed to implement the District Plan for the #Special Forest Hills District#. The District Plan includes the map of the #Special Forest Hills District#, which is set forth in the Appendix to this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

86-04 Applicability of Article I

Within the #Special Forest Hills District#, Section 11-15 (Environmental Requirements) shall apply, except that prior to issuing a building permit for any #development#, or for an #enlargement#, #extension# or a change of #use#, on a lot that has an (E) designation for hazardous material contamination, noise or air quality, the Department of Buildings shall be furnished with a report from the Department of Environmental Protection (DEP) of the City of New York stating:

- in the case of an (E) designation for hazardous material contamination, that environmental requirements related to the (E) designation have been met for that lot; or

- in the case of an (E) designation for noise or air quality, that the plans and drawings for such #development# or #enlargement# will result in compliance with the environmental requirements related to the (E) designation

86-10 SPECIAL USE REGULATIONS

86-11 Ground Floor Uses Along Designated Streets

Along the portions of Austin Street and 71st Avenue specified on the map in the Appendix to this Chapter as Special Retail Continuity Streets, #uses# located on the ground floor level or within five feet of #curb level#, and within 30 feet of the #street wall#, shall be limited to #commercial# or #community facility uses# permitted by the underlying district and the provisions of Section 86-12 (Modification of Uses on Austin Street).

The #street# frontage of a #development# or #enlargement# shall be allocated exclusively to such #uses#, except for lobby space, entryways or entrances to subway stations and #accessory# parking spaces. In no event shall the length of #street# frontage occupied by lobby space exceed, in total, 40 feet or 25 percent of the building’s total #street# frontage, whichever is less.

86-12 Modification of Uses Along Austin Street

The #use# regulations in the #Special Forest Hills District# shall be modified to permit Use Groups 10A, 10C, 12A, 12B, 12D and 12E within C2 Districts fronting on Austin Street.

The provisions of Section 32-423 (Limitation on ground floor location) shall not apply to #uses# located along Austin Street.

86-13 Location of Uses in Mixed Buildings

The provisions of Section 32-422 (Location of floors occupied by non-residential uses) are modified to permit #residential uses# on the same #story# as a non-#residential use# provided no access exists between such #uses# at any level containing #residences# and provided any non-#residential uses# are not located directly over any #residential uses#.

Such non-#residential uses#, however, may be located over a #residential use# by authorization of the City Planning Commission upon a finding that there is sufficient separation of #residential uses# from non-#residential uses# within the #building#.

86-14 Transparency Requirements

The ground floor #street wall# bounding any #commercial# or #community facility use#, other than a #school#, shall be glazed with transparent materials which may include show windows, glazed transoms or glazed portions of doors. For such #community facility uses#, the glazed area shall occupy at least 50 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area.

For #commercial uses#, such glazed area shall occupy at least 70 percent of the area of each such ground floor #street wall# measured to a height of 10 feet above the level of the adjoining sidewalk or public access area. Not less than 50 percent of such area shall be glazed with transparent materials and up to 20 percent of such area may be glazed with translucent materials.

86-15 Security Gates

For all #commercial# or #community facility uses# located on the ground floor of a #development# or #enlargement# within the #Special Forest Hills District#, any security gates installed after (date of enactment) that are swung, drawn or lowered to secure commercial or community facility premises shall, when closed, permit visibility of at least 75 percent of the area covered by such gate when viewed from the #street# or any publicly accessible area, except that this provision shall not apply to entrances or exits to parking garages.

86-20 SPECIAL BULK REGULATIONS

The applicable bulk regulations of the underlying districts shall apply within the #Special Forest Hills District#, except as modified by this Section, inclusive.

86-21 Special Floor Area Regulations in C4-5X Districts

In C4-5X Districts within the #Special District#, the underlying #floor area ratio# for #commercial uses# shall not apply. In lieu thereof, the provisions of Section 33-122 (Commercial buildings in all other Commercial Districts) shall be modified to permit a maximum #floor area ratio# of 5.0.

86-22 Waiver for Rear Yards

No rear yards shall be required for any #commercial# or #community facility use# permitted within a C2-3 District in the #Special Forest Hills District#.

86-23 Height and setback regulations

#Developments# and #enlargements# within the Special District shall comply with the height and setback regulations of Section 35-24 (Special Street Wall Location and Height and Setback Regulations in Certain Districts), except as modified by this Section.

- In C4-4A Districts

For #developments# or #enlargements# within the C4-4A District, the maximum base height of the #street wall# shall be 60 feet.

The maximum height of a #building# within the C4-4A District shall be 70 feet.

- In C4-5X Districts

For #developments# or #enlargements# within the C4-5X District west of 70th Road, the minimum base height of the #street wall# shall be 40 feet and the maximum base height of the #street wall# shall be 60 feet.

The maximum height of a #building# within the C4-5X District shall be 150 feet, except that the maximum height for #buildings# or portions of #buildings# on #zoning lots# located wholly or partly within 60 feet of the northerly side of Austin Street between Yellowstone Boulevard and 70th Avenue, shall be 80 feet.

All heights shall be measured from the #base plane#.

86-30 SPECIAL PERMIT TO MODIFY USE OR BULK REGULATIONS

For any #development#, #enlargement#, alteration or change of #use# on a #zoning lot# within the #Special Forest Hills District#, the City Planning Commission may permit modification of the #use# or #bulk# regulations, other than #floor area ratio# provisions, provided the Commission shall find that such:

- modification will aid in achieving the general purposes and intent of the Special District;
- #use# modification will encourage a lively pedestrian environment along Austin Street;
- modification is the only practicable way to achieve the programmatic requirements of the #development#;
- modification will enhance the distribution of #bulk# on the #zoning lot#;
- modification of #bulk# will permit adequate access of light and air to surrounding #streets# and properties; and
- #development# or #enlargement# will relate harmoniously to the character of the surrounding area.

The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.

86-40 SPECIAL OFF-STREET PARKING AND LOADING REGULATIONS

The applicable parking and loading regulations of the underlying districts shall apply within the #Special Forest Hills District#, except as modified by this Section, inclusive.

86-41 Parking Regulations for Commercial Uses

For all #commercial uses# located within the #Special Forest Hills District# in parking requirement category (PRC) A, B, B1 or C, the requirements of Section 36-21 (General Provisions) pertaining to the number of #accessory# off-street parking spaces required for each type of #use# shall be modified to provide one parking space per 400 square feet of #floor area# for all such #uses#.

In the Special District, hotels (PRC-H) shall be required to provide one parking space per 12 guest rooms or suites, or one parking space per 12 persons rated capacity, whichever is greater. Places of assembly (PRC-D) shall be required to provide one parking space per 12 persons rated capacity.

86-42 Location of Off-Site Accessory Parking Spaces for Residences

The applicable regulations for the location of permitted or required off-site #accessory# parking spaces for #residential uses# in Sections 36-42 (Off-Site Spaces for Residences) and 36-421 (Maximum distance from zoning lot) shall not apply in the #Special Forest Hills District#. In lieu thereof, such off-site parking spaces, which are #accessory# to a #residential use#, may also be located on any #zoning lot# within the Special District other than the #zoning lot# to which they are #accessory#.

86-43 Modification of Parking Requirement Waivers

The waiver provisions of Article III, Chapter 6 (Accessory Off-Street Parking and Loading Regulations), inclusive, shall be modified within the #Special Forest Hills District#, as follows:

- For any new #residential development# or #enlargement# in the Special District, the waiver modification provisions set forth in Section 36-362

* * *
12-10
DEFINITIONS

* * *
Waterfront area

The "waterfront area" is the geographical area comprising all #blocks# between the pierhead line and a line 800 feet landward from the #shoreline#. Where such line intersects a #block#, the entire #block# shall be included and the #waterfront area# boundary shall coincide with the centerline of the landward boundary #street# or other #block# boundary. Notwithstanding the above, any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not abut a waterfront public park shall not be included in the #waterfront area#.

For the purposes of this definition, only #blocks# along waterways that have a minimum width of 100 feet between opposite #shorelines#, with no portion downstream less than 100 feet in width, shall be included within the #waterfront area#. However, #blocks# bounding the Gowanus Canal as shown on the City Map, north of Hamilton Avenue, Dutch Kills, and the portion of the Bronx River located south of the prolongation of East 172th Street shall be included within the #waterfront area#.

* * *
Article IV
Chapter 2
Special Regulations Applying in the Waterfront Area

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Appendix A Waterfront Plant List

Chapter 2
Special Regulations Applying in the Waterfront Area

* * *
62-10
GENERAL PROVISIONS

62-11
Definitions
Definitions specially applicable to this Chapter are set forth in this Section. The definitions of other defined terms are set forth in Section 12-10 (DEFINITIONS).

* * *
Pier

A "pier" is a structure at the water's edge, not otherwise defined as a #platform#, that is:

- (a) a pile-supported overwater structure, or a portion thereof, that projects from a #shoreline#, bulkhead or #platform#; or
(b) a solid-core structure, or a portion thereof, constructed for the docking of water-borne vessels, that projects from the land or from a #platform#.

Projections from #platforms# shall be considered #piers# if their length, measured from the portion of the #platform# from which they project, exceeds 50 percent of their width at such portion. Any further extensions from such projections shall be considered #piers# regardless of their configuration (see illustration).

Pier, existing

An "existing pier" is a #pier# of which at least 75 percent of its surface is visible in the aerial photographs of New York City flown by Lockwood, Kessler and Bartlett in April 1988.

Pier, new

A "new pier" is any #pier# other than an #existing pier#.

Platform

A "platform" is a pile-supported or solid-core structure at the water's edge, or a portion thereof, that:

- (a) is permanently connected to the land; and
(b) has a seaward dimension that does not exceed 50 percent of its dimension along the land to which it is connected (see illustration).

Platform, existing

An "existing platform" is a #platform# of which at least 75 percent of its surface is visible in the aerial photographs of New York City flown by Lockwood, Kessler and Bartlett in April 1988.

Platform, new

A "new platform" is any #platform# other than an #existing platform#.

* * *
Supplemental public access area

A "supplemental public access area" is a ~~waterview plaza, waterview park, waterview sitting area or residual public access~~ area provided on a #waterfront zoning lot#, in addition to other required public access areas, in order to fulfill the waterfront public access requirements.

Upland connection

An "upland connection" is a pedestrian way which provides a public access route from a #shore public walkway# or a #supplemental public access area# to a public sidewalk within an open and accessible public #street#, #public park# or other accessible public place.

* * *
Water coverage

"Water coverage" is the portion of a #zoning lot# seaward of the #shoreline# that, when viewed directly from above, would be covered by a #pier#, #platform# or #floating structure#, including portions of #buildings or other structures# projecting over the water from such structures. #Water coverage# shall not include docking or navigational appurtenances which may project from the aforementioned structures.

For the purpose of applying #water coverage# to any provision of this Resolution relating to #lot area#, a #pier# or #platform# shall be structurally sound and physically accessible directly from the shore, with a surface capable of lawful occupancy. However, in no event shall the #water coverage# of a #building or other structure# projecting over the water from a #pier# or #platform# be included in #lot area#.

Waterfront block, ~~waterfront public park~~ or waterfront zoning lot
A "waterfront block," ~~"waterfront public park"~~ or "waterfront zoning lot" is a #block#, ~~#public park#~~ or #zoning lot# in the #waterfront area# having a boundary at grade coincident with or seaward of the #shoreline#. For the purposes of this Chapter:

- (a) a #block# within the #waterfront area# shall include the land within a #street# that is not improved or open to the public, and such #street# shall not form the boundary of a #block#;
(b) a #block# within the #waterfront area# that abuts a ~~waterfront~~ public park# along the waterfront shall be deemed to be part of a #waterfront block#; and
(c) a #zoning lot# shall include the land within any #street# that is not improved or open to the public and which is in the same ownership as that of any contiguous land.

However, any #block# or #zoning lot# in the #waterfront area# having a boundary within or coincident with the boundaries of the Gowanus Canal as shown on the City Map shall be a #waterfront block# or #waterfront zoning lot#, respectively.

Any #zoning lot#, the boundaries of which were established prior to November 1, 1993, and which is not closer than 1,200 feet from the #shoreline# at any point and which does not abut a ~~waterfront~~ public park# along the waterfront, shall be deemed outside of the #waterfront block#.

Waterfront Public Access Area

A "waterfront public access area" is the portion of a #zoning lot# required to be improved for public access. It may include any of the following: #shore public walkway#, #upland connection#, #supplemental public access area#, or public access area on a #pier# or #floating structure#.

* * *
62-12
Applicability to Developments in the Waterfront Area

Within the #waterfront area#, all #developments# on #zoning lots# within #waterfront blocks# shall be subject to all provisions of this Chapter, unless stated otherwise. #Developments# on other #zoning lots# within the #waterfront area# shall be subject to the regulations of this Chapter only when part of a large-scale development, any portion of which is within a #waterfront block#, or when on #zoning lots# located in an area designated as part of a Waterfront Access Plan in accordance with Section 62-80 (WATERFRONT ACCESS PLANS). In addition, all #zoning lots# within the #waterfront area# shall be subject to the provisions of Section 62-71 (City Planning Certifications), inclusive. The provisions of this Chapter shall not be deemed to supersede or modify the regulations of any State or Federal agency having jurisdiction on affected properties.

Any #development# approved by special permit or authorization of the City Planning Commission or any #zoning lot# subject to a restrictive declaration in conjunction with a land use action by the City Planning Commission and City Council, or former Board of Estimate, as applicable, prior to October 25, 1993, may be started or continued pursuant to such special permit, authorization or the terms of such restrictive declaration.

Notwithstanding the provisions of this Chapter except as set forth in paragraphs (a) through (f) of this Section, the Commission may authorize modifications of such special permit or authorization, or the terms of a restrictive declaration may be modified by the City Planning Commission and, if applicable, the City Council, provided such modifications do not:

- (a) increase the height or #lot coverage# of any #building# in a #waterfront block# beyond the maximum set forth in Section 62-30 (SPECIAL BULK REGULATIONS);
(b) extend the location of the exterior walls of any #building# within a #waterfront block# above the maximum base height for the district as set forth in Section 62-34 (Height and Setback Regulations on Waterfront Blocks);
(c) increase the total #floor area# on any #zoning lot# within a #waterfront block# beyond the amount approved prior to October 25, 1993;
(d) result in the obstruction of a required #visual corridor# or increase any existing obstruction of such #visual corridor#;
(e) increase the size of a #pier# or #platform# or the size of any #building or other structure# on a #pier# or #platform# approved prior to October 25, 1993; or
(f) involve a change that would create a requirement for public access or #visual corridors# without providing such public access or #visual corridors# in accordance with the provisions of Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS AND VISUAL CORRIDORS).

#Developments# for which an application for certification pursuant to this Chapter was filed prior to (date of adoption) may be continued pursuant to the regulations of this Chapter in effect at the time of such filing. Design changes for any previously certified application may be made only upon certification by the Chairperson of the City Planning Commission that such changes would result in greater accordance with the standards set forth in this Chapter.

#Developments# for which an application for authorization or special permit pursuant to this Chapter was filed prior to (date of referral) may be continued pursuant to the regulations of this Chapter in effect at the time of such filing.

#Developments# for which an application for authorization or special permit other than authorizations or special permits pursuant to this Chapter was filed prior to (date of referral) may be continued pursuant to the terms of such authorization or special permit, and, to the extent not modified under the terms of such authorization or special permit, in accordance with the regulations of this Resolution in effect at the time such authorization or special permit was granted.

In addition to the provisions of Section 11-30 (BUILDING PERMITS ISSUED BEFORE EFFECTIVE DATE OF AMENDMENT), construction involving the alteration of existing #buildings# authorized pursuant to a building permit issued by the Departments of Buildings or Business Services for any #development# for which an application, with complete plans and specifications for the entire construction and not merely a part thereof, was filed and pending with the Departments of Buildings or Business Services as of May 12, 1993, may be continued after October 25, 1993, provided that an application pursuant to Section 62-70 (SPECIAL REVIEW PROVISIONS) is filed with the Department of City Planning within 30 days from October 25, 1993. Construction thereafter may continue for a period of one year after October 25, 1993, during which period either the Chairperson of the City Planning Commission certifies pursuant to Section 62-711 (Waterfront public access and visual corridors) that there is compliance with the public access and #visual corridor# requirements of this Chapter or the City Planning Commission acts pursuant to Section 62-72 (Authorizations by the City Planning Commission) or 62-73 (Special Permits by the City Planning Commission) to approve a modification. If the Commission does not approve a modification, then the #development# shall comply with the requirements of Sections 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AND VISUAL CORRIDORS) and 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA).

* * *
62-132
Applicability of Chapters 4, 8 & 9 of Article VII

* * *
The following special permits by the City Planning Commission shall be applicable on #waterfront blocks# only as modified in the following Sections:

* * *
Section 74-922 (Certain large retail establishments) shall be applicable except that, on #existing #piers#, the provisions of Section 62-241 (Uses on existing piers and platforms) shall also be applicable.

* * *
The large-scale #development# provisions of Section 74-74 and Article VII, Chapters 8 and 9, shall be applicable, except that:

* * *
(c) Any height and setback modifications within a #waterfront block# shall be subject to an additional finding that such modifications would result in a site plan with physical and visual and, where required, physical public access to the waterfront in a way that is superior to that which would be possible by strict adherence to the regulations of Section 62-341 (Developments on land and platforms).

* * *
62-14
Requirements for Recordation
(move to Section 62-634)

62-15
62-14
Integration of Waterfront Access Plans

* * *
62-16
Requirements for Applications
(move to 62-70)

* * *
62-20
SPECIAL USE REGULATIONS

* * *
62-212
WE uses (Waterfront-Enhancing)

- * * *
From Use Group 4:
Community centers
Houses of worship
*Ice skating rinks, outdoor
*Non-commercial clubs, with restrictions
**#Public parks# or #playgrounds# or private parks
Recreation centers, non-commercial
*Philanthropic or non-profit institutions without sleeping accommodations, excluding ambulatory diagnostic or treatment health care facilities listed in Use Group 4
Golf courses
*Tennis courts, outdoor

* * *
62-24
Uses on Piers and Platforms

#Piers# and #platforms# shall be classified as either existing or new for the purposes of the #waterfront area# regulations. A #pier# or #platform# shall be classified as existing only if at least 75 percent of the surface of such pile supported or solid-core structure is visible in the aerial photographs of New York City flown by Lockwood, Kessler and Bartlett in April 1988.

#Uses# on #existing #piers# or #existing platforms# shall be subject to the provisions of Section 62-241. #Uses# on #new #piers# or #new platforms# shall be subject to the provisions of Section 62-242.

62-241
Uses on existing piers and platforms

The #use# of an #existing #platform# may be continued or such #use# may be changed, #enlarged# or #extended# in accordance with the #use# regulations of the applicable district.

The #use# of an #existing #pier# may be continued or such #use# may be changed, #enlarged# or #extended# in accordance with the #use# regulations of the applicable district provided that any #use# within a #building or other structure# on the #pier# meets one of the following requirements:

* * *
Any #use# on an #existing #pier# not permitted by the foregoing provisions of this Section shall only be allowed by special permit of the City Planning Commission pursuant to Section 62-734 (Developments on piers or platforms).

62-242
Uses on new piers and platforms

#New #piers# and #new platforms# shall be limited to WD #uses# or to the following WE #uses#: #public parks# or playgrounds or publicly accessible private parks. Conversions from these #uses# to any other WE #use# are permitted only by special permit pursuant to Section 62-734 (Developments on piers or platforms).

* * *
62-27
Special Use Regulations for Public Parks, Playgrounds or Private Parks

#Public parks#, #playgrounds# or private parks shall be a permitted #use# in M2 and M3 Districts within the #waterfront area# in Community Districts 1, 2 and 4 in the Borough of Manhattan.

* * *
62-20
Special Use Regulations for Waterfront Access Plan BK-1
All Use Group 6 and 9 #uses# delineated in Section 62-212 (Waterfront enhancing uses) not otherwise permitted, shall be a permitted #uses# on any parcel identified in Waterfront Access Plan BK-1, provided that:

- (a) such #use# is limited to not more than 10,000 square feet of #floor area# per establishment;
(b) the total amount of #floor area# used for such #uses# does not exceed two percent of the total amount of #floor area# permitted on such parcel; and
(c) such #uses# are located below the level of the first #story# ceiling of a #building# or are located on a #pier# or #platform#.

Additionally, docks for water taxis and docks or mooring facilities for non-commercial pleasure boats (Use Group 6) shall be a permitted #uses# on any parcel identified in Waterfront Access Plan BK-1.

62-29
Special Use Regulations for R6, R7, R8, R9, and R10 Districts

R6 R7 R8 R9 R10

In the districts indicated, any Use Group 6 or 9 #use# listed in Section 62-212 (Waterfront enhancing uses) shall be a permitted #use# anywhere on the #zoning lot#, provided such #zoning lot# is partially located within a #commercial district#, and provided that:

- (a) such #uses# have a public entrance fronting on a #waterfront public access area# or a #street# that provides public access to a #shore public walkway#;
(b) such #uses# are limited to not more than 10,000 square feet of #floor area# per establishment;
(c) the total amount of #floor area# used for such #uses# does not exceed two percent of the total amount of #floor area# permitted on such #zoning lot#; and
(d) such #uses# are located below the level of the first #story# ceiling of a #building#, on a #pier# or #platform#, or in a kiosk within a #waterfront public access area# in accordance with the provisions for kiosks set forth in paragraph (e) of Section 62-612 (Permitted obstructions).

62-291
Special Provisions in Waterfront Access Plan BK-1

Docks for water taxis and docks or mooring facilities for non-commercial pleasure boats (Use Group 6) shall be permitted #uses# on any parcel identified in Waterfront Access Plan BK-1.

* * *
62-31
Bulk Computations on Waterfront Zoning Lots

On #waterfront zoning lots#, the areas of the #upland lot# and the #seaward lot# shall be computed separately.

(a) Upland lot

All #bulk# regulations pertaining to the #upland lot# shall be satisfied entirely on such portion of the #zoning lot#. All #floor area, dwelling units# or #rooming units# generated by such portion shall be located within the #upland lot# and all #lot coverage# computations shall be based solely on the area of the #upland lot#.

(b) Seaward lot

Within the #seaward lot#, only the #water coverage# of #piers# or #platforms# that are structurally sound and physically accessible directly from the shore, with a surface capable of lawful occupancy shall be deemed to be #lot area# for the purpose of determining allowable #floor area, dwelling units# or #rooming units# on such structures or to satisfy any other #bulk# regulations, unless expressly stated otherwise. However, in no event shall the #water coverage# of a #building or other structure# projecting over the water from a #pier# or #platform# be included in #lot area#. #Lot coverage# provisions shall not apply to the #seaward lot#.

Except where all #piers#, #platforms# or #floating structures# are occupied #predominantly# by WD #uses#, the maximum #water coverage# permitted on a #zoning lot# shall not exceed 50 percent and the #water coverage# of an #existing #pier# or #platform# may not be increased by more than ten percent.

(b)(c) Special provisions for bulk distribution

#Floor area, dwelling units# or #rooming units# generated by #existing #piers# or #platforms# within the #seaward lot# may be located anywhere on the #zoning lot# provided the amount on the #upland lot# does not exceed the maximum for the district on such portion of the #zoning lot# by more than 20 percent. No #bulk# distribution from the #seaward lot# shall be permitted for #new #piers# or #platforms#, except within Waterfront Access Plan BK-1. Such #bulk# distribution shall be permitted for new portions of #piers# located within Waterfront Access Plan BK-1, provided that such new portion of the #pier# is accessed from a portion of an #existing #pier# containing not less than 25 percent of the #water coverage# of such #existing #pier# and that the #water coverage# of the new and existing portions of the #pier# does not exceed the #water coverage# of the #existing #pier#.

* * *
62-332
Rear yards and waterfront yards

* * *
No #building or other structure# shall be erected above the lowest level of a #waterfront yard#. Permitted obstructions in #waterfront yards# in all districts shall be limited to those allowed for public access areas- include improvements within #waterfront public access areas#, and permitted obstructions as listed in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), except that the following #rear yard# obstructions shall not be permitted:

- *Balconies, unenclosed;
*Greenhouses, non-commercial, #accessory#;
*Parking spaces, off-street, open or enclosed, #accessory#;
*Swimming pools, #accessory#;
*Terraces or porches, open;
Walls, exceeding four feet in height.

* Except when #accessory# to #single-# or #two-family residences# in #detached#, #semi-detached# or #zero lot line buildings#. However, only open #accessory# off-street parking spaces shall be permitted.

* * *
62-34
Height and Setback Regulations on Waterfront Blocks

* * *
62-341
Developments on land and platforms

All #developments# on portions of a #zoning lot# landward of the #shoreline# or on #platforms# shall be subject to the height and setback provisions of this Section. However, when the seaward view from all points along the shoreline of a #zoning lot# is entirely obstructed by existing elevated roads, bridges or similar structures which are less than 50 feet above mean high water and within 200 feet of the #shoreline#, #developments# shall be exempt from the requirements of this Section. Height and setback regulations for #developments# on #piers# and #floating structures# are set forth in Sections 62-342 and 62-343.

(a) For the purposes of applying the height and setback regulations of this Section, the following provisions shall apply:

(1) #Street lines#

For the purposes of paragraphs (c) and (d) of this Section and of paragraph (h) of Section 62-354, a #shore public walkway#, #visual corridor#, #upland connection# or #supplemental public access area# shall be considered a #street# and its boundary shall be treated as a #street line#. Any #visual corridor# or #upland connection# that measures at least 75 feet in width, or any #shore public walkway# or #supplemental public access area#, shall be considered a #wide street#. Any other #visual corridor# or #upland connection# shall be considered a #narrow street#.

(2) #Initial setback distance#

For the purposes of paragraph (c) of this Section, an #initial setback distance# shall be a horizontal distance measured for a depth of 15 feet from a #narrow street line# and ten feet from a #wide street line#. However, an #initial setback distance# shall have a depth of 30 feet from the boundary of a #shore public walkway#. Wherever a #supplemental public access area# is provided as a widened #shore public walkway#, such widened area shall be included in the #initial setback distance#.

(3) Measurement of height

The height of all #buildings or other structures# on #waterfront blocks# shall be measured from the #base plane#. For #buildings# with pitched roofs, maximum building height shall be measured to the midpoint of such pitched roof, except for #buildings# subject to Section 23-631 (Height and setback in R1, R2, R3, R4 or R5 Districts).

(4) Permitted obstructions

The obstructions permitted pursuant to Sections 23-62, 24-51, 33-42, or 43-42 shall apply. In addition, the following obstructions shall be permitted:

(i) within an #initial setback distance#, a dormer may exceed a maximum base height specified in Table A of this Section or penetrate a required setback area above a maximum base height specified in Table C of this Section provided that on any #street# frontage the aggregate width of all dormers at the maximum base height does not exceed 60 percent of the length of the #street wall# of the highest #story# entirely below the maximum base height. At any level above the maximum base height, the length of a #street wall# of a dormer shall be decreased by one percent for every foot that such level of dormer exceeds the maximum base height. (See Illustration of Dormer)

(ii) ~~A penthouse portion of a #building or other structure# shall be permitted to exceed a maximum building height specified in Table A of this Section only if the gross area of any #story# within such portion located either partially or wholly above such height does not exceed 80 percent of the gross area of the #story# directly below. No such portion of a #building or other structure# shall exceed the maximum building height in Table A by more than 40 feet.~~

A penthouse portion of a #building# shall be permitted to exceed the applicable maximum building height specified in Table A of this Section by not more than 40 feet only if the gross area of any #story# within such portion has a #lot coverage# of at least 50 percent and not more than 85 percent of the highest #story# located entirely below the maximum building height. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the penthouse portion, where at least one setback on each face has a depth of at least four feet and a width that, individually or in the aggregate, is equal to at least ten percent of the width of such respective face. For the purposes of this paragraph, the penthouse portion shall have four faces, with each face being the side of the rectangle within which the outermost walls of the highest #story# located entirely below the maximum building height have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each penthouse portion face. Required setback areas may overlap

* * *
(c) Medium and High Density Non-Contextual Districts

R6 R7 R8 R9 R10

C1-6 C1-7 C1-8 C1-9 C2-6 C2-7 C2-8 C4-2 C4-3 C4-4 C4-5 C4-6 C4-7 C5 C6 C7 C8-2 C8-3 C8-4 M1-2 M1-3 M1-4 M1-5 M1-6 M2 M3

Except for medium and high density contextual

districts listed in paragraph (d) of this Section, in the districts indicated, and in C1 and C2 Districts mapped within such #Residence Districts#, the height and setback regulations of Sections 23-60, 24-50, 33-40 and 43-40 shall not apply. In lieu thereof, the height and setback regulations set forth in this Section shall apply.

* * *
(5) ~~Additional setback provisions for high #buildings#~~

~~A setback is required for all #buildings# that exceed a height of 150 feet. Such setback may be provided in any manner, provided any #story# of a #building# located entirely above a height of 150 feet does not exceed 85 percent of the gross area of the highest #story# of the same #building# located entirely below a height of 150 feet. Such setback areas may be penetrated by dormers provided that the setback is at least six feet in depth and extends across the entire face of the #building#. On any building face, the aggregate length of all dormers at a height of 150 feet shall not exceed 60 percent of the length of the building face at such level. At any higher level, the length of a dormer shall be decreased by one percent for every foot that such level of dormer exceeds 150 feet.~~

(65) Maximum length of walls facing #shoreline#

* * *
(76) Ground floor streetscape provisions

At least 50 percent of the frontage length of any #street wall# facing and within 50 feet of a #shore public walkway#, #upland connection#, #supplemental public access area#, or public #street# shall be occupied by #floor area# at the ground floor level. This provision shall not apply to any such #street wall# less than 50 feet in length. Parking garages that occupy the ground floor frontage along any #street# or private drive which is also an #upland connection# shall be screened in accordance with the planting requirements of Section ~~62-675-62-625~~.

* * *
62-35
Special Bulk Regulations for Certain Areas Within Community District 1, Brooklyn

* * *
62-354
Special height and setback regulations

Within Waterfront Access Plan BK-1, the provisions of Section 62-341 (Developments on land and platforms) are modified as follows:

* * *
(b) Paragraph (c)(2) (Maximum building height) shall not apply. In lieu thereof, the provisions of this paragraph, (b), shall apply:

(1) The maximum building height in an R6 District shall be 65 feet or six #stories#, whichever is less, within 100 feet of Commercial Street, West Street, Dupont Street, Franklin Street and Kent Avenue. Beyond 100 feet of such #streets# and any other portions of an R6 District, the maximum building height shall be 110 feet. In R8 Districts, the maximum building height shall be 190 feet, except that for #zoning lots developed# with multiple #buildings# or portions of #buildings# that exceed a height of 180 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 190 feet, to a maximum building height of 290 feet. Such maximum building heights of 110 feet, 190 feet and 290 feet may be exceeded by a penthouse portion of a #building#, provided any #story# of a #building# within such penthouse portion does not exceed 85 percent of the gross area of the highest #story# of the same #building# entirely below a height of 110 feet, 190 feet or 290 feet, as applicable, and the maximum height of such penthouse portion does not exceed 40 feet by not more than 40 feet only if the gross area of any #story# within such portion has a #lot coverage# of at least 50 percent and not more than 85 percent of the highest #story# located entirely below the applicable maximum building height. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the penthouse portion, where at least one setback on each face has a depth of at least four feet and a width that, individually or in the aggregate, is equal to at least ten percent of the width of such respective face. For the purposes of this paragraph, the penthouse portion shall have four faces, with each face being the side of the rectangle within which the outermost walls of the highest #story# located entirely below the maximum building height have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each penthouse portion face. Required setback areas may overlap.

(2) For #developments# that provide #lower income housing# pursuant to Section 62-352 (Inclusionary housing), the

increased #floor area# permitted for such #developments# may exceed the height limits of an R8 District set forth in paragraph (b) of this Section, provided that the maximum building height shall be 260 feet, except that for #zoning lots developed# with multiple #buildings# or portions of #buildings# that exceed a height of 200 feet, not more than half of such #buildings# or portions of #buildings# may exceed a height of 260 feet to a maximum building height of 360 feet. Such maximum building heights of 260 feet and 360 feet may be exceeded by a penthouse portion of a #building# provided any #story# of a #building# within such penthouse portion does not exceed 85 percent of the gross area of the highest #story# of the same #building# entirely below a height of 260 feet or 360 feet, as applicable, and the maximum height of such penthouse portion does not exceed 40 feet by not more than 40 feet only if the gross area of any #story# within such portion has a #lot coverage# of at least 50 percent and not more than 85 percent of the highest #story# located entirely below the applicable maximum building height. Such reduced #lot coverage# shall be achieved by one or more setbacks on each face of the penthouse portion, where at least one setback on each face has a depth of at least four feet and a width that, individually or in the aggregate, is equal to at least ten percent of the width of such respective face. For the purposes of this paragraph, the penthouse portion shall have four faces, with each face being the side of the rectangle within which the outermost walls of the highest #story# located entirely below the maximum building height have been inscribed. The required setbacks shall be measured from the outermost walls of the #building# facing each penthouse portion face. Required setback areas may overlap

(c) Paragraphs (c)(3) (#Floor area# distribution) ~~and (c)(5) (Additional setback provisions for high #buildings#)~~ shall not apply.

(d) Paragraph (c)(4) (Maximum #residential# tower size) shall not apply. In lieu thereof, each #residential story# of a #building# located entirely above a height of 85 feet shall not exceed a gross area of 8,100 square feet in an R6 District and 11,000 square feet in an R8 District. However, in R8 Districts, for #buildings# where at least 20 percent of the total #floor area# is comprised of #lower income housing# pursuant to Section 62-352, each #residential story# of such #building# located entirely above a height of 100 feet shall not exceed a gross area of 11,000 square feet. If such #residential story# of a #building# is located partially in an R6 District and partially in an R8 District, it shall not exceed a gross area of 11,000 square feet and any portion located in an R6 District shall not exceed a gross area of 8,100 square feet.

* * *
(i) ~~All #developments#, conversions, and #enlargements# or #extensions# which increase the existing #floor area# by more than 10 percent, shall provide along the entire #street# length of the #zoning lot#, one tree for every 25 feet of street frontage. Such trees shall be of at least three inch caliper at the time of planting and be placed at approximately equal intervals except where the Department of Parks and Recreation determines that such tree planting would be unfeasible. Such trees shall be planted in accordance with the standards of the Department of Parks and Recreation.~~

* * *
62-40
REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AND VISUAL CORRIDORS
(delete existing text)

62-41
Requirements for Waterfront Public Access
(delete existing text)

62-411
Requirements for shore public walkways
(moved to 62-42)
(moved from 62-40 and 62-60)

62-412
Requirements for public access on piers
(moved to 62-43)

62-413
Public access requirements for floating structures
(moved to 62-44)

62-414
Requirements for upland connections
(moved to 62-45)

62-415
Requirements for supplemental public access areas
(moved to 62-46)

62-416
Special regulations for zoning lots that include parks
(moved to 62-47)

62-40
REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS AND VISUAL CORRIDORS

All #developments# on #zoning lots# within #waterfront blocks# shall be subject to the provisions of this Section and the review provisions of Section 62-71 (City Planning Certifications). For the purpose of determining requirements for #waterfront public access areas# the #lot area# of #waterfront zoning lots# shall be deemed to be the area of the #upland lot# and #water coverage# of structurally sound #piers# and #platforms# within the #seaward lot#.

All #waterfront public access areas#, including those required pursuant to paragraph (b) of Section 62-41 (Applicability of waterfront public access area requirements), shall comply with the provisions of 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR WATERFRONT PUBLIC ACCESS AREAS), except as modified by:

- (a) authorization of the City Planning Commission pursuant to Section 62-722 (Modification of Waterfront Public Access and Visual Corridor Requirements); or
- (b) special permit of the City Planning Commission pursuant to Sections 62-733 (Uses on floating structures), 62-734 (Developments on piers and platforms), 74-711 (Landmark preservation in all districts) or 74-79 (Transfer of Development Rights from Landmark Sites); or
- (c) establishment of a Waterfront Access Plan pursuant to Section 62-80, or:

However, the design of portions of #waterfront public access areas# located within New York State designated wetlands or their adjacent regulated areas shall be in accordance with an approval from the New York State Department of Environmental Conservation.

In the event of a conflict between the provisions of this Section and a Waterfront Access Plan, the plan shall control.

62-41
Applicability of Waterfront Public Access Area Requirements

#Waterfront public access areas# shall be provided for all #developments# on #waterfront zoning lots# with a #lot area# of 10,000 square feet or greater and a #shoreline# length of 100 feet or greater, and for all #developments# on #floating structures# in accordance with the provisions of the following Sections:

- Section 62-42 Requirements for #Shore Public Walkways#
- Section 62-43 Requirements for Public Access on #Piers#
- Section 62-44 Requirements for Public Access on #Floating Structures#
- Section 62-45 Requirements for #Upland Connections#
- Section 62-46 Requirements for #Supplemental Public Access Areas#.

However, #developments# listed in paragraph (a) of this Section shall be exempted from #waterfront public access area# requirements, and #developments# listed in paragraph (b) of this Section shall provide a #waterfront public access area# only as referenced therein.

- (a) The following shall be exempted from #waterfront public access area# requirements:
 - airports, heliports, seaplane bases;
 - #developments# comprising #predominantly# WD #uses#, except as set forth in paragraph (b)(1) of this Section;
 - #developments# in C8 or #Manufacturing Districts# comprising #predominantly# uses# in Use Groups 16, 17 or 18, except as set forth in paragraph (b)(2) of this Section;
 - #developments# in R1 or R2 Districts;
 - #developments# comprising #predominantly# #single-# or #two-family residences# within #detached#, #semi-detached# or #zero lot line buildings# in any district;
 - #developments# comprising #predominantly# residential use# in R3, R4, R5, C3 or C4-1 Districts and in C1 or C2 Districts mapped within R1 through R5 Districts;
 - #enlargements# which in the aggregate involve an increase in #floor area# (or for open #uses#, #lot area#) of less than 50 percent of the amount existing on October 25, 1993, and not more than 20,000 square feet;
 - #extensions# which in the aggregate involve an increase in the amount of #floor area# occupied by such existing #uses# of less than 50 percent of the amount existing on October 25, 1993, and not more than 20,000 square feet;
 - changes of #use#, from exempt #uses#, as listed in this Section, to non-exempt #uses#, where the aggregate amount of #floor area# or #lot area# involved is less than 50 percent of the amount existing on October 25, 1993, and not more than 20,000 square feet;

(b) #Waterfront public access areas# required in conjunction with the following #developments# shall be subject to the requirements of Section 62-48 (Special regulations for water-dependent uses and other developments):

- (1) #developments# comprised #predominantly# of the following WD #uses#: docks for non-commercial pleasure boats, ferries, sightseeing, excursion or sport fishing vessels; #boatels#; or commercial beaches; or
- (2) #developments# on #piers# or #platforms# that involve existing #buildings# or other structures# that are either New York City-designated landmarks or have been calendared for consideration, or are listed or eligible to be listed in the National or New York State Registers of Historic Places; or
- (3) changes of #use# or #extensions# within #buildings# existing on October 25, 1993, which involve, in aggregate, an amount of #floor area# less than 30 percent of the maximum #floor area# permitted on the #zoning lot# for either #commercial# or #residential use#, whichever is greater.

62-42
Requirements for Visual Corridors *(moved to 62-49)*
Requirements for Shore Public Walkways *(moved from 62-411)*

- (a) All #developments# on #waterfront zoning lots# meeting the criteria set forth in Section 62-41 (Applicability of Waterfront Public Access Area Requirements), or on #floating structures# shall provide a #shore public walkway# which shall:
 - (1) have a seaward edge contiguous with the seaward edge of the #waterfront yard# as established in Section 62-332, with a minimum width measured from such edge as set forth in the following table, or for #floating structures# as set forth in Section 62-44, unless relocation or modification of width is permitted pursuant to this Section;
 - (2) be permitted to be reduced in width on shallow portions of the #zoning lot# or narrow portions of #platforms# using the same method as set forth for #waterfront yards# in Section 62-332, except that a reduction shall be permitted below a 150 foot dimension in lieu of the dimensions set forth in Section 62-332, paragraphs (a) and (b). The reduction factor, in all cases, shall be one foot for each two feet that the dimension is less than 150 feet, provided no #shore public walkway# is reduced to less than ten feet; and

MINIMUM SHORE PUBLIC WALKWAY WIDTH

#Developments# in the Following Districts	#Shore Public Walkway# Width
#Developments# for predominantly community facility# or #commercial use# in R3, R4, R5 Districts; C1 or C2 in R1 thru R5 Districts; and C3 Districts	30 ft.
In all other Districts; (except R1 and R2)	40 ft.

- (b) In the case of a natural #shoreline# within New York State-designated wetlands, the #shore public walkway# shall be permitted to be relocated using either of the following methods:
 - (1) further landward within the designated wetlands or its adjacent regulated area in accordance with an approval from the New York State Department of Environmental Conservation, in which case its width and design shall be determined by such agency; or
 - (2) immediately adjacent and contiguous to the landward boundary of the wetlands area and any State-regulated adjacent area at the same elevation, in which case its width shall be measured from the seaward edge as relocated.
- (c) #Shore public walkways# shall be accessible from a public sidewalk within an open public #street#, #public park# or other accessible public place in accordance with the provisions of Section 62-45 (Requirements for upland connections). #Shore public walkways# shall also connect with #shore public walkways# on adjoining #zoning lots#.
- (d) Whenever a #zoning lot# is divided by a boundary between districts, each portion of the #shore public walkway# shall be governed by the width requirement specified for the district in which it is located. However, the total area in square feet, of required #shore public walkway# may be distributed anywhere within the #waterfront yard#, provided that the #shore public walkway# is at no point narrower than the lesser of the two width requirements.

62-421
Location of visual corridors *(moved to 62-491)*

Design Requirements for shore public walkways and supplemental public access areas

The requirements of this Section shall apply to #shore public walkways#, and #supplemental public access areas# except as modified by Section 62-46.

- (a) Circulation and access
 - A #shore public walkway# shall provide a circulation path with a minimum clear width of 12 feet. Such path shall be located within 10 feet of the #shoreline# for at least 20 percent of its length. Secondary paths, when provided, shall be at least 6 feet wide. When two circulation paths are parallel to each other, they shall be connected by other paths or accessible lawn at intervals not to exceed 200 feet.
 - No circulation path shall be permitted within a screening buffer, except where required to provide access to a #building# fronting on the #waterfront public access area#.
- (b) Seating
 - One linear foot of seating shall be provided for every 75 SF of #shore public walkway# and #supplemental public access area#. Such seating shall comply with the standards of Section 62-622 (Seating).
- (c) Planting
 - (1) General planting
 - An area equal to at least 50 percent of the area of the #shore public walkway# and #supplemental public access area# shall be planted. Such planted area may be located anywhere within the #shore public walkway# or #supplemental public access area# and shall comply with the standards of Section 62-625 (Planting and trees).
 - (2) Screening buffer
 - (i) A screening buffer shall be provided within the #shore public walkway# or #supplemental public access area#, running along the entire upland boundary of such area where it abuts non-publicly accessible areas of the #zoning lot#, except as provided in paragraphs (c)(2)(iii) and (c)(2)(iv) of this Section.
 - (ii) The minimum width of the screening buffer shall be 10 feet. On shallow lots where the width of the #shore public walkway# is permitted to be reduced pursuant to Section 62-42, the screening buffer may be reduced in width proportionally but shall not be less than 4 feet.
 - (iii) No screening buffer shall be required adjoining a private drive or #street# or at entrances to buildings.
 - (iv) No screening buffer shall be required adjoining the building frontage of a #commercial use# where a minimum of 70 percent of the area of such portion of the facade within a height of 10 feet of the adjoining sidewalk or public access area is glazed with windows, transoms or glazed portions of doors. Not less than 50 percent of such facade area shall be glazed with transparent materials and up to 20 percent of such facade area may be glazed with translucent materials.
 - (3) Trees and additional planting
 - (i) A minimum of one canopy tree shall be provided for every 2,000 square feet of #shore public walkway# and #supplemental public access area#. In no event may a #shore public walkway# have an amount equivalent to less than two canopy trees for every 100 feet of #shoreline#.
 - (ii) In addition to the trees required pursuant to paragraph (3)(i) of this Section, for every 1,250 square feet of #shore public walkway# or #supplemental public access area#, one of the following must be provided: a canopy tree, an ornamental tree or a multi-stemmed equivalent, 60 square feet of planting beds, or 110 square feet of accessible lawn.
- (d) Permitted reduction in minimum required planted area
 - The minimum planted area required by paragraph (c)(1) of this Section may be reduced by 10 square feet for every linear foot of:
 - (1) #shoreline# improved for boat tie-up or

with architectural features designed to facilitate direct, pedestrian access to the water such as steps or similar "get-downs", except that rip-rap used as stabilized shore shall not qualify for a planting reduction; or

- (2) WE #uses# with building frontage adjoining, and having a public entrance on the #shore public walkway# or #supplemental public access area# provided that the screening buffer for such #shore public walkway# or #supplemental public access area# is waived pursuant to paragraph (c)(2)(iii) or paragraph (c)(2)(iv) of this Section.

However, in no event shall the required planted area be less than 25 percent of the area of the #shore public walkway# and #supplemental public access area# combined.

- (e) Bicycle parking

Bicycle racks sufficient to provide at least four bicycle parking spaces shall be provided within a #waterfront public access area#.

Furthermore, when the combined area of the #shore public walkway# and #supplemental public access area# is greater than 8,000 square feet, two additional bicycle parking spaces shall be provided for every additional 2,000 square feet of #shore public walkway# or #supplemental public access area#.

Bicycle racks shall be adjacent to a circulation path and at least 20 feet from the #shoreline#. Each bicycle rack shall allow for the bicycle frame and one wheel to be locked to the rack. If bicycles can be locked to each side of the rack without conflict, each side may be counted toward a required space. Thirty inches of maneuverable space shall be provided between parallel bicycle racks and a 96 inch wide aisle shall be provided between bicycle rack areas.

- (f) Trash receptacles

One trash receptacle shall be provided for every 4,000 square feet of #shore public walkway# and #supplemental public access area#, located in visible and convenient locations. All trash receptacles shall comply with the standards of Section 62-627 (Trash receptacles).

- (g) Optional placement of amenities seaward of the #shore public walkway#

- (1) Seating

Up to 25 percent of the required seating may be located seaward of the #shore public walkway# and shall not be subject to the provisions of Section 62-22 if provided as:

- (i) A generally smooth and flat surface within a stabilized natural #shoreline#, in the form of rock, stone, wood or other solid material that measures at least 15 inches in width and depth and is between 12 and 30 inches high measured from the adjoining accessible surface; or
- (ii) Steps with a depth and height between 12 and 30 inches which facilitate access to the water.

- (2) Planting

Up to 15 percent of the required planted area may be located seaward of a #shore public walkway#. Such planted area shall be measured in plan view and not along the planted slope.

62-422 Modifications for certain #developments# in lower density districts

R3 R4 R5 C1 C2 C3

In the districts indicated, and in C1 or C2 Districts mapped within R1 through R5 Districts, for #developments# comprised of #predominantly commercial# or #community facility uses#, the provisions of paragraphs (a) and (c)(1) of Section 62-421 (Design requirements for #shore public walkways#) are modified as follows:

- (a) Circulation and access

The minimum width for the required clear circulation path shall be 10 feet.

- (b) General planting

An area equal to at least 40 percent of the area of the #shore public walkway# and #supplemental public access area# shall be planted. Such planted area may be located anywhere within such #shore public walkway# and #supplemental public access area# and shall comply with the requirements of Section 62-625 (Planting and trees).

* * *

62-492 Dimensions of visual corridors (moved to 62-492)

* * *

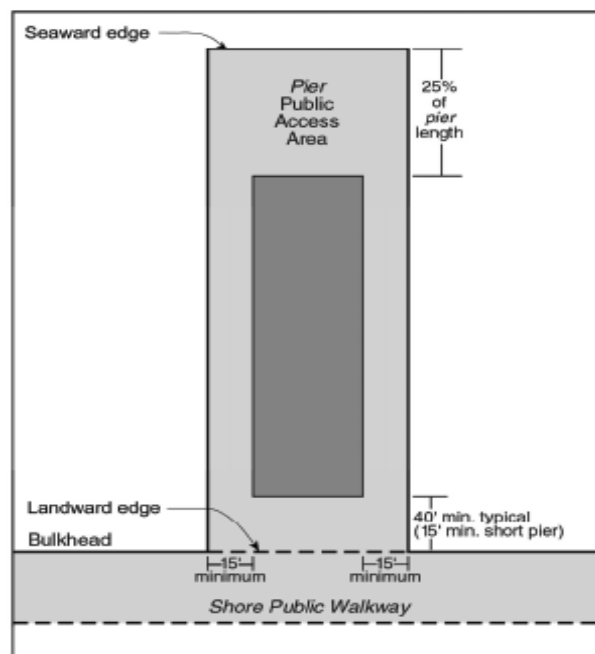
62-43 Requirements for Public Access on Piers (moved from 62-412)
All #developments# on #zoning lots# containing #piers# shall provide public access in accordance with the provisions of this Section.

#Waterfront public access areas# on #piers# shall consist of the following:

- (a) an area along the seaward edge of the #pier# having a depth measured from such edge equal to at least 25 percent of the total length of the #pier#. Building projections into such required public access area are permitted provided that the aggregate width of all projections at the level of any #story# does not exceed 50 percent of the aggregate width of the #building#. Such projections shall not reduce the depth of the required area by more than 20 percent and shall not be included in the computation of public access area provided on the #pier#. In no event shall the depth of the public access area be less than 15 feet;
- (b) an area along the landward portion of the #pier#, having a depth of at least 40 feet measured seaward from the bulkhead, stabilized or natural #shoreline#, or #platform# edge from which the #pier# projects. However, the depth of such area need not exceed 25 percent of the length of the #pier#. In no event shall the depth be reduced to less than 15 feet; and
- (c) an area along all other water edges of the #pier# having a depth of at least 15 feet measured from such edges. For portions of #piers# wider than 80 feet, the depth along edges of such portion shall be increased by three inches for each additional foot of #pier# width over 80 feet, but need not exceed a total of 60 feet for all other edges. Such areas along water edges which are directly opposite each other may be aggregated so that the entire area is along one edge. Alternatively, the required area may also be allocated to such opposite edges so that the total aggregate depth is maintained with a minimum 15 foot depth along any edge.

Notwithstanding the preceding requirements, when a #pier# is #developed predominantly# with a #public park# or playground or private park, the waterfront public access requirement on the #pier# pursuant to Section 62-41, and Section 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR WATERFRONT PUBLIC ACCESS AREAS) shall be deemed to be satisfied by such #use#.

#Pier# public access areas shall be directly accessible from a #waterfront public access area#, public sidewalk within an open public #street#, #public park# or other accessible public place. For those #pier# public access areas provided pursuant to the preceding paragraph, the minimum width of such connection shall be equal to at least 50 percent of the #pier# width where it projects from the bulkhead, stabilized or natural #shoreline#, or #platform# edge.



MINIMUM PUBLIC ACCESS REQUIREMENTS ON PIERS (delete existing graphic - insert new)

62-431 Design Requirements for Public Access on Piers (moved from 62-65)

Public access areas on #piers# shall be improved in accordance with the provisions of this Section.

- (a) Circulation and access

At least one circulation path having a minimum clear width of ten feet shall be provided throughout the public access area required on the #pier#.

- (b) Permitted obstructions

In addition to the permitted obstructions pursuant to Section 62-612, #pier# public access areas may

include one free-standing open or enclosed public pavilion, provided such structure does not exceed one #story#, is no taller than 30 feet, and has an area no larger than 1,600 square feet. At least 50 percent of the perimeter wall area on all sides, up to a height of 15 feet, shall consist of clear or glazed materials which may include show windows, glazed transoms, glazed portions of doors or latticework. Such structures shall be exempt from building spacing requirements on #piers# provided they maintain a spacing of at least 12 feet from other #buildings# and from any water edge of the #pier#, except that when a #pier# is 30 feet or less in width, a pavilion may abut one water edge.

- (c) Seating

At least one linear foot of seating is required for every 100 square feet of #pier# public access area.

62-44 Requirements for Public Access on Floating Structures (moved from 62-413)

All #developments# on #floating structures# permitted as-of-right pursuant to Section 62-25 shall provide #waterfront public access areas# in accordance with the provisions of this Section. #Developments# subject to a special permit pursuant to Section 62-733 shall provide public access in accordance with a plan established pursuant to such permit.

- (a) Public access in conjunction with a #development# on a #floating structure# shall consist of a 30 foot wide #shore public walkway# along the entire length of the #shoreline#, including the water edge perimeter of a #platform# projecting from any portion of the #shoreline# in accordance with the provisions of Section 62-42. In the event that there is additional #development# on the #zoning lot# requiring a 40 foot width, the greater width shall be provided.
- (b) When the primary entrance to a #floating structure# is located on a #pier#, and there is no other #development# on the #pier# that would require #pier# public access, a 15 foot wide public access area shall be provided in addition to the #shore public walkway#, along the full length of one of the longer water edges of the #pier#. Such public access area shall be directly connected to the #shore public walkway#.

62-441 Design requirements for public access on floating structures (moved from 62-66)

The following design requirements shall apply to #shore public walkways# provided in conjunction with as-of-right #development# on #floating structures# pursuant to Section 62-44.

- (a) Circulation and access

A circulation path shall be provided with a minimum clear width of ten feet. On shallow portions of #zoning lots# where the width of the #shore public walkway# may be reduced in accordance with Section 62-42, the minimum clear width of the path may be reduced to a minimum of six feet when the #shore public walkway# is less than 16 feet. The circulation path reduction shall be made to comply with the screening requirements of paragraph (c) of this Section.

- (b) Seating

At least one linear foot of seating is required for every 100 square feet of public access.

- (c) Screening

Any service area, such as that used for equipment storage or similar, shall be screened from the circulation path in accordance with the standards for screening in Section 62-625 (Planting and trees).

62-45 Requirements for Upland Connections (moved from 62-414)

All #waterfront public access areas# provided pursuant to Sections 62-42 (Requirements for Shore Public Walkways), 62-43 (Requirements for Public Access on Piers) or 62-44 (Requirements for Public Access on Floating Structures) shall be accessible from an open public #street#, #public park# or other public place at intervals along the #shore public walkway# not to exceed 600 feet by means of either a direct connection or, where no direct connection exists, an #upland connection# between the public access area and an adjoining public sidewalk within an open public #street#, #public park# or other public place.

Where there is an intervening #zoning lot# that would prevent compliance with the maximum interval, such interval may be increased to the minimum necessary to clear the intervening #zoning lot#. In the event there is no way to provide the #upland connection# without encroaching on an intervening #zoning lot#, the #upland connection# shall not be required.

62-451 Minimum dimensions of upland connections

#Upland connections# shall be provided as a single pedestrian walkway pursuant to paragraph (a) of this Section or as two pedestrian walkways pursuant to paragraph (b) of this Section.

- (a) #Upland connections# as single pedestrian walkway
- (1) The minimum width of an #upland connection# with a single pedestrian walkway (hereinafter referred to as "Type 1") shall be as set forth in Column A of the following Table. In addition, such widths shall be increased by 20 feet within 15 feet of a public #street#, #public park# or other public place, hereinafter referred to as an "Entry Area". Such widths may be reduced on #zoning lots# having a #lot width# less than 150 feet by an amount equal to one foot for each two feet that the #lot width# is less than 150 feet. However, in no event shall the width be less than the minimum width specified in Column B of the table.

TABLE
MINIMUM WIDTH REQUIREMENTS FOR
TYPE 1 UPLAND CONNECTIONS

Districts	Column A Minimum Width	Column B #Narrow Lot# Reduction Minimum Width
R3 R4 R5	20 ft.	12 ft.
C1, C2 mapped in R1 thru R5 Districts: C3 Districts	20 ft.	12 ft.
All other Districts (except R1 and R2)	30 ft.	16 ft.

- (2) Where an #upland connection# does not coincide with a #visual corridor#, a 20 foot wide open area shall be required in addition to the Entry Area, and shall extend along the entire remaining length of the #upland connection#, but need not be publicly accessible. Such open area may be located on either side of the #upland connection# or aggregated in any combination, so long as the total width of the open area at any point along the #upland connection# is 20 feet. Such increased widths may be modified in accordance with the #narrow lot# reduction rule in paragraph (1) above.
- (3) Where an #upland connection# traverses portions of a #zoning lot# located in districts in which different width requirements apply, the width of the #upland connection# shall be computed as the weighted average based on the length of the #upland connection# in each district.

(b) #Upland connections# as two pedestrian walkways

The minimum width of an #upland connection# provided in the form of two pedestrian walkways, one on each side of a private driveway (hereinafter referred to as "Type 2"), shall be 13 feet for each such walkway. However, where a private driveway terminates in a vehicular turn-around, the minimum width of the #upland connection# abutting such turn-around shall be ten feet. In addition, a "transition area" shall be provided between the upland boundary of the #shore public walkway# or #supplemental public access area#, whichever is applicable, and the edge of the roadbed closest to the #shoreline#. Such transition area shall have a width equal to the combined width of the Type 2 #upland connections# and road bed, and a depth of 40 feet measured from such roadbed, as shown in Illustrations 1 and 2, for roadbeds that turn and roadbeds that terminate in a turn-around, respectively.

62-452
Design requirements for upland connections

(a) Circulation and access

- (1) For Type 1 #upland connections# there shall be at least one circulation path linking an open public #street#, #public park# or other public place with a #shore public walkway#. Such path shall have a minimum clear width of twelve feet. Any secondary paths shall have a minimum clear width of six feet.
- (2) For Type 2 #upland connections#, each pedestrian walkway shall have a circulation path with a minimum clear width of eight feet linking an open public #street#, #public park# or other public place with a #shore public walkway#.
- (3) For Transition Areas, a circulation path with a width of at least twelve feet shall connect each circulation path of the Type 2 #upland connection# with a circulation path of a #shore public walkway#, #supplemental public access area# or Type 1 #upland connection#, whichever is applicable.

(b) Paving

- (1) For Type 1 #upland connections#, at least 40 percent but not more than 65 percent of the Entry Area shall be paved. In addition, at least 70 percent of the frontage along a public sidewalk shall be paved to a depth of at least five feet.
- (2) Where any #upland connection# is interrupted by a private driveway, the full width of the required #upland connection# shall traverse the roadbed without a drop in level, and paved with materials distinct from the roadbed. Such portion of the #upland connection# shall not count towards fulfilling a minimum required amount of #public access area#. In addition, for Type 2 #upland connections#, the area of the roadbed between both circulation paths, within which lines perpendicular to the #upland connection# traversing the roadbed can be drawn, shall be raised to be flush with the level of such adjoining #upland connections# (see Illustration 1)
- (3) The roadbed paving material of a private driveway leading to a vehicular turn-around may be extended into the turn-around provided the area of the turn-around paved with such material is not wider than the roadbed leading to the turn-around. The remaining portions of the turn-around shall be paved with distinct materials to facilitate pedestrian usage. In addition, the level of the area within the turnaround shall be raised to be flush with the level of adjoining circulation paths.

(c) Planting

- (1) For Type 1 #upland connections#, at least forty percent of the area of the #upland connection# shall be planted in accordance with the provisions set forth in Section 62-625. In addition, the following rules shall apply:
- (i) where such #upland connections# do not abut open parking lots or private driveways, six caliper inches of ornamental trees or their equivalent in multi-stemmed plants shall be required for every 100 linear feet of #upland connection#.
- (iii) where such #upland connections# abut an open parking lot of any size and for any #use#, screening shall be provided within the #upland connection# along the curb of such lot in accordance with Section 37-921 (Perimeter landscaping).
- (iv) where such #upland connections# abut a private driveway, a continuous tree pit shall be provided within the #upland connection# along the curb of the driveway. Such tree pit shall meet the minimum planting requirements set forth in Section 62-625, and in addition, planted with one tree for every 25 feet of private driveway frontage
- (vi) where such #upland connections# do not coincide with a #visual corridor#, at least 30 percent of the required open area along the length of the #upland connection# shall be planted, and the requirement of Section 62-649 (Permitted obstructions for #visual corridors#) shall apply within such open areas.
- (2) For Type 2 #upland connections#, a continuous tree pit shall be provided within the #upland connection# along the curb of the private driveway. Such tree pit shall meet the minimum planting requirements set forth in Section 62-625, and in addition, planted with one tree for every 25 feet of private driveway frontage. Portions of the continuous tree pit may be paved with permeable paving such as Belgian Block or similar unit pavers in order to accommodate any required amenity, such as benches or bike racks, or other permitted obstructions in accordance with the provisions of Section 62-612. However, no continuous tree pit shall be required where an #upland connection# abuts a portion of a roadbed that is required to be raised pursuant to paragraphs (b)(2) or (b)(3) of this Section.
- (3) For Transition Areas, at least forty percent of such area shall be planted. In addition, a minimum of two canopy trees

or their equivalent in caliper inches of ornamental trees or multi-stemmed plants are required.

(d) Seating

For all #upland connections#, at least 12 linear feet of seating shall be provided for every 100 linear feet of such connections, except that in Entry Areas and Transition Areas there shall be at least 24 linear feet of seating. At least fifty percent of all required seating shall have backs.

(e) Trash receptacles

One trash receptacle shall be provided within 15 feet of a public #street#, #public park# or other public place and one where the #upland connection# adjoins a #shore public walkway# or #supplemental public access area#.

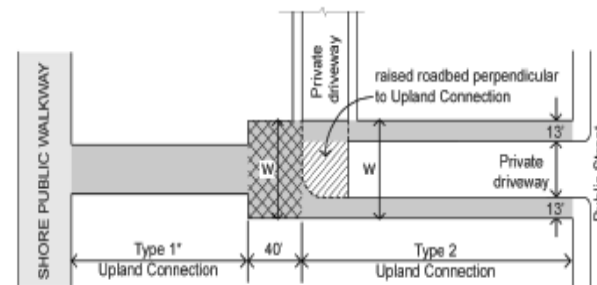


ILLUSTRATION 1: UPLAND CONNECTION WITH ROADBED TURN

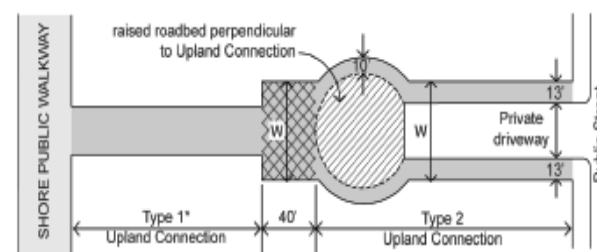


ILLUSTRATION 2: UPLAND CONNECTION WITH VEHICULAR TURN-AROUND

Legend:
 [Shaded Box] Upland Connection
 [Hatched Box] Transition Area
 [Dotted Box] Raised roadbed
 W Minimum width of transition area beyond roadbed

* Required where Transition Area does not abut Shore Public Walkway or Supplemental Public Access Area

62-46
Requirements for Supplemental Public Access Areas
(moved from 62-415)

If the aggregate area of the required #shore public walkways#, #upland connections#, public access areas on #piers#, and public access areas in conjunction with #floating structures# on the #zoning lot#, is less by 750 square feet or more than the amount of #waterfront public access area# required by the following table, then #supplemental public access areas# shall be provided in order to meet the total amount of waterfront public access required by the table. However, when a #zoning lot# is #developed predominantly# with a playground or publicly accessible private park, the requirements of this Section shall be deemed to be satisfied by such #use#.

Where #supplemental public access areas# are required within New York State-designated wetlands or adjacent State-regulated areas, the area requirements and the design standards for such #supplemental public access areas# may be reduced or modified by the New York State Department of Environmental Conservation.

#Supplemental public access areas# shall not be required where the total area of such designated wetlands and adjacent State-regulated areas on the #zoning lot# is equal to or greater than the total #supplemental public access area# requirement and the Department of Environmental Conservation determines that public access to such areas is not permitted.

WATERFRONT PUBLIC ACCESS AREA REQUIREMENTS

#Developments# in the Following Districts	#Zoning Lot# Threshold	Total #Waterfront Public Access Area# Requirement
In R3, R4, R5 Districts; C1 or C2 in R1 thru R5 Districts; C3, C4-1 Districts	#Lot area# of 65,340 sq. ft. and #shoreline# length of 600 ft.	15% of #lot area#
In R6, R7-1, R7-2, R7A, R7B, R7D and R8B Districts and in #Commercial Districts# governed by the #bulk# regulations of such #Residence Districts#	#Lot area# of 20,000 sq. ft. and #shoreline# length of 100 ft.	15% of #lot area#
In all other #Commercial# or #Manufacturing Districts# with a permitted commercial FAR of 4.0 or less		
In other R7, R8, R9 and R10 Districts and in #Commercial Districts# governed by the #bulk# regulations of such #Residence Districts#	#Lot area# of 20,000 sq. ft. and #shoreline# length of 100 ft.	20% of #lot area#

In all other #Commercial# or #Manufacturing Districts# with a permitted commercial FAR above 4.0

Whenever a #zoning lot# is divided by a boundary between districts in which different thresholds apply pursuant to the table, and if:

- (a) the #lot area# or length of #shoreline# in either district is less than the minimum threshold for which there is a total #waterfront public access area# requirement; and
- (b) the total #lot area# or length of #shoreline# for the entire #zoning lot# is greater than the lowest threshold in either district for which there is a total #waterfront public access area# requirement; then

the #waterfront public access area# requirement shall be met for the entire #zoning lot#. Each portion of the #zoning lot# shall generate a total #waterfront public access area# requirement based on the percentage required in the table for the district in which it is located

62-461 Location and area requirements for supplemental public access areas

#Supplemental public access areas# shall adjoin a #shore public walkway# in accordance with the requirements of this Section 62-461.

- (a) When located at the intersection of a #shore public walkway# and an #upland connection# or #street#, the minimum area of the #supplemental public access area# shall be 750 square feet, have a minimum width to depth ratio of 1:1 and a maximum width to depth ratio of 3:1. The longest side shall adjoin the #shore public walkway#.
- (b) When located adjoining a #shore public walkway# without adjoining an #upland connection# or #street#, the minimum area of a #supplemental public access area# shall be 1,875 square feet and have a minimum width to depth ratio of 3:1. The minimum depth perpendicular to the #shore public walkway# shall be 25 feet.
- (c) A #supplemental public access area# may be provided as a widened #shore public walkway# if a minimum width of 10 feet running continuously and parallel to the #shore public walkway# is achieved between any two of the following: an #upland connection#, open public #street#, #public park# or other public place.

The width to depth requirements may be satisfied with average dimensions. The minimum angle between the two boundary lines of a #supplemental public access area# coinciding with the private portion of the #zoning lot# shall be 90 degrees.

62-462 Design requirements for #supplemental public access areas#

A #supplemental public access area# shall comply with the design requirements of Section 62-421 (Design requirements for #shore public walkway#), except that:

- (a) A #supplemental public access area# shall provide at least one circulation path with a minimum clear width of 6 feet that provides access throughout the #supplemental public access area#. This requirement can be met by a circulation path of the #shore public walkway# that traverses the #supplemental public access area#;
- (b) a widened #shore public walkway# may be improved as a pedestrian sidewalk area abutting a vehicular roadway provided such sidewalk has a minimum width of 13 feet and complies with the provisions of Section 62-452 (Design requirements for upland connections). Any additional #supplemental public access area# shall comply with the requirements of Section 62-421 (Design standards for #shore public walkways#);
- (c) a widened #shore public walkway may be improved as a dedicated bicycle path if such path connects at each end to an open accessible #street#. The minimum width of a two way bicycle path shall be 10 feet, with an additional 2 feet clearance on each side along the entire length of the path. In addition, a planting area with a width of at least 5 feet shall be provided between the dedicated bicycle path and any paved area for pedestrian use. Any planted area being provided pursuant to Section 62-421 (Design requirements for shore public walkways) or to paragraph (b)(3)(i) of this Section that achieves this minimum width may be used to satisfy this requirement;
- (d) where a #supplemental public access area# is greater than 1,875 square feet, at least 25 percent of the required planted area shall be provided as lawn; and
- (e) where a #supplemental public access area# having at least 7,500 square feet is provided containing a playground of at least 3,500 square feet and improved in accordance with the standards of the Department of Parks and Recreation, the required minimum planted area may be reduced by one square foot for every five square feet of playground

area. The playground area may be located anywhere within the #waterfront public access area# that is beyond 20 feet of the #shoreline#. However, in no event shall the required planted area be less than 25 percent of the area of the #shore public walkway# and supplemental public access area# combined, as set forth in Section 62-421(d) (Permitted reduction in minimum required planted area).

62-47 Special Regulations for Zoning Lots that include Parks (moved from 62-416)

- (a) In M2 and M3 Districts as permitted in Section 62-27 (Special Use Regulations for Playgrounds or Private Parks), where a #zoning lot# is or adjoining #zoning lots# are #predominantly developed# as a park, the requirements of Section 62-42 through 62-46, and Section 62-60 shall be deemed satisfied for that portion of the #zoning lots# occupied by such park #use#, provided that:

* * *

- (b) In order to implement the East River Waterfront Esplanade and Piers Project described in the Final Environmental Impact Statement (FEIS) dated May 18 2007, of the Lower Manhattan Development Corporation and the record of decision (ROD) adopted by such corporation on November 7, 2007 (the ERW Project), in C2-8, C4-6, C6-4 and M1-4 Districts located in Manhattan Community Districts 1 and 3, for #zoning lots predominantly developed# as publicly accessible open space under the ERW Project, the Chairperson shall allow for the phased implementation of such publicly accessible open space, and the requirements of Sections 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AND VISUAL CORRIDORS), inclusive, and 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR WATERFRONT PUBLIC ACCESS AREAS), inclusive, shall be deemed satisfied, provided that:

* * *

62-48 Special Regulations for Water-Dependent Uses and Other Developments (generally moved from 62-415(b))

#Developments# on #waterfront zoning lots# listed in paragraph (b) of Section 62-41 (Applicability of waterfront public access area requirements) shall provide a minimum amount of public access area in accordance with the following table:

WATERFRONT PUBLIC ACCESS AREA REQUIREMENTS

#Developments# in the Following Districts	#Zoning Lot# Threshold	Total #Waterfront Public Access Area# Requirement
-------------------------------------------	------------------------	---------------------------------------------------

#Predominantly community facility# and #commercial uses# in R3, R4, R5 Districts; C1 or C2 in R1 thru R5 Districts; C3, C4-1 Districts	#Lot area# of 65,340 sq. ft. and #shoreline# length of 600 ft.	15% of #lot area#
----------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------	-------------------

In R6,R7-1,R7-2,R7A, R7B, R7D and R8B Districts and in #Commercial Districts# governed by the #bulk# regulations of such #Residence Districts#	#Lot area# of 20,000 sq. ft. and #shoreline# length of 100 ft.	15% of #lot area#
------------------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------	-------------------

In all other #Commercial# or #Manufacturing Districts# with a permitted commercial FAR of 4.0 or less

In other R7, R8, R9 and R10 Districts and in #Commercial Districts# governed by the #bulk# regulations of such #Residence Districts#	#Lot area# of 20,000 sq. ft. and #shoreline# length of 100 ft.	20% of #lot area#
--------------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------	-------------------

In all other #Commercial# or #Manufacturing Districts# with a permitted commercial FAR above 4.0

The total #waterfront public access area# requirement determined from the table may be provided in any manner that will enable the public to reach a waterfront viewing area on the #zoning lot# from a public sidewalk within a public #street#, #public park# or other public place. Such viewing area shall provide an unobstructed view of the water and comprise at least 50 percent of the total #waterfront public access area# required on the #zoning lot#. One linear foot of seating shall be provided for every 100 square feet of viewing area.

#Waterfront public access areas# improved in accordance with this Section shall comply with the provisions of Section 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR WATERFRONT PUBLIC ACCESS AREAS).

For #developments listed in Section 62-41 paragraph (b)(1), on #zoning lots# containing a public access area established prior to October 25, 1993, by restrictive declaration, lease agreement, maintenance and operation agreement, or other

agreement with a public entity, which public access area is required to be provided for the life of the new #development#, the requirements for #waterfront public access area# shall be met if the established public access area is substantially in compliance with the provisions of this Section.

62-49 Requirements for Visual Corridors (Relocate Section 62-42, renumber 62-49) #Visual corridors# shall be provided...

* * *

In the event the #visual corridor# requirement imposed on the #zoning lot# exceeds 50 percent of the #lot width#, or there is no way to provide a #visual corridor# in compliance with Section 62-421 62-491, no #visual corridors# shall be required.

62-491 Location of visual corridors (Relocate Section 62-421, including illustrations, renumber 62-491)

* * *

62-492 Dimensions of visual corridors (Relocate Section 62-422, including illustration, renumber 62-422)

The width of a #visual corridor#...

* * *

The lowest level of a #visual corridor#...

* * *

No obstructions are permitted within a #visual corridor# except as set forth in Section 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA) (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR WATERFRONT PUBLIC ACCESS AREAS).

62-493 Permitted obstructions in visual corridors (generally moved from 62-642)

The requirements of this Section shall apply to all #visual corridors#.

No #building or other structure# shall be erected within the width of a #visual corridor# above its lowest level, as established pursuant to Section 62-492 (Dimensions of visual corridors), except as provided in this Section. Permitted obstructions within #visual corridors# in all districts shall be limited to those allowed for #waterfront yards# listed in Section 62-332 (Rear yards and waterfront yards), except that the following obstructions shall also be permitted:

- (a) boats, ships or other vessels, and #floating structures# permitted as-of-right by Section 62-25;
- (b) any moving or parked vehicles or street furniture, including but not limited to, benches, seats, kiosks, carts and open display booths, lighting fixtures, flagpoles, trash receptacles, drinking fountains and public telephones;
- (c) Guardrails, gates and other protective barriers provided they comply with the design standards of Section 62-621;
- (d) planting areas, provided that no shade trees are planted within a 30 foot wide area, with 15 feet of such area located along each side of the centerline of the #visual corridor#, except that shade trees shall be a permitted obstruction when provided within an open surface parking lot; and
- (e) swimming pools, provided no portion projects more than 18 inches above the lowest level of a #visual corridor#.

* * *

62-50 SPECIAL PARKING AND LOADING REGULATIONS

* * *

62-553 Screening requirements for parking facilities on waterfront blocks

- (a) All open parking areas on #waterfront blocks# shall be screened from all adjoining #zoning lots#, and from any #waterfront public access area# on the #zoning lot# pursuant to Section 62-675 62-625 (Planting and trees). Open parking areas shall also be screened from all #zoning lots# situated across a #street# pursuant to Section 62-675, except where the provisions of Section 37-921 (Perimeter landscaping) apply. Screening may be interrupted only by vehicular or pedestrian entrances.

- (b) All parking garages that occupy the ground floor frontage along any #street# or private drive which is also an #upland connection# shall be screened in accordance with the planting requirements of Section 62-675 62-625.

- (c) For parking garages on #piers#...

* * *

62-60 DESIGN STANDARDS FOR THE WATERFRONT AREA GENERAL DESIGN STANDARDS AND MAINTENANCE REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS

All #waterfront public access areas# and #visual corridors#

required by Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS AND VISUAL CORRIDORS) shall comply with this Section unless expressly stated otherwise. Modifications of the provisions of Section 62-40 or this Section are permitted only by:

- (a) authorization of the City Planning Commission pursuant to Section 62-722 (Modification of Waterfront Public Access and Visual Corridor Requirements); or
- (b) special permit of the City Planning Commission pursuant to Sections 62-733 (Uses on floating structures), 62-734 (Developments on piers and platforms), 74-711 (Landmark preservation in all districts) or 74-79 (Transfer of Development Rights from Landmark Sites); or
- (c) establishment of a Waterfront Access Plan in Section 62-80.

In the event of a conflict between the provisions of this Section and a Waterfront Access Plan, the plan shall control.

62-61
Design Options and Methodology
 (Delete entire Section 62-61)

62-62
62-61
General Requirements for Public Access Areas

- (a) #Waterfront public access areas# shall be accessible to the handicapped in accordance with the Americans with Disabilities Act and the American National Standards Institute (ANSI) design guidelines.
- (b) The minimum required circulation path in all #waterfront public access areas# on adjacent #zoning lots# shall be connected and continuous.

All public access areas consist of one or more of the following three functional components:

(1) Pedestrian circulation zone

The pedestrian circulation zone is the portion of a waterfront public access area that contains one or more required circulation paths for pedestrian movement.

(2) Buffer zone

The buffer zone, when required, is a landscaped area within a waterfront public access area running along its boundary with the non-public portions of the #zoning lot# or a public #street#. The buffer zone shall be improved entirely as planting area except:

- (i) at locations occupied by permitted obstructions; or
- (ii) at locations, other than at a waterfront sitting area, where there is ground floor #commercial use# frontage on a public access area, in which case that portion of the buffer zone may be paved.

(3) Transition zone

The transition zone is the portion of the pedestrian circulation zone of a waterfront public access area located within ten feet of its intersection with another portion of the public access network on the same or an adjoining #zoning lot#, or a public #street#, #public park# or other public place to which it connects. At the intersection of an #upland connection# and a #shore public walkway#, the transition zone shall include the entire area of the two intersecting pedestrian circulation zones within the boundary lines of the transition zone.

(delete illustration of Transition zone)

- (c) All #waterfront public access areas# shall be unobstructed from their lowest level to the sky, except as set forth in Section 62-62622 (Permitted obstructions). The lowest level of any portion of a #waterfront public access system area# on a #zoning lot# shall be determined by the elevation of the adjoining portion of the system on the same or an adjoining #zoning lot# or the public sidewalk to which it connects. Reference elevations shall be established from the public sidewalks, #waterfront yard# levels and the elevations previously established by adjoining #zoning lots# at #lot line# intersections of a waterfront public access network, as applicable.

* * *
62-621
Shore public walkways
 (move to 62-42)

62-622
Upland connections
 (move to 62-45)

62-623
Supplemental public access areas
 (move to 62-46)

62-624
Maintenance and operation of waterfront public access areas
 (move to 62-63)
 * * *

62-625
62-611
Grading controls

Any area improved for public access shall meet the following regulations for site grading:

- (a) ~~Pedestrian circulation zone~~ In required circulation paths
 - (1) Cross-sectional grading regulations ~~for circulation paths~~ (perpendicular to the general direction of pedestrian movement) The minimum slope of a required circulation path shall be one and one-half percent (1.5%) to allow for positive drainage and the maximum slope shall be three percent (3.0%). Steps, and stairways ~~and ramps~~ accommodating a cross-sectional grade change are only permitted in a pedestrian circulation zone outside of the required circulation path(s) ~~and in compliance with the regulations for handicapped accessibility.~~
 - (2) Longitudinal grading controls ~~for circulation paths~~ (parallel to the general direction of pedestrian movement) Longitudinal grade changes are permitted along the length of a required circulation path by means of steps or ramps in compliance with the requirements for handicapped accessibility.

(3) Transition zones

No steps shall be permitted in a required pedestrian circulation path within the boundaries of a transition zone.

- (b) ~~Buffer zones~~ In required planting areas, including screening buffers

Within five feet of the edge of any planting area boundary line of a pedestrian circulation zone, the grade level of such planting area the buffer zone shall not be more than 18 inches higher or lower than the adjoining level of the pedestrian circulation path zone.

62-626
62-612
Permitted obstructions (delete existing and re-write)

#Waterfront public access areas# shall be unobstructed from their lowest level to the sky except that the obstructions listed in paragraphs (a) through (e) of this Section shall be permitted as specified. However, no obstructions of any kind shall be permitted within a required circulation path.

- (a) In all areas:
 - (1) Trees and other plant materials, including grasses, vines, shrubs and flowers; watering equipment, arbors, trellises or observation decks, and retaining walls;
 - (2) Seating, litter receptacles, drinking fountains and other outdoor furniture;
 - (3) Fountains, reflecting pools, waterfalls, sculptures and other works of art and temporary exhibitions;
 - (4) Open air cafes and kiosks in accordance with the provisions of paragraph (e) of this Section;
 - (5) Lights and lighting stanchions, flag poles, bollards and guardrails; exercise and other recreational equipment.

(b) In screening buffers:

- (1) Paved entrances to #buildings# fronting upon the screening buffer, including awnings and canopies over such entrances; seating located within 42 inches of an adjacent paved area; bike racks within six feet of the sidewalk of an open accessible #street# or within ten feet of an #upland connection#;
- (2) Service equipment necessary for maintenance of the #waterfront public access areas# or the functioning of adjacent structures such as watering equipment; sheds for tool storage, and electrical transformers or other mechanical or electrical service devices, provided all such equipment covers no more than 100 square feet in any location and has a maximum height of ten feet. Such obstructions shall be screened in accordance with Section 62-625 (Planting and trees);

- (3) Exhaust vents located on building walls fronting on the screening buffer are permitted only if the bottom of such vent is a minimum of ten feet above the adjacent ground level. The vent shall project no more than four inches from the #building# wall.

(c) Beyond 20 feet of the #shoreline#:

Tot-lots, playgrounds, dog runs, public telephones, toilets and bicycle racks,

(d) Fences and walls limited to the following locations:

Along the boundaries of tot-lots, playgrounds and dog runs, between adjacent WD #uses#, within a #visual corridor#, and along any grade level change greater than 30 inches;

Along the boundary of any #waterfront public access areas# and any non-publicly accessible areas on the #zoning lot# or any non-publicly accessible areas on adjacent #zoning lots#.

(e) Kiosks and open-air cafes:

Where a kiosk is provided, it shall not occupy an area in excess of 150 square feet, including roofed areas. A kiosk may be freestanding or attached on only one side to a #building# wall. Any area occupied by a kiosk shall be excluded from the definition of #floor area#, and may only be occupied, as permitted by applicable district #use# or as modified by Section 62-29, regulations, by news or magazine stands, food stands, flower stands, bicycle rental stands, information booths or #uses accessory# to permitted WD #uses#.

Open air cafes shall be permanently unenclosed except that they may have a temporary fabric roof. No kitchen equipment shall be installed within an open air café. Kitchen equipment may be contained in a kiosk adjoining the open air café.

Notwithstanding the provisions of Section 32-41 (Enclosure Within Buildings), outdoor eating services or #uses# occupying kiosks may serve customers on a #waterfront public access area# through open windows.

62-627
62-613
Vehicle and emergency access

Vehicular access is prohibited within #waterfront public access areas# except for emergency and maintenance vehicular access. Parking areas, passenger drop-offs, driveways, loading berths and building trash storage facilities are not permitted within, or allowed to be accessed or serviced through a #waterfront public access area# except for:

- (a) vehicular access to drop-offs and other required services #accessory# to docking facilities; or
- (b) vehicular access to #development# on a #pier# or #floating structure#.

Such vehicular ways shall be used only to provide access across the #shore public walkway#. No single driveway shall exceed a width of 25 feet. Paving and bollards shall be installed in accordance with Section 62-671621. There shall be a minimum four inch and maximum seven inch grade change between the driveway and any adjoining pedestrian circulation zone, satisfied by a curb or sloped paving surface. Curbs shall have a minimum width of six inches. When a sloped surface is provided, a minimum 12 inch paved border shall be installed within along the driveway boundaries where the slope terminates. Curbs and paved borders shall have a color distinct from the paving of the adjoining paved surface pedestrian circulation zone.

Vehicular roadways are permitted as part of an #upland connection# in accordance with the regulations of Section 62-64 62-45.

Any vehicular roadway crossing a required #waterfront public access area# shall comply with the requirements for paving in Section 62-676 62-626.

* * *

62-63
Specific Design Requirements for Public Access Prototypes
 (Delete entire section 62-63)

62-631
Shore public walkway—Prototype I: Esplanade
 (Delete entire Section 62-631)

62-632
Shore public walkway—Prototype II: Moderate-intensity walkway
 (Delete entire Section 62-632)

62-633
Shore public walkway—Prototype III: Low-intensity walkway
 (Delete entire Section 62-633)

62-634
Shore public walkway—Prototype IV: Open recreation walkway
 (Delete entire Section 62-634)

62-635
Supplemental public access area – Prototype I: Waterview plaza
 (Delete entire Section 62-635)

62-636
Supplemental public access area – Prototype II: Waterview park
 (Delete entire Section)

62-637
Supplemental public access area – Prototype III: Waterview sitting area
 (Delete entire Section 62-637)

62-64
Design Requirements for Upland Connections and Visual Corridors
 (Delete entire Section 62-64)

62-641
Design requirements for upland connections
 (move to Section 62-451)

62-642
Design requirements for visual corridors
 (move to Section 62-493)

62-65
Design Requirements for Public Access on Piers
 (move to Section 62-431)

62-66
Design Requirements for Floating Structure Public Access
 (move to Section 62-441)

* * *

62-67
62-62
Public Access Design Reference Standards

No hollow plastic material, such as PVC (polyvinyl chloride) or similar, shall be permitted on guardrails, fences, seating, trash receptacles or other similar furniture within a #waterfront public access area#. However, high-density polyethylene shall be a permitted material as a substitute for traditional wood applications.

62-671
62-62
Public Access Design Reference Standards

No hollow plastic material, such as PVC (polyvinyl chloride) or similar, shall be permitted on guardrails, fences, seating, trash receptacles or other similar furniture within a #waterfront public access area#. However, high-density polyethylene shall be a permitted material as a substitute for traditional wood applications.

62-671
62-621
Guardrails, gates and other protective barriers

The requirements of this Section shall not supersede other applicable government regulations or safety codes.

(a) **Guardrails** *(delete existing gate language)*

For the purposes of this paragraph (a), the term “guardrail” shall refer only to fencing or similar structures provided along a bulkhead, stabilized shore or the water edges of a #pier# or #platform#.

Guardrails shall not be required. However, if a guardrail is provided, it shall comply with the requirements of either (1) or (2):

- (1) The maximum permitted height of a guardrail shall be 42 inches measured from the adjacent grade. Guardrails higher than 21 inches in height shall consist of no more than 30 percent opaque or solid elements. Such guardrail may be mounted on a solid curb not higher than six inches; or
- (2) Guardrails that do not exceed 21 inches in height may consist of a solid, opaque wall.

(b) **Bollards**

- (1) Bollards shall be limited to the following locations: along the bulkhead, stabilized shore or the water edges of a #pier# or #platform#; along a #zoning lot line# adjacent to, and limiting access from an upland public #street#; and along the boundaries of a roadway within an #upland connection#.
- (2) Bollards shall not exceed 30 inches in height and may be between six and fifteen inches in width. The top of bollards shall not consist of any sharp edges. The minimum clearance between two bollards shall be five feet.

(b) **Fencing and walls**

- (1) When provided, fences or walls within a waterfront public access area shall be limited to the following locations: anywhere within a buffer zone provided it does not obstruct access to required seating; along the boundary of a screening buffer zone and an adjoining private area;

adjoining WD #uses#; within a #visual corridor#; and, elsewhere, to define the seating or waiting area of an open air café or similar open #use#.

- (2) Fences or walls shall not exceed 48 inches in height. Each may be opaque up to a maximum height of 21 inches and shall be a minimum of 65 percent (65%) open above such height.

(c) **Fences, walls and gates**

- (1) Fences and walls, that are not guardrails, shall comply with the following requirements:
 - (i) Fences and walls, when provided, shall be limited to the following locations: along the boundary of a #waterfront public access area# and an adjoining private area on the #zoning lot#; around the perimeter of a playground, tot-lot and dog-run; adjoining WD #uses#; within a #visual corridor#; or along any grade level change of 30 inches or greater.
 - (ii) Fences shall be a minimum 70 percent open with a maximum height of 36 inches measured from adjoining grade level. They may be mounted on a solid curb not higher than six inches.
 - (iii) Walls may not exceed a height of 21 inches and may be fully opaque.
 - (iv) Chain link fencing or barbed or razor wire shall not be permitted

- (2) Gates attached to fences and walls that limit physical access to #waterfront public access areas# from #streets#, #public parks# or other public ways or from adjacent #waterfront public access areas# on adjoining #zoning lots# shall comply with the provisions of this paragraph (c)(2). Such gates shall be permitted only at the boundaries of the #waterfront public access areas# and such adjacent publicly accessible areas; except that in #upland connections# that are not adjacent to a private roadway, gates may be located 15 feet seaward of its boundary with such adjacent publicly accessible area. Gates may be closed only pursuant to Section 62-631 (Operational requirements).

The maximum height of a gate shall be four feet above the adjoining grade. Gates shall consist of no more than 30 percent opaque or solid elements. When opened for access, such gate shall not obstruct any portion of the required circulation path or paved area. In addition, at least 16 feet of width or 70 percent of the total width of the #waterfront public access area#, whichever is greater, shall not be obstructed by such gate. Stanchions or cabinets for gate storage may be located at the edges of the #waterfront public access area#, perpendicular to the gates and shall not occupy more than two feet in width. Gates shall not intrude into any adjacent planting area.

(delete existing gate language)

62-672
62-622
Seating *(delete existing seating language)*

All required seating shall comply with the following standards:

(a) **Seating with backs**

Seating with backs shall comprise at least 50 percent of the required seating, unless otherwise specified in the requirements of Section 62-40. Additionally, at least 50 percent of seats with backs shall generally face the water. Seat backs shall be at least 14 inches high. Walls located adjacent to a seating surface shall not count as seat backs. All seat backs must either be contoured in form for comfort or shall be reclined from the vertical between 10 to 15 degrees.

(b) **Depth**

Seating with or without backs shall have a depth not less than 18 inches, nor greater than 22 inches. Seating 36 inches or more in depth and accessible from both sides may be credited as double seating. When seating is provided on a planter ledge, such ledge must have a minimum depth of 22 inches.

(c) **Height**

At least 75 percent of the required seating shall have a height not less than 16 inches nor greater than 20 inches above the level of the adjacent

grade. Seating higher than 36 inches or lower than 12 inches shall not qualify toward the seating requirements.

(d) **Clearance**

Seating shall be located a minimum of 22 inches from any circulation path or permitted obstruction along its accessible side, except that seating without backs may be as close to a guardrail as 12 inches

(e) **Types of seating**

In #shore public walkways# and #supplemental public access areas#, at least two of the following types of seating are required: moveable seating, fixed individual seats, fixed benches with and without backs, lounging chairs, and design-feature seating such as seat walls, planting walls, or seating steps.

(i) **Design feature seating**

Design feature seating, including planting walls, seating walls, and seating steps, shall be limited to 25 percent of the required seating. Walls and planter ledges shall be flat and smooth with at least one inch radius rounded edges.

(ii) **Movable seating**

Moveable chairs, excluding those in open air cafes, may be credited as 18 inches of linear seating per chair; however, not more than 50 percent of required linear seating may be in moveable seats. Moveable seats may be placed in storage outside of the required hours of operation pursuant to Section 62-63. All moveable seats must have backs. Moveable chairs shall not be chained, fixed, or otherwise secured while the #waterfront public access area# is open to the public.

(iii) **Seating steps**

Seating steps shall not include any steps intended for circulation and must have a height not less than twelve inches nor greater than 30 inches and a depth not less than 18 inches.

(iv) **Lounge chairs**

Lounge chairs shall allow for a reclined position supporting the back as well as the legs. Lounge chairs may be credited as 36 inches of linear seating per chair.

(f) **Social seating and tables**

At least 25 percent of required seating shall be social seating, consisting of seats that are placed in close proximity and at angles to one another or in facing configurations that facilitate social interaction. A minimum of four square feet in tables shall be required for every three linear feet of social seating.

(g) **Shaded seating**

At least 40 percent of required seating shall be shaded between the hours of 2 PM and 6 PM, between the months of April and October. Such shade may be cast by canopy trees, shade structures or #building# walls. However, no more than 20 percent of such seating shall be in the shadow of a #building wall#.

Seating in open air cafes or stairs shall not qualify towards seating requirements. All seating located within a planted area shall be on permeable pavement, and secured for stability.

62-673
62-623
Lighting

All waterfront public access areas shall provide lighting in accordance with the following requirements:

(a) **Lighting fixtures**

Light posts shall be spaced at a maximum distance of 40 feet. The light center of the fixture shall be mounted at a minimum height of 12 feet and a maximum height of 15 feet above the adjacent circulation path. Lighting shall be located within five feet of a circulation path.

(b) **Light source and illumination level**

Luminaires shall have type III photometric distribution as described in the Illuminating Engineering Society’s (IES) Handbook. Glare shall be controlled to a semi-cutoff standard (not more than five percent of peak footcandle intensity radiating above 90 degrees and 20 percent (20%) of peak intensity above 80 degrees). The luminaire shall be equipped with lamps with color temperature range of 3000-2000 K to 4100-4000 K with a minimum color rendering index of 65. The performance standard for illumination shall be a minimum of 0.5 horizontal footcandles along both the paved portion of the walkway and seating

areas. The average illumination to minimum footcandle uniformity ratio shall be no greater than 4.0 to 1.0 within such paved and seating areas. All lenses and globes shall be polycarbonate or equivalent.

(a) Illumination

An average maintained level of illumination of not less than one horizontal foot candle (lumens per foot) throughout all walkable areas, and a minimum level of illumination of not less than 0.2 horizontal foot candles (lumens per foot) throughout all other areas shall be required. Such level of illumination shall be maintained from one-half hour before sunset to one-half hour after sunrise.

The average illumination to minimum footcandle uniformity ratio shall be no greater than 10 to 1 within a #waterfront public access area#. Glare shall be controlled to a semi-cutoff standard (not more than five percent of peak footcandle intensity radiating above 90 degrees and 20 percent of peak intensity above 80 degrees). The luminaire shall be equipped with lamps with color temperature range of 3000 K to 4100 K with a minimum color rendering index of 65.

All lenses and globes shall be polycarbonate or equivalent.

All lighting sources that illuminate a #waterfront public access area# and are mounted on or located within #buildings# adjacent to the #waterfront public access area# shall be shielded from direct view. In addition, all lighting within the #waterfront public access area# shall be shielded to minimize any adverse effect on surrounding #residential buildings#.

(b) Lighting plans

A lighting schedule, including fixtures, wattage and their locations and designs together with a diagram of light level distribution, with light levels indicated at intervals of no more than every 20 square feet, shall be part of the required detailed design plans.

~~62-674~~~~62-624~~**Signage** (delete existing text)

The provisions of this Section 62-624 shall apply to signs required in #waterfront public access areas#. All such signs shall be located in directly visible locations, without any obstruction at any time. Such signs shall be fully opaque, non reflective and constructed of permanent, highly durable materials such as metal or stone. All lettering shall be in a clear, sans-serif, non-narrow font such as Arial, Helvetica, or Verdana, solid in color with a minimum height of one-quarter inch, unless otherwise specified in this Section, and shall highly contrast with the background color.

Drawings documenting the size, format, and orientation of all required signs shall be included in the application for certification pursuant to Section 62-71. Such drawings shall include detailed information about dimensions of the sign, lettering size, color and materials.

(a) Entry signage

All #waterfront public access areas# shall contain an entry sign mounted on a permanent structure. Such sign shall be located within five feet of the boundary of the entrance from a #street#, #public park# or other public way. Required signage shall contain:

- (1) the New York City waterfront symbol, 12 inches square in dimension, as provided in the "The New York Waterfront Symbol Standards and Specifications" document, published by the Department of City Planning.

INSERT WATERFRONT SYMBOL GRAPHIC

- (2) lettering at least one-and one-half inches in height stating "OPEN TO PUBLIC" in bold type;
- (3) lettering at least one-half inch in height stating the approved hours of operation as required pursuant to Section 62-631;
- (4) lettering at least one-half inch stating: "Do not enter outside of hours of operation";
- (5) the International Symbol of Access for the Physically Handicapped, at least three inches square, or the statement "This public access area is accessible to the physically handicapped";
- (6) address of the property where the #waterfront public access area# is located;
- (7) name of the current owner and the name, phone number and email address of the

person designated to maintain the #waterfront public access area#; and

- (8) the statement, "For complaints or questions: call 311".
- (9) the statement "For more information go to <http://nyc.gov/planning>".
- (10) rules of conduct as specified in Section 62-631 (Operational requirements).

Information in paragraphs (a)(1) and (a)(2) may be inscribed in pavement or on any permitted appropriate amenity.

All information required in this paragraph (a) shall be included on signs with a maximum dimension in one direction of 16 inches. The maximum height of a sign above adjoining grade shall be three feet for a horizontal sign and five feet for a vertical sign. The bottom of all signs shall at least eighteen inches above adjoining grade, except for signs angled 45 degrees or less as measured from adjacent grade. However, the waterfront symbol required pursuant to subparagraph (1) above need not be included in such signage if such symbol is inscribed nearby in pavement or any appropriate amenity.

(b) Signage at #zoning lot# line

A sign shall be required to be located within five feet of any #zoning lot line# adjacent to another #zoning lot# within a #shore public walkway# and at a distance no greater than five feet from the required circulation path. All information required in this paragraph (a) shall be included on signs with a maximum dimension in one direction of 16 inches. The maximum height of a sign above adjoining grade shall be three feet. The bottom of all signs shall at least eighteen inches above adjoining grade, except for signs angled 45 degrees or less as measured from adjacent grade. However, the waterfront symbol required pursuant to subparagraph (1) above need not be included in such signage if such symbol is inscribed nearby in pavement or any appropriate amenity. However, the waterfront symbol required pursuant to subparagraph (1) above shall be no larger than four inches square, or 12 inches if inscribed in pavement or any appropriate amenity, and the information required in subparagraph (2) above shall be one inch high.

The information required in paragraphs (a)(1) and (a)(2) may be inscribed in pavement or on any permitted appropriate amenity.

(c) Other signage

Seating areas within #waterfront public access areas# allowed pursuant to paragraph (d)(2) of Section 62-421 (Design requirements for shore public walkways and supplemental public access areas) shall be identified by a sign with the words "SEATING OPEN TO PUBLIC" in lettering at least one inch high. Such sign shall be clearly visible from the #waterfront public access area#. In addition, such sign shall be no greater than sixty square inches no higher than eighteen inches above adjacent grade, and angled for visibility. The required sign may be freestanding or attached to a permitted amenity within the #waterfront public access area#.

No #advertising signs# may be located within a #waterfront public access area#.

~~62-675~~~~62-625~~**Planting and trees** (delete existing text)

Within #waterfront public access areas# and parking areas where planting or screening is required, the design standards of this Section shall apply

A detailed landscape plan prepared by a registered landscape architect shall be submitted to the Department of Parks and Recreation prior to seeking Certification by the Chair of the City Planning Commission pursuant to the requirements of Section 62-71. Such plans shall include plants suited for waterfront conditions and include a diversity of species with emphasis on native plants, salt tolerance and the facilitation of sustainable wild-life habitats where appropriate. No species listed on quarantine or as host species for any disease listed by the Department of Parks and Recreation at the time of application shall be included.

All landscaped areas shall contain a built-in irrigation system or contain hose bibs within 100 feet of all planted areas.

(a) Planted areas

Wherever a minimum percentage of planted area is specified for a #waterfront public access area#, such requirements shall be met only through the provisions of the types of planted areas listed in the following paragraphs (1) through (7). A curb with a maximum height of six inches is permitted along the perimeter of any planted area. Any edging higher than six inches above adjacent grade shall be considered a retaining wall. Retaining walls shall not exceed 60 percent of the perimeter of a planting area or a maximum height of 18 inches measured from the adjacent grade. At least one

continuous length equal to 40 percent of the planted area's perimeter shall have a grade level within six inches of the adjacent grade level. Where not specifically indicated, the minimum planting standard for required planted areas shall be turfgrass, natural grasses or groundcover. All planted areas shall be located on undisturbed subsoil or clean fill.

(1) Single tree pits

A single tree pit shall have a minimum dimension of five feet with a minimum area of 30 square feet and a minimum depth of three feet, six inches. Only tree pits planted with ground cover shall count towards meeting a minimum planted area requirement.

(2) Continuous tree pits

A continuous tree pit is a planted area containing two or more trees. Continuous tree pits shall have a minimum width of five feet, and a minimum depth of three feet, six inches, and a length as required to meet a minimum of five feet from any end.

(3) Planting beds

Planting beds for turf grass or groundcovers shall have minimum dimensions of two feet on any direction and a minimum depth of two feet. Planting beds for shrubs shall have minimum dimensions of three feet by three feet for each shrub and a minimum depth of two feet, six inches. Planting beds containing trees shall have a minimum dimension of five feet and a minimum area of 30 square feet for each tree, with a minimum depth of three feet, six inches. Trees, shrubs or groundcovers may be combined in a single planting bed only if such bed meets the minimum depth required for the largest plant.

Retaining walls are permitted along the perimeter of a planting bed in accordance with the regulations for planted areas in paragraph (a) of this Section.

(4) Raised planting beds

A "raised planting bed" is a planted area with retaining walls along more than 60 percent of its perimeter or a height along any portion greater than 18 inches. A raised planting bed shall comply with the dimensional standards for a planting bed except that the height from the adjacent grade to the top of the retaining wall of a raised planting bed shall be a maximum of 36 inches.

(5) Berms

A "berm" is a planting area with sloped grade stabilized primarily by plant materials rather than retaining walls or other similar built structures. A berm shall comply with the dimensional standards for a planting bed except that the height from the adjacent grade to the top of the berm shall not exceed 60 inches.

(6) Lawns

A "lawn" is an area planted with turfgrass having a minimum soil depth of two feet, six inches. Along at least 60 percent of its perimeter a lawn shall have a grade level within six inches of the adjacent grade providing unobstructed pedestrian access. Where a #supplemental public access area# greater than 1,875 square feet is required, at least 25 percent of the required planted area shall be lawn, with a minimum area of 500 square feet and no dimension less than 18 feet.

(7) Screening

Screening is intended to create a landscaped buffer between the #waterfront public access areas# and adjoining non-public #uses# to protect the privacy or minimize the visual impact of blank walls, equipment, loading and parking areas or similar conditions.

(i) Screening buffers

Screening buffers required pursuant to paragraph (c)(2), Section 62-421 (Design requirements for shore public walkways and supplemental public access areas) shall consist of densely planted shrubs or multi-stemmed screening plants, with at least 50 percent being evergreen species. Shrubs shall be at least four feet height at the time of planting. The requirements of this paragraph may also be

satisfied by the requirements of paragraph (ii) below.

(ii) Blank walls

Blank walls higher than five feet measured from an adjacent grade level anywhere within a #waterfront public access area# shall be screened with any combination of evergreen trees, vines or espaliered trees or shrubs, and an architectural treatment such as pergola, stone rustication, grills or sculptural features.

(iii) Parking screening

Screening required pursuant to Sections 62-553 shall be improved, as applicable, pursuant to the provisions of this Section. Screening of parking garages shall consist of a planting strip of at least four feet wide. Plants shall be at least four feet high at the time of planting, and 50 percent of them shall be evergreen shrubs. Open parking areas on any #waterfront block#, notwithstanding the #use# of the #development#, fronting on an #upland connection# shall be screening pursuant to the requirements of Section 37-921 (Perimeter landscaping).

All required screening may be interrupted by vehicular or pedestrian entrances.

(b) Trees

(1) Tree caliper

At time of planting, canopy trees shall be a minimum of three inches caliper and ornamental trees shall be a minimum of two inches caliper.

(2) Trees in single tree pits

One of the following measures shall be employed for trees planted at grade:

(i) Granite or cast concrete block pavers with a minimum four inch depth shall be installed in accordance with New York City Department of Parks and Recreation (DPR) standards for #street# trees; or

(ii) A grate shall be installed over the root zone, supported at its edges and set flush with the adjacent pavement for pedestrian safety, in accordance with DPR standards for #street# trees as amended for grate size; or

(iii) The root zone shall be surrounded with barrier hedge planting.

62-676
62-626
Paving

Paving in #waterfront public access areas# shall comply with the following:

(a) Paving shall consist of unit pavers or wood decking except as follows:

(1) Seating areas which are outside of the minimum clear path may also be paved with Belgian block or poured concrete.

(2) In #shore public walkways# (Prototype III: Low intensity walkway and Prototype IV: Open recreation walkway), crushed stone, woodchips or asphalt may be used in lieu of unit pavers or wood decking.

(3) Designated bike paths, when provided, shall be paved with asphalt or a similar smooth and elastic, monolithic surfacing material.

Unit pavers shall be made of pressed terrazzo concrete with visible aggregate content, asphalt, brick or stone having a smooth but slip resistant surface. Unit pavers shall be bounded by poured or precast concrete or stone edging of a width not to exceed two feet, or a curb or retaining wall.

(a) Locational requirements:

(1) Within required circulation paths:

All paving material for a required circulation path shall be permanent, durable, handicapped accessible, and shall consist of one or a combination of the following:

(i) Unit Pavers constituted of stone, concrete, granite, asphalt or a mix of these materials with other aggregates;

(ii) Concrete, prefabricated, poured or permeable;

(iii) Wood planks for boardwalk or decking, except that tropical hardwood shall not be permitted;

(iv) Solid plastic, such as "plastic lumber", high density polyethylene, wood composite plastic or fiber-reinforced plastic.

(2) Other than within required circulation paths:

In addition to the permitted paving materials of paragraph (a)(1) of this Section, the following materials shall be permitted anywhere in a #waterfront public access area#:

(i) Blocks such as Belgian Blocks, cobble stones, concrete cobbles, or eurocobble;

(ii) Gravel that is loose installed over a solid surface or glued with resin;

(iii) Wood chips or other similar material;

(iv) Metal grating, limited to locations that require drainage and for #platforms#;

(v) Asphalt, impermeable or porous, and may be imprinted with thermoplastic patterns.

(3) Special regulations for "Type 2" #upland connections#

Paving for driveways and pedestrian paths shall be subject to the standards of the New York City Department of Transportation for roadbeds and sidewalks

(b) Dimensional requirements

(1) All unit pavers shall have a minimum thickness dimension of two inches for pedestrian use and three inches for vehicular use and shall not exceed a maximum of four square feet in area.

(2) Wood planks or plastic lumber for boardwalk or decking shall be a minimum of three inches thick (nominal dimension). The direction of planks shall not be parallel to the direction of traffic.

(3) Concrete slabs, other than in #upland connections# shall be a maximum of two feet in any one dimension.

All the above materials may be installed to facilitate storm water management appropriate for specific site conditions.

62-627
Trash receptacles

Trash receptacles shall be placed within 50 feet of a seating area, have a minimum capacity of 25 gallons and have either top openings that measure at least 12 inches wide or side openings that measure at least nine inches high. Trash receptacles shall be able to fit standard bags used to collect trash.

62-63
Maintenance and Operation Obligations of Waterfront Public Access Areas

62-631
Operational requirements

(a) Hours of operation

All #waterfront public access areas# shall be open to the public at the times indicated in the Table in this Section, except with respect to repairs and prevention of public dedication as set forth in the maintenance and operation agreement required by Section 62-632.

TABLE
HOURS OF OPERATION FOR WATERFRONT PUBLIC ACCESS AREAS

#Developments# in the Following #Districts#	April 15 to October 31	November 1 to April 14
#Predominantly community facility developments# in R3, R4, R5 #districts#, C1 or C2 #districts# in R3 through R5 #districts#, C3, C4-1, C8 or M #districts#	6:00 A.M. to 8:00 PM	7:00 A.M. to 6:00 PM
#Predominantly commercial developments# in all #districts#	6:00 A.M. to 8:00 PM or business closing*	7:00 A.M. to 6:00 PM or business closing*
#Predominantly residential# and #community facility developments# in R6 thru R10 #districts#	6:00 A.M. to 11:00 P.M.	7:00 A.M. to 8:00 P.M.

* #waterfront public access area# in #commercial developments# shall not be required to be open beyond

required hours of operation for #predominantly residential developments#.

(b) Rules of conduct

Rules of conduct for the #waterfront access area# shall be established with the Department of Parks and Recreation and set forth in the maintenance and operation agreement as required pursuant to Section 62-634 (Requirements for Recordation). Such rules of conduct shall not prohibit typical promenade activities consistent with public enjoyment of the waterfront, such as walking, jogging, sitting or reclining, gathering in small groups, or consumption of food or non-alcoholic beverages.

62-632
Performance and maintenance obligations

(a) Performance and Maintenance

(1) The property owner shall be responsible for the completion and maintenance of all required #waterfront public access areas# on the #zoning lot#. No certificate of occupancy shall be issued until all required #waterfront public access area# improvements are completed except as otherwise provided in a phasing plan pursuant to 62-711 (Waterfront public access and visual corridors), or Section 62-722 (Modification of waterfront public access area and visual corridor requirements).

(2) To ensure the maintenance of the #waterfront public access areas#, prior to obtaining any certificate of occupancy, the property owner shall post security in the form of a maintenance bond, letter of credit or other security acceptable to the Department of Parks and Recreation (DPR), with the DPR in an amount certified by a registered architect or landscape architect to be sufficient to cover one hundred and twenty-five percent (125%) of the cost of maintaining the #waterfront public access areas# for a twelve (12) month period following their final completion. The security shall be replaced every five years with a new security in an amount sufficient to cover one hundred and twenty five percent (125%) of the current annual cost of maintaining the #waterfront public access areas#, as certified by a registered architect or landscape architect. The security shall be in effect for the life of the #development#.

(b) Maintenance and liability

Any declaration by the owner, its successor or assigns, or agreement between the owner, its successor or assigns, and New York City regarding the maintenance and operation of a required #waterfront public access area# as established in 62-41 (Applicability of waterfront public access area requirements) the #shore public walkway# established in Section 62-42, public access areas on #piers# as established in Section 62-43, public access areas for #floating structures# as established in Section 62-44, and #supplemental public access areas# established in Section 62-46, shall provide that:

(1) the owner, its successor or assigns, will construct and be responsible for ordinary maintenance and repair of all such areas;

(2) the City will indemnify the owner, its successor or assigns, for judgments resulting from litigation of claims of personal injury on such areas in accordance with reasonable provisions and procedures in the declaration and the maintenance and operation agreement, provided that the owner, its successor or assigns, have fully complied with the design and maintenance obligations as set forth in this Resolution and the maintenance and operation agreement;

(3) in the event such areas are destroyed or substantially damaged as a result of flood, storm, fire or other acts of God, reconstruction shall be the responsibility of the City, provided that such destruction or damage is not the result of the negligence of the owner, or of the owner's failure to construct or maintain such areas in accordance with the provisions of this Resolution and the maintenance and operation agreement.

62-633
Request to transfer title to certain of waterfront public access areas

(a) The owner may, at its option, make a request directed to the Office of the Mayor (Request), to transfer to the City its fee simple absolute interest, free and clear of any encumbrances, in the #waterfront public access area#, #shore public walkway# as established in Section 62-42, public access areas on #piers# as established in Section 62-43, public access areas for #floating structures# as established in Section 62-44, and any #supplemental public access areas# as established in Section 62-46.

(1) Such Request shall be made on the first occasion when the owner seeks any building permit for any part of the #development#.

~~(2) The City shall accept or reject such Request within 60 days of its receipt.~~

~~(3) If the City accepts such Request, then the completion of the construction of the #waterfront public access areas#, as required in Section 62-632 paragraph (1), and the transfer of title that is the subject of the Request, must be completed prior to the issuance of any temporary or permanent certificate of occupancy for any part of the #development#.~~

~~In the event of a transfer under this Section, the #bulk# and parking computations for the #zoning lot# shall include the transferred property. Such transfer shall not be deemed a #non-compliance#.~~

~~(b) Alternate provisions in Waterfront Access Plan BK-1~~

~~For parcels identified in Waterfront Access Plan BK-1, the following alternative provisions shall apply:~~

(a) The owner of a #zoning lot# on a #waterfront block# may, at the owner's option, and prior to commencement of design and construction of #waterfront public access areas#, make a request directed to the Office of the Mayor (Request) to transfer to the City its fee simple absolute interest, free and clear of any encumbrances, in the #waterfront public access area# on such #zoning lot#.

(1) The City may accept the transfer request, provided that transfer is made in accordance with guidelines established by the Chairperson of the City Planning Commission and the Commissioner of Parks and Recreation specifying minimum conditions for transfer including, without limitation, establishment by the owner of an account for the funding of ordinary maintenance of the #waterfront public access area# and a capital reserve for future repair, and adequate guarantees of access to the #waterfront public access area# and, provided further, that transfer is made pursuant to such instruments, which shall be a condition of certification pursuant to Section 62-711, paragraphs (b) and (c), as are necessary for implementation. Where the Request is for transfer of a phase of the #waterfront public access area# pursuant to a phased implementation of required public access areas certified by the Chairperson pursuant to Section 62-711 or authorized by the City Planning Commission pursuant to Section 62-722, the City shall consider, in determining whether to accept such Request, such factors as the size, location and access for purposes of maintenance, repair and reconstruction, of the phase which is the subject of the Request, and may require as a condition of acceptance that the owner make binding commitments to the transfer of subsequent phases.

(2) The Department of Parks and Recreation shall review and approve the design and construction specifications for the #waterfront public access areas# proposed for transfer, and transfer of such areas shall be made prior to the issuance of any temporary or permanent certificate of occupancy for any part of the #development# for which such areas are required to be constructed, upon determination by the Department of Parks and Recreation that construction of such areas is complete, as required in Sections 62-40 and 62-60, and is in accordance with the previously approved design and construction specifications.

(3) Upon transfer, the owner, its successors, and assigns shall have no liability for judgments resulting from litigation of claims of personal injury on such areas and shall have no responsibility for repair or reconstruction of the #waterfront public access areas#, provided that any such judgment, or destruction or damage of the #waterfront public access areas#, is not the result of negligence by the owner, or of the owner's failure to construct such areas in accordance with the design and construction specifications approved by the Department of Parks and Recreation.

~~In the event of a transfer under this paragraph (a), the #bulk# and parking computations for the #zoning lot# shall include the transferred property. Such transfer shall not be deemed a #non-compliance#.~~

(b) For parcels identified in Waterfront Access Plan BK-1, the owners of two or more parcels may, either for purposes of certification pursuant to Section 62-711 or at any time thereafter, submit an alternate plan to the Chairperson for the joint maintenance and operation of #waterfront public access areas# on such parcels, through an association or other entity established for this purpose or by other method. Such plan may include, in addition to provisions for maintenance and operation, alternate provisions with respect to security, liability and any other matters set forth in Section 62-632 (Performance and maintenance obligations), as well as special provisions for reporting and monitoring of compliance with obligations for maintenance and

operation of the #waterfront public access areas#. Such plan and any instruments as are necessary for its implementation may be approved by the Chairperson and the Commissioner of Parks and Recreation upon a determination that:

(i) implementation of the plan would enhance maintenance and operation of the #waterfront public access areas# consistent with the purposes of this Article; and

(ii) participation in the plan is available to owners of contiguous parcels identified in Waterfront Access Plan BK-1 on an equal basis.

62-634

Requirements for Recordation

All required #visual corridors# and #waterfront public access areas# other than those provided in parks #developed# pursuant to Section 62-47 (Special regulations for zoning lots that include parks), once certified in accordance with the provisions of Section 62-711 (Waterfront public access and visual corridors), paragraphs (b) or (c), shall be duly recorded in the form of a signed declaration of restrictions, including a maintenance and operation agreement with the Department of Parks and Recreation, indexed against the property, binding the owners, successors and assigns to provide #visual corridors# and to construct and maintain the #waterfront public access areas#, except as provided in the provisions of this Section, and provide #waterfront public access areas# thereto in accordance with the plans certified by the Chairperson of the City Planning Commission. Such declaration or maintenance and operation agreement shall require that a bond be posted that would ensure that the #waterfront public access areas# are maintained in accordance with the declaration or maintenance and operation agreement and are closed only at authorized times, and shall set forth Rules of Conduct consistent with the provisions of Section 62-631. The filing of such declaration in the Borough Office of the Register of the City of New York shall be a precondition for the issuance of a building permit.

In addition, the preceding #waterfront public access area# elements shall be recorded on the certificate of occupancy by the Departments of Buildings or Business Services, as applicable, and shall be a condition of issuance of such certificate of occupancy.

62-70

SPECIAL REVIEW PROVISIONS

(moved from 62-16, Requirements for Applications)

An application to the Department of Buildings, Department of City Planning or Department of Business Services, involving a #zoning lot# subject to the provisions of this Chapter, shall include a survey of the #zoning lot# showing the following elements, as applicable:

- (a) pierhead line;
- (b) bulkhead line;
- (c) #shoreline#, including its length;
- (d) #upland lot#, including its area;
- (e) #seaward lot#, including its area;
- (f) area of the portion of the #zoning lot# seaward of the #shoreline#;
- (g) #existing #piers#, #platforms# or #floating structures#, including their #water coverage# and surface elevation or height, as applicable;
- (h) previously established and recorded #visual corridors# and #waterfront public access areas# or any other public access area on the #zoning lot# or on adjoining #zoning lots#;
- (i) #visual corridors# or #waterfront public access areas# required on the #zoning lot# by a Waterfront Access Plan set forth in Section 62-80;
- (j) existing bulkheads and stabilized portions of natural shore showing their seaward and landward edges, as well as their top elevations;
- (k) a lighting plan, as required in Section 62-624 (Lighting), including fixtures, wattage and their locations and designs, with a diagram of light level distribution;
- (l) a detailed landscape plan, as required in Section 62-625 (Planting and trees) prepared by a licensed landscape architect; and
- (m) documentation showing compliance with the requirements of Section 62-624 (Signage).

62-71

City Planning Certifications

The provisions of Sections 62-711 and 62-712, relating to certifications for #waterfront public access areas#, #visual corridors# and #zoning lot# subdivisions, shall ~~not~~ apply to all #zoning lots# within #waterfront blocks# and any other #blocks# included within a Waterfront Access Plan, except that the following shall not be subject to the provisions of Section 62-711:

airports, heliports and seaplane bases;

#developments# involving #predominantly single-# or #two-family residences# within #detached#, #semi-detached# or #zero lot line buildings# on existing #zoning lots# of less than 10,000 square feet in any district, provided such #zoning lots# are not included within an area subject to a Waterfront Access Plan pursuant to Section 62-80;

#zoning lots# in C8 and #Manufacturing Districts#, involving #predominantly uses# in Use Groups 16,

17 or 18, except for docking facilities serving passenger ocean vessels or sightseeing, excursion or sport fishing vessels; and

#zoning lots# in R1 and R2 Districts.

62-711

Waterfront public access and visual corridors

No excavation or building permit shall be issued for any #development# on a #waterfront block#, or any other #block# included within a Waterfront Access Plan, until the Chairperson of the City Planning Commission certifies to the Department of Buildings or Department of Business Services, as applicable, that:

- (a) there is no #waterfront public access area# or #visual corridor# requirement for the #development# due to the following:
 - (1) the #development# is exempt pursuant to Sections 62-41 (Requirements for Applicability of Waterfront Public Access Area Requirements) or 62-42 62-49 (Requirements for Visual Corridors); or
 - (2) the #waterfront public access area# or #visual corridor# requirement has been waived pursuant to Section 62-80 (WATERFRONT ACCESS PLANS); or
- (b) a site plan has been submitted showing compliance with the provisions of Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS AND VISUAL CORRIDORS) and 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR THE WATERFRONT PUBLIC ACCESS AREAS); or
- (c) a site plan has been submitted showing compliance with the provisions of Section 62-80; or
- (d) for #developments# listed in Section 62-40 62-41, paragraph (a) (b) (c), on a #zoning lot# containing a public access area established prior to October 25, 1993 meeting the terms of Section 62-415 62-48, paragraph (c) by restrictive declaration, lease agreement, maintenance and operation agreement or other agreement with a public entity, which public access area is required to be provided for a period not less than the anticipated life of the new #development#, a copy of such restrictive declaration or agreement and a site plan indicating the location, area and design of the required public access area and showing substantial compliance with the provisions of the first paragraph of Section 62-415 (Requirements for supplemental public access areas) 62-48 (Special regulations for water-dependent uses and other developments); paragraph (b), have been submitted; or
- (e) for the #development# of a park, a site plan and all other applicable data have been submitted showing compliance with the provisions of Section 62-416 62-47 (Special Regulations for Zoning Lots that Include Parks).

For any parcel identified in Waterfront Access Plan BK-1, the Chairperson shall allow for the phased implementation of all required #waterfront public access areas# upon certification to the Commissioner of Buildings that a plan has been submitted that provides for an amount of #waterfront public access area# proportionate to the amount of #floor area# being #developed# in each phase. Additionally, for any #development# located within 240 feet of a #shoreline#, the initial phase and each subsequent phase shall provide a minimum of 200 linear feet of #shore public walkway# and any adjacent #supplemental public access area# located between such #development# and such #shore public walkway#, one #upland connection# through or adjacent to the entire parcel leading to the #shore public walkway#, and at least one other connection from the #shore public walkway# to an adjacent #shore public walkway#, #street# or other #upland connection#. For any #development# located entirely beyond 240 feet of a #shoreline#, the initial phase and each subsequent phase shall also provide a minimum of 100 linear feet of #shore public walkway# and one #upland connection# through or adjacent to the entire parcel leading to the #shore public walkway#. However, no #waterfront public access area# need be provided for a phase consisting of a #development# in which all #residences# in such phase are affordable #residences# for #lower income households# as defined in Section 23-93, or #moderate income households# as defined in Section 62-352, provided that such exemption shall only apply where 25 percent or less of the total #residential floor area#, including any applicable #floor area# bonuses, on the parcel have been #developed#.

A certification pursuant to paragraphs (b) or (c) of this Section shall be granted on condition that an acceptable restrictive declaration is executed and filed pursuant to Section 62-14 62-634 (Requirements for Recordation).

Within 45 days of receipt of a complete application, the Chairperson shall either certify that the proposed #development# complies with the requirements of this Section or disapprove such application, citing the nature of any failure to comply. Failure to certify or disapprove such application within the 45 day period will release the Department of Buildings or the Department of Business Services from any obligation to withhold the excavation or building permit and authorize such agency to determine compliance with the provisions of this Section.

62-71

Zoning lot subdivision

An existing #zoning lot# within a #waterfront block#, or within any other #block# included in a Waterfront Access Plan, may be subdivided into two or more #zoning lots#, or reconfigured in a manner that would reduce its area or any dimension, only in accordance with the provisions of this Section or as modified pursuant to Section 62-722 (Modification of waterfront public access area and visual corridor requirements).

Such #zoning lot# may be subdivided or reconfigured provided that the Chairperson of the City Planning

Commission certifies that:

- (a) there are no existing requirements in this Chapter for #waterfront public access area# or #visual corridors# on the such #zoning lot# for any #use# permitted on such #zoning lot#; or
- (b) the proposed subdivision or reconfiguration will not affect a minimum dimension or area which would mandate waterfront public access or #visual corridors#, or
- (c) in the event a subdivision or reconfiguration affects a minimum dimension or area as set forth in paragraph (b) of this Section, such waterfront public access or #visual corridors# will continue to be provided on any subdivided or reconfigured #zoning lots# that would result, as evidenced by the recording of a deed restriction against such property.
- (b) a restrictive declaration shall be recorded against the property, binding all resulting #zoning lots#, requiring #waterfront public access areas# or #visual corridors# to be provided at the time of any #development#, other than an exempt #development# as set forth in Section 62-41, on all subdivided or reconfigured #zoning lots# as applicable. Such #waterfront public access area# shall be provided as required for the original #zoning lot#, and shall be provided at the time of #development# of a non-exempt #use#. Such restrictive declaration shall include a site plan that sets forth the amount and location of the required #waterfront public access areas# and #visual corridors# on all resulting #zoning lots#; or
- (c) there is existing publicly accessible waterfront open areas on the #zoning lot# constructed as part of a previously approved site plan providing physical and visual access to and along the waterfront, and such open areas is no smaller in square footage than that required under the provisions of this Chapter for #waterfront public access areas#, and restrictions have been recorded against the property requiring such existing open area to remain accessible to the public for the life of the #development#.

62-72 Authorizations by the City Planning Commission

* * *

62-722 Modification of waterfront public access area and visual corridor requirements

The City Planning Commission may:

- (a) Authorization to modify location and minimum dimension requirements of #waterfront public access areas#.
- The City Planning Commission may authorize modification of the requirements for location and minimum dimensions for a #shore public walkway#, #upland connection#, public access area on a #pier# or #floating structure#, #visual corridor# or #supplemental public access area# requirements of Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS AND VISUAL CORRIDORS) and, in conjunction therewith, Section 62-332 (Rear yards and waterfront yards). The Commission may also authorize a portion or all of the required #waterfront public access area# to be provided off-site on an adjoining public property. The Commission shall file any such authorization with the City Council. The Council, within 20 days of such filing, may resolve by majority vote to review such authorization. If the Council so resolves, within 50 days of the filing of the Commission's authorization, the Council shall hold a public hearing and may approve such authorization in whole or in part, with additional or modified restrictions or conditions, or disapprove such authorization. If, within the time periods provided for in this Section, the Council fails to act on the Commission's authorization, the Council shall be deemed to have approved such authorization.

As a condition to the granting of In order to grant such authorization the Commission shall find that:

- (1) the regulations would result in an unfeasible #development# due to the presence of existing #buildings or other structures# or unique #shoreline# conditions such as wetlands; or
- (2) strict adherence to the regulations would adversely affect existing topography, vegetation or views having environmental, historic or aesthetic value to the public; or
- (3) for a commercial or community facility #development#, it would be impractical to satisfy the #development's# programmatic requirements while adhering to the regulations.
- (1) the Commission shall require that alternate the #waterfront public access areas# and #visual corridors# provided on the #zoning lot#, or off-site adjacent to the #zoning lot#, are provided that are substantially equal in area to that those required and, by virtue of their location and design, provide equivalent public use and enjoyment of the waterfront and views to the water from upland #streets# and other public areas; or

- (2) due to site planning constraints the provision, on the #zoning lot# or off-site on an adjoining public property, of #waterfront public access areas# or #visual corridors#, on the #zoning lot# or off-site on an adjoining public property, that are equal in area to those required would make #development# on the #zoning lot# impractical or infeasible, programmatically or otherwise; and further that the reduction or waiver of requirements is the minimum necessary.

In the event the Commission determines that there is no feasible way to provide substantially equal alternative public access areas either on the #zoning lot# or off-site on an adjoining public property or to provide substantially equal alternative #visual corridors#, the Commission may authorize a reduction or waiver of the requirements.

- (b) Authorization to modify design requirements and design standards for improvements within #waterfront public access areas#.

authorize modifications of the requirements of Section 62-60 (DESIGN STANDARDS FOR THE WATERFRONT AREA).

The City Planning Commission may modify the design requirements and standards for improvements within #waterfront public access areas#, of Sections 62-42 through 62-48, inclusive, Section 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR WATERFRONT PUBLIC ACCESS AREAS), and Section 62-80 (WATERFRONT ACCESS PLANS).

As a condition to the In order to granting of such authorization, the Commission shall find that:

- (1) such modifications are necessary to accommodate modifications pursuant to paragraph (a) of this Section; or
- (2) such modifications would result in a design of the #waterfront public access areas# that is functionally equivalent or superior to the design prescribed by strict adherence to the provisions of Sections 62-60, 62-42 through 62-48, inclusive, 62-60 and 62-80.

- (c) Authorization for phased development of #waterfront public access areas#

The City Planning Commission may authorize a phasing plan to implement #waterfront public access area# improvements on #zoning lots# undergoing partial development or #zoning lots# subdivided or reconfigured pursuant to Section 62-712 (Zoning lot subdivision or reconfiguration). In order to grant such authorization, the Commission shall find that:

The City Planning Commission may authorize, in the case of #zoning lots# undergoing partial development or #zoning lots# that have been subdivided or reconfigured pursuant to Section 62-712 (Zoning lot subdivision or reconfiguration), a phasing plan to implement #waterfront public access area# improvements on the #zoning lot#. As a condition to the granting of such authorization, the Commission shall find that:

- (1) the amount of #waterfront public access area# developed in any phase is proportionate to the #lot area# being developed in such phase, or
- (2) physical or programmatic constraints make it infeasible to provide the #waterfront public access area# on a proportional basis as the #zoning lot# is improved, and the maximum feasible amount of #waterfront public access area# is developed in each phase.

A phasing plan shall be submitted that sets forth the amount and location of #waterfront public access area# that will be provided at the time of #development# of each phase. A deed restriction shall be recorded against all such #zoning lots# binding them to the phasing plan for #waterfront public access areas#.

A phasing plan shall be submitted that sets forth the amount and location of #waterfront public access area# that will be provided at the time of #development# of each phase. A deed restriction shall be recorded against all such #zoning lots# binding them to the modified requirements for #waterfront public access areas#.

- (e) authorize, in the case of #zoning lots# undergoing partial development, a phasing plan to implement public access improvements on a proportional basis as the lot is improved.
- (d) Authorization to modify minimum required hours of operation and to install gates

The City Planning Commission may authorize, for a period not to exceed ten years, modifications of the requirements for hours of operation in Section 62-631, or the installation of gates in #predominantly residential developments# in all Districts in accordance to Section 62-621 (c)(2).

The Commission shall find that any modification of the hours of operations and the installation of gates in #predominantly residential developments# are warranted due to the remote location of the

#waterfront public access areas#, and such gates or modified hours of accessibility will not thereby unduly restrict public access to the waterfront.

As a condition of granting such authorization, the Commission shall find that all gates comply with the design requirements of Section 62-621 (Guardrails, gates and other protective barriers).

Public access to the #waterfront public access areas# shall be assured by appropriate legal documents; and signage setting forth hours of operation shall be affixed to the gate which shall indicate the hours of public access authorized pursuant to this paragraph (d).

The Commission may impose appropriate conditions and safeguards to assure that such modifications will achieve comparable physical and visual access to the waterfront or to assure that an approved phasing plan will be properly implemented. Such conditions may include, but are not limited to, requirements for deed restrictions, easements or performance bonds.

* * *

62-73 Special Permits by the City Planning Commission

* * *

62-733 Uses on floating structures

* * *

The Commission may also permit modification of the #visual corridor# requirements of Section 62-42 62-49 provided it makes the additional finding that the location and configuration of the #floating structure# minimizes any adverse effects on significant views to the water from upland public #streets# or other public places.

* * *

62-734 Developments on piers or platforms

In all districts, the City Planning Commission may permit:

- (a) a change of #use# on a #new # pier# or #platform# from a WD #use# or the following WE #uses#: a #public park# or playground or publicly accessible private park, to any other WE #use# permitted by the applicable district regulations and, in conjunction with such change of #use#, modification of the #bulk# regulations of Section 62-30 for an existing #building#, except for Section 62-31, paragraph (a), or the maximum #floor area ratio# for the applicable district, provided the Commission finds that:

* * *

- (b) for an #existing # pier#, any #use# permitted by the applicable district regulations and modifications of the provisions of Sections 62-332 (Rear yards and waterfront yards) and 62-342 (Developments on piers), provided the Commission finds that:

* * *

- (c) for existing or new #piers#, modification of the #waterfront public access area# and #visual corridor# requirements of Sections 62-40 and 62-60 provided the Commission finds that:
 - (1) the proposed #development# would result in better achievement of the goals set forth in Section 62-00 than would otherwise be possible by strict adherence to the regulations of Sections 62-40 and 62-60; and
 - (2) alternate #waterfront public access area# and #visual corridors# on the #zoning lot#, or off-site on a public property adjacent to the #zoning lot#, are provided that are substantially equal in area to that required and, by virtue of their location and design, provide equivalent public use and enjoyment of the waterfront and views to the water from upland #streets# and other public areas.

In the event the Commission determines that there is no feasible way to provide substantially equal alternative public access areas either on the #zoning lot# or off-site on an adjoining public property or to provide substantially equal alternative #visual corridors#, the Commission may authorize a reduction or waiver of the requirements.

The Commission may prescribe additional appropriate conditions and safeguards to minimize adverse effects on the character of the waterfront and the surrounding area, including requirements for setbacks from #lot lines#, spacing from other #buildings# on the same or adjoining #zoning lots#, limitations on lighting and signage and limitations on size of individual establishments.

* * *

62-736 Bulk modifications on waterfront blocks

In all districts, the City Planning Commission may permit modification of any applicable #yard#, #lot coverage#, height and setback, and distance between #buildings# regulations for a #development# on a #zoning lot# within a #waterfront block#, excluding any portion on a #pier# or #new # platform#, provided the Commission finds that: such modifications:

- (a) the #zoning lot# has unique natural features such as rock outcroppings, significant grade changes or wetlands; or has an irregular #shoreline# or shape; or contains existing #buildings or other structures#;
- (b) the site plan of the proposed #development# would will result in better #bulk# placement and articulation of #buildings#, and a better

- arrangement of open spaces than would be possible by strict adherence to the #bulk# regulations;
- (e) the proposed #development# would provide physical or visual public access to the waterfront in a way that is superior to that which would be possible by strict adherence to the #bulk# regulations; and
- (d) such modifications would significantly enhance the relationship between the proposed #development# and the surrounding area.
- (a) will result in a better site plan and a better relationship among #buildings# and open areas to adjacent #streets#, surrounding development, adjacent open areas and #shorelines# than would be possible through strict adherence to the regulations; or
- (b) are necessary to protect unique natural features such as rock outcroppings, significant grade changes or wetlands, or to accommodate existing #buildings or other structures#; and
- (c) will not adversely affect access to light and air for surrounding #waterfront public access areas#, #streets# and properties.

62-80 WATERFRONT ACCESS PLANS

62-81 General Provisions

62-811 Establishment of Waterfront Access Plans

The City Planning Commission and City Council may adopt a Waterfront Access Plan as an amendment to this Resolution pursuant to Section 200 or 201 of the City Charter and in accordance with the provisions of Sections 62-812 (Elements of a Waterfront Access Plan), 62-813 (Conditions for the adoption of a Waterfront Access Plan) and this Section in order to adjust the #waterfront public access area# and #visual corridor# requirements of Sections 62-40 and 62-60, retain the #waterfront block bulk# regulations of Section 62-30 on newly-created non-#waterfront blocks# within a specifically defined portion of the #waterfront area#, or establish #waterfront yard# requirements for #developments# otherwise exempt from the requirements of Section 62-33 (Special Yard Regulations on Waterfront Blocks).

To be considered for a Waterfront Access Plan, an area shall:

- (a) be entirely ...

* * *

62-812 Elements of a Waterfront Access Plan

A Waterfront Access Plan may:

- (a) on #zoning lots# where #waterfront public access area# or #visual corridors# are required pursuant to the provisions of Sections 62-40 and 62-60, modify the size, configuration, location or design of required #waterfront public access areas# or #visual corridors# within certain designated areas in order to address local conditions, provided such plan does not impose a #waterfront public access area# or #visual corridor# requirement on any #zoning lot# greater than would otherwise be required pursuant to the provisions of Sections 62-40 or 62-60. For the purpose of determining the amount of public access, the highest standard applicable to a #zoning lot# may be applied regardless of any specific #use# permitted or proposed for such #zoning lot#. Within Waterfront Access Plan BK-1, the #waterfront public access area# and #visual corridor# requirements for any parcel located within the Waterfront Access Plan may be determined by aggregating the #waterfront public access area# and #visual corridor# requirements of each #zoning lot# within the parcel and such aggregated requirements may be modified within such parcel without regard to #zoning lot lines#;
- (b) on #zoning lots# where #waterfront public access area# or #visual corridors# are not required pursuant to the provisions of Sections 62-40 and 62-60, establish requirements for #waterfront public access area# or #visual corridors#, except for those #zoning lots# predominantly developed# for airports, heliports, seaplane bases or, in C8 or #Manufacturing Districts#, #uses# in Use Groups 16, 17 or 18, provided that such #zoning lots#, when improved would result in a community need for such physical or visual access to the waterfront or a waterfront linkage of #public parks# or other public areas. The plan may incorporate one or more of the #waterfront public access areas# or #visual corridors# listed in Section 62-40 consistent with the standards of Sections 62-40 and 62-60. Such standards may be modified as necessary to address local conditions provided such plan does not impose a requirement for any component greater than would otherwise be required pursuant to the provisions of Sections 62-40 or 62-60;
- (c) modify or waive specific requirements for #waterfront public access area# or #visual corridors# in certain designated areas where such requirements would not be compatible with local conditions and therefore not serve to further public enjoyment of the waterfront;
- (d) identify shore terminations of mapped #streets# or #existing #piers# or #platforms# within seaward prolongations of such #streets# and establish public access treatments for such areas after referral to the Department of Transportation or other City agency having jurisdiction over such property for its review and concurrence;

- (e) apply the #bulk# regulations of Section 62-30 to a non-#waterfront block# when such #block# results from a subdivision of a #waterfront block# as the result of a #street# mapping; and
- (f) for #developments# where a #waterfront yard# is not otherwise required by Section 62-33, establish requirements for a #waterfront yard# provided such plan does not impose a requirement greater than would be required by the provisions of Sections 62-331 or 62-332 as modified by the further provisions of this paragraph for such other #developments#. #Enlargements# of #buildings# or other structures# existing on the effective date of the Waterfront Access Plan shall be permitted within such #waterfront yard# provided that the #enlargement# is for WD #uses# or Use Group 16, 17 or 18 #uses# and no portion of the #enlargement#, other than permitted obstructions, is within 20 feet of the seaward edge of the #waterfront yard#. In addition, obstructions shall be permitted within such #waterfront yard# pursuant to applicable district #yard# regulations, except that no #building# or portion of a #building# shall be permitted within 10 feet of the seaward edge of such #waterfront yard#.

A Waterfront Access Plan shall include the following elements:

- (1) identification of the plan by Borough and plan number or area name;
- (2) a #zoning map# or portion thereof, showing the boundaries of the geographical area included within the plan, which shall constitute the plan map;
- (3) delineation on the plan map of any physical or visual waterfront access features mandated by the plan to be at specific locations; and
- (4) a description in the plan text of all features established or modified by the plan, with reference to affected blocks and lots.

* * *

62-82 Borough of The Bronx

62-83 Borough of Brooklyn

The following Waterfront Access Plans are hereby established within the Borough of Brooklyn. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

BK-1: Greenpoint-Williamsburg, as set forth in Section 62-831.

62-831 Waterfront Access Plan BK-1: Greenpoint-Williamsburg

Maps BK-1a through BK-1c in paragraph (g) of this Section show the boundaries of the area comprising the Greenpoint-Williamsburg Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on May 11, 2005, as follows:

* * *

- (a) Area wide modifications

The following provisions shall apply to all #developments# required to provide #waterfront public access area#, pursuant to Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS AND VISUAL CORRIDORS):

- (1) Paragraph (c) of Section 62-412-62-43 (Requirements for public access on piers) is applicable, except that a minimum of 15 feet are required along each water edge.
- (2) The provisions of Section 62-61 (Design Options and Methodology) shall be inapplicable. In lieu thereof, the following provisions shall apply: (delete)
- (2) In addition to the requirements of 62-62 (Public Access Design Reference Standards), all #waterfront public access areas# are subject to the provisions set forth in paragraph (d) of this Section.
- (3) The provisions of Section 62-623 (Supplemental public access areas) shall be inapplicable. In lieu thereof, the following provisions shall apply:

* * *

- (4) #Street# treatment

All #streets# adjacent to a #shore public walkway# or #supplemental public access area# shall be improved as a continuation of such #shore public walkway# or #supplemental public access area#, pursuant to the design requirements of paragraph (b) of this Section 62-641 (Design requirements for shore public walkways and supplemental public access areas), inclusive.

- (b) Specific design requirements for Public Access Prototypes (delete entire paragraph)

* * *

- (e) Amenities

In parcels where #supplemental public access area# is required, no more than 15 percent of public access area may be reduced if playgrounds and other amenities are provided in accordance with the following provisions:

- (1) **Playgrounds**

A playground shall have a minimum size of 1,000 square feet and, if applicable, there shall be a minimum of 400 feet between any two playground areas. For every five square feet of playground area provided, the total amount of required public access may be reduced by the rate of one square foot;

- (2) Other amenities

A reduction in the total amount of required #waterfront public access area# shall be permitted according to the following table:

Amenity	Square feet reduction
Picnic table	22 sq. ft. per table (max. 200 sq. ft.)
Chess table	20 sq. ft. per table (max. 200 sq. ft.)
Telescope	10 sq. ft. per telescope (max. 50 sq. ft.)
Fountain/water feature	150 sq. ft. per feature (max. 300 sq. ft.)
Shade structure	150 sq. ft. per structure (max. 300 sq. ft.)

- (dc) Public access design reference standard

Section 62-67 62-62 is hereby modified by the following provisions.

- (1) Guardrails

The provisions of paragraph (a) of Section 62-671 62-621 (Guardrails, gates and other protective barriers) shall be inapplicable. In lieu thereof, the following provisions for guardrails shall apply:

- (i) Guardrails shall be located within #waterfront public access areas# continuously along any bulkhead, stabilized shore or the water edges of a #pier# or #platform# that is located within 50 feet of a circulation path; and continuously along any grade level change of 30 inches or greater adjoining or within 10 feet of a circulation path. However, guardrails shall not be required landward of any rip rap, beach or any other shoreline material that is at least 10 feet wide. If any protective barrier is provided adjacent to any rip rap, beach or other shoreline material, they shall not exceed a height of 21 inches or shall consist of a bollard and chain device.

Guardrails shall not be required at access points to water dependent (WD) #uses# and #development# on #floating structures#. The minimal protective barrier at such locations shall be a swing gate, bollard and chain or similar device.

- (ii) Guardrails shall comply with Illustration A1; alternatively, Illustration A2 may be used in #piers#.

In addition to the provisions of paragraph (a) of Section 62-621 (Guardrails, gates and other protective barriers), guardrails shall comply with Illustration A1 of this Section.

Illustration A1 (delete existing illustration)

Illustration A2 (delete existing illustration)-

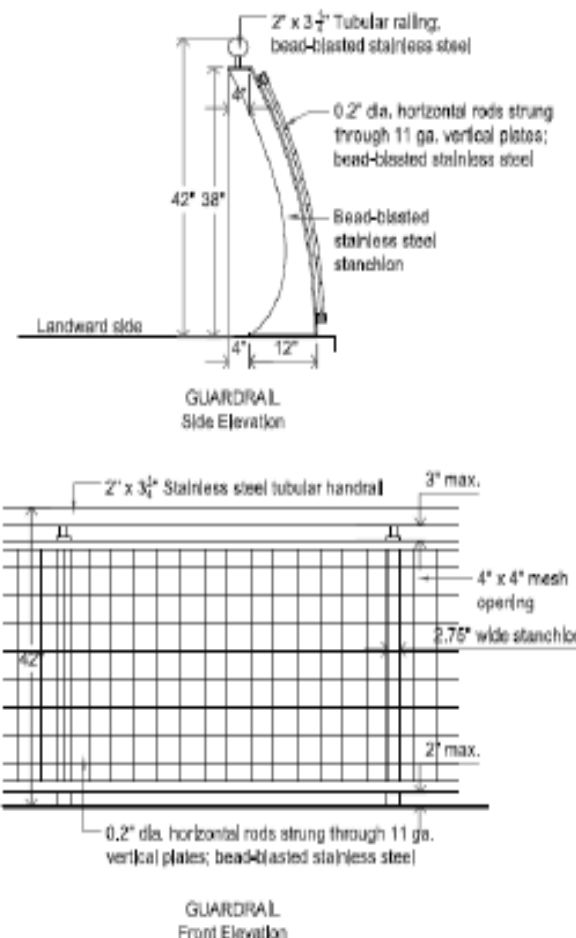


Illustration A1

All guardrail components and hardware shall be #316 stainless steel passivated and bead blasted, or cast aluminum, as applicable.

(2) Seating

In addition to the provisions of Section 62-672 62-622, at least 50 percent of the required seating along any #shore public walkway# or #supplemental public access area# shall comply with Illustration B1 or B2 in this Section.

Illustration B1 (delete existing illustration)

Illustration B2 (delete existing illustration)

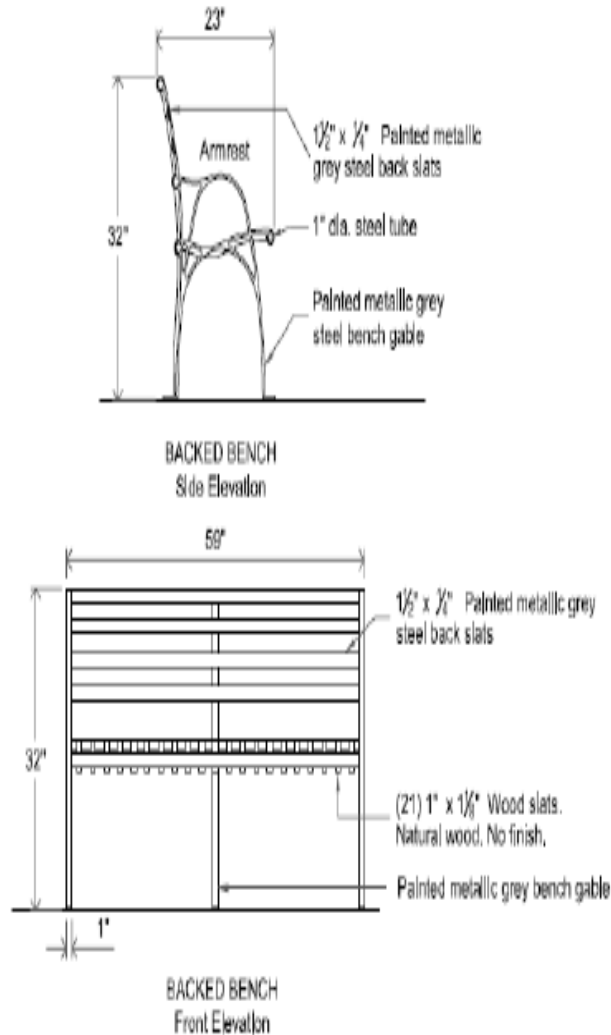


Illustration B1

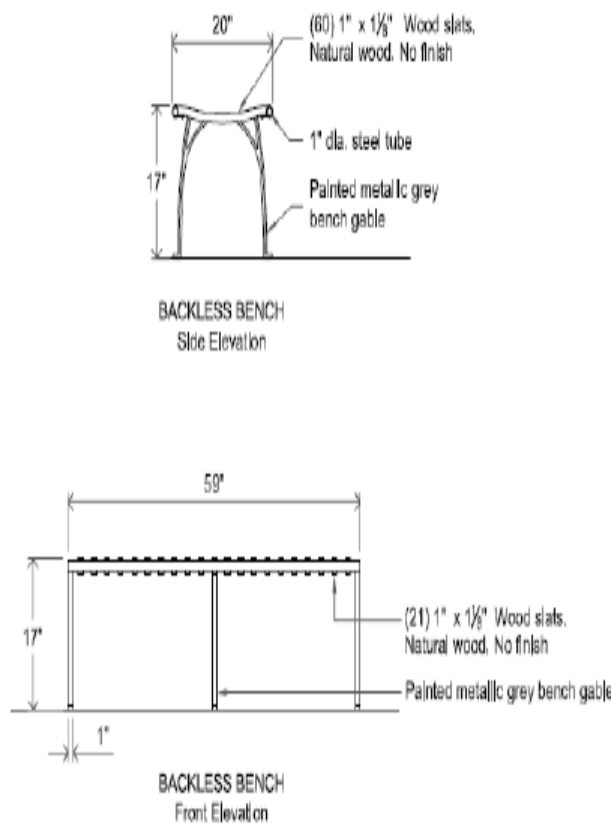


Illustration B2

All wood boards shall be made of domestically grown non-tropical hardwoods, such as American White Oak (Quercus alba), redwood, jarrah or ipe, have eased edges and ends and be treated for external use without stain or varnish.

All supports and backstraps shall be 713 tenzalloxy cast aluminum, with a rust inhibitor and a top coat finish of thermosetting polyester powdercoat that is ultra violet, chip and flake resistant. Metal components shall have a light gray or aluminum color.

(3) Lighting

In addition to the provisions of Section 62-673, the required lighting along any public access area shall comply with Illustration C1 in this Section.

The requirements of Section 62-623 shall apply, except that the illumination provisions of paragraph (a) shall be provided using lighting fixtures in compliance with Illustration C1 of this Section.

Illustration C1 (delete existing illustration)

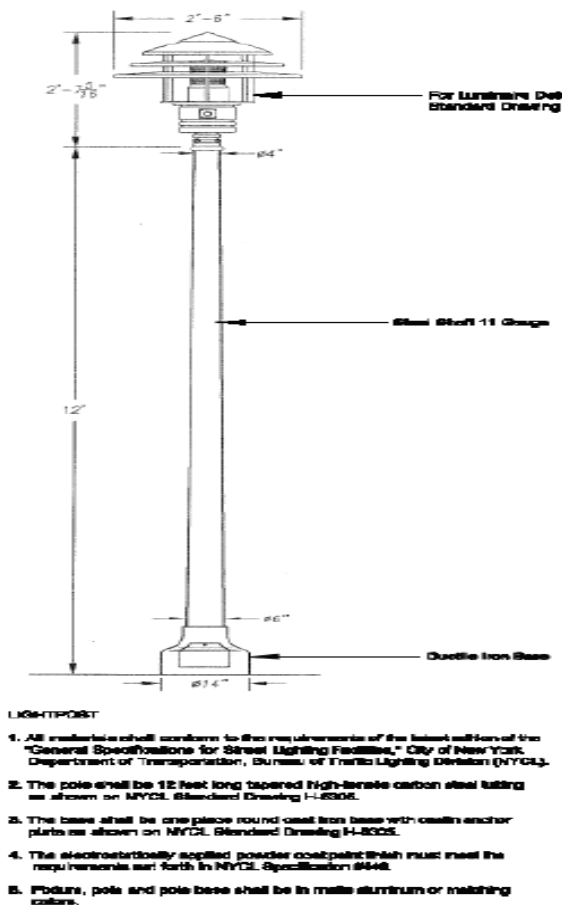


Illustration C1

(4) Planting and trees

The provisions of paragraph (c)(6) (Container planting) of Section 62-675 shall be inapplicable, unless a structural or environmental necessity is demonstrated at the time of certification.

(64) Paving

In addition to the provisions of Section 62-676 62-626, the paving for the required clear path within the #shore public walkway# shall be gray. At least 50 percent of all other paved areas within the #shore public walkway# and #supplemental public access areas# shall be paved in the same color range.

(ed) Special public access provisions by parcel

The provisions of Sections 62-41 (Applicability of Requirements for Waterfront Public Access Area Requirements) and 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR WATERFRONT PUBLIC ACCESS AREAS DESIGN STANDARDS FOR THE WATERFRONT AREA) are modified at the following designated locations which are shown on Map BK-1b in paragraph (e)(f) of this Section:

- (1) Parcels 1 and 2
(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply to all new #development#.

In the event of any #enlargement#, #extension# or change of #use# within existing #buildings# or other structures#, a #shore public walkway# shall occupy the entire area between the seaward edge of the #zoning lot# and the existing #building# or other structure# but need not be wider than 40 feet. The #shore public walkway# shall have a minimum clear path of 10 feet. No seating, or planting or buffer zone shall be required. If seating and planting are provided, they shall comply with the provisions of Sections 62-672 62-622 and 62-675 62-625. In addition to the lighting design requirements of paragraph (c)(3) of this Section, lighting fixtures may be mounted on existing #buildings# or other structures#.

- (ii) #Supplemental public access area#

The requirements for a #supplemental public access area# shall be waived.

- (2) Parcels 3 and 4

- (i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

- (ii) #Upland connection#

An #upland connection# shall be provided between Commercial Street and the #shore public walkway# within a flexible location along the #lot line# between Parcels 3 and 4. Whichever parcel is developed first shall provide an #upland connection# along the #lot line# between the two parcels. The width of the #upland connection# may be utilized by the developer of the remaining parcel in the computation necessary to comply with the requirements of a #visual corridor# along the #lot line# between the two parcels, according to the provisions of paragraph (e)(1) of this Section. If both parcels are developed concurrently, then the requirements may be divided equally along the #lot line# between the parcels.

If, however, Parcel 4 is improved #predominantly# for public access area prior to or concurrent with #development# of Parcel 3, the #upland connection# requirement shall be waived. However, a publicly traversable way shall be provided within the flexible location zone indicated on Map BK-1b in paragraph (f) of this Section. The eastern boundary of such flexible location zone shall be the shared #lot line# of Parcel 2 and its western boundary shall be 115 feet from such #lot line#.

In addition, such publicly traversable way shall have a minimum width of 15 feet, and shall comply with the provisions of Section 62-452 (Design requirements for upland connections), as applicable for Type 2 #upland connections#. There shall be no more than two changes in direction over its entire length and no single turn shall be less than 90 degrees relative to the line of travel. Any change in direction with an angle of less than 135 degrees shall be posted with an entry sign pursuant to paragraph (b), Section 62-624, and shall also be accompanied by an arrow indicating the direction of travel toward the #shore public walkway#. At least 50 percent of the area of any walls bounding such publicly traversable way shall be glazed. In addition, 24 linear feet of seating shall be provided within such publicly traversable way and within 50 feet of its boundary with the #shore public walkway# and the public #street# it connects to.

- (3) Parcel 5a

- (i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

- (ii) #Upland connection#

An #upland connection# shall be provided between Commercial Street and the #shore public walkway# within the flexible location zone indicated on Map BK-1b in paragraph (e)(f) of this Section.

The eastern boundary of such flexible location zone shall be 110 feet from the shared #lot line# of Parcel 4 and its western boundary shall be 200 feet from the shared #lot lines# of Parcels 5b and 6.

- (iii) #Supplemental public access area#

The #supplemental public access area# shall abut the

#shore public walkway# continuously along its longest side, and shall also abut the required #upland connection# where it meets the #shore public walkway#. The #upland connection#, however, may cut across the #supplemental public access area# provided that no resulting #supplemental public access area# shall be less than 5,000 square feet. All #supplemental public access areas# shall have a minimum width to depth ratio of 1.0 to 1.0 and a maximum width to depth ratio of 2.0 to 1.0. In no event shall the #supplemental public access area# be deeper than 100 feet. The requirements for a waterfront plaza described in paragraph (b)(3) of this Section shall apply.

Alternatively, a portion of the required #supplemental public access area# that is a minimum of 5,000 square feet may abut the #shore public walkway# continuously along the longest side provided that it also abuts a publicly accessible private drive connecting the #shore public walkway# to Commercial Street. Such publicly accessible private drive shall be improved to the standards of an #upland connection# as required by Section 62-641-62-45, but shall not be counted towards satisfying the required amount of #waterfront public access area# on the site. The requirements for a waterfront park described in paragraph (b)(4) of this Section shall apply.

(4) Parcel 5b

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(64) Parcel 5c

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

Two #upland connections# shall be provided between West Street and the #shore public walkway#, one each one located within the prolongation of the #street lines# of Eagle Street and Green Street, respectively.

(iii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided on Parcel 5c. A #supplemental public access area# shall be bounded by the southern boundary of the required Green Street #upland connection#, the #shore public walkway#, the southern boundary of Parcel 5c and the northern prolongation of the eastern boundary of the #shore public walkway# required in Parcel 7. The requirements for a waterfront plaza described in paragraph (b)(3) of this Section shall apply.

The remaining required #supplemental public access area# shall be provided either on the #pier# or distributed evenly as a widening of the pedestrian circulation zone of the #shore public walkway# located between the Eagle Street and Green Street #upland connections#. If any #supplemental public access area# is located on the #pier#, one shade tree shall be required for each 1,000 square feet of #supplemental public access area#, but in no event shall more than four shade trees be required. A shading element may be substituted for the required shade trees at a rate of 450 sq. ft. of shade element per tree.

(iviii) #Pier# public access

Public access shall be provided

on the Green Street #pier# pursuant to the requirements of Section 62-412 62-431 and of paragraph (a)(1) of this Section.

(65) Parcel 7

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply, except that any When a portion of the required #shore public walkway#, where the distance between the shoreline and the #zoning lot line# boundaries of Parcel 7 is less than 17 feet, such portion shall be improved entirely as clear circulation path.

(ii) #Supplemental public access area#

The requirement for a #supplemental public access area# on Parcel 7 is waived.

(76) Parcels 9, 10 and 11

(i) #Shore public walkway#

The requirements for Prototype II described in paragraph (b)(2) of this Section shall apply.

(ii) #Supplemental public access area#

For each parcel, the #supplemental public access area# requirements shall be provided to widen the pedestrian circulation zone of the #shore public walkway#, evenly distributed along the entire length of such #shore public walkway#.

(87) Parcel 13

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway# located within the prolongation of the #street lines# of Milton Street.

(iii) #Supplemental public access area#

A #supplemental public access area# shall be bounded by the southern #street line# of Greenpoint Avenue, the #shore public walkway# and the northern boundary of the required Milton Street #upland connection#. The requirements for a waterfront park described in paragraph (b)(4) of this Section shall apply.

(98) Parcel 14

(i) #Shore public walkway#

The area between the prolongation of the northern #street line# of Calyer Street and the prolongation of the northern boundary of the required Calyer Street #upland connection# shall be improved pursuant to the requirements of Prototype II described in paragraph (b)(2) of this Section. The remaining required #shore public walkway# shall be improved pursuant to the requirements of Prototype I as described in paragraph (b)(1) of this Section.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway#. The southern boundary of such #upland connection# shall be defined by a line between the intersection of the prolongation of the southern #street line# of Calyer Street and the western #street line# of West Street, and a point on the easterly boundary of the #shore public walkway# 30 feet north of the northern #street line# of Quay Street.

(iii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided. A #supplemental public access area# with a minimum of 9,000 square feet shall be provided between the prolongation of the northern #street line# of Calyer Street and the prolongation of the northern boundary of the required Calyer Street #upland connection# to widen the pedestrian circulation zone of the #shore public walkway#.

The remaining requirements for #supplemental public access area# shall be located in the area bounded by the southern boundary of the required Calyer Street #upland connection#, the #shore public walkway# and the southern boundary line of the parcel. The requirements for a waterfront park described in paragraph (b)(4) of this Section shall apply.

(499) Parcel 15

An #upland connection# shall be provided within the prolongation of the #street lines# of West Street, connecting Quay Street to Parcel 20.

(4110) Parcels 19, 20, 21 and 22

Parcels 19, 20, 21 and 22 shall be designated as public parks as of May 11, 2005.

(49) Parcel 24

#Shore public walkway#

The requirements for prototype I described in paragraph (b)(1) of this Section shall apply.

(4311) Parcel 25

(i) #Shore public walkway#

The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply.

(ii) #Upland connection#

An #upland connection# shall be provided between West Street and the #shore public walkway# located within the prolongation of the #street lines# of North 6th Street.

(iii) #Supplemental public access area#

Two #supplemental public access areas# shall be provided.

One #supplemental public access area# shall be provided along the prolongation of the southern #street line# of North 7th Street and the #shore public walkway#. Such public access area shall be a minimum of 3,000 square feet in area and shall have a minimum depth of 90 feet measured from the #shore public walkway#. The entire #supplemental public access area#, excluding the required buffer, shall be developed as clear circulation path. A screening buffer shall be provided along the boundaries of the public access area and any private portion of the #zoning lot#. No other planting shall be required.

A minimum of one linear foot of seating shall be required for every 40 65 square feet of #supplemental public access area#. pedestrian circulation zone and shall be located in the required buffer zone. Four trees shall be required, at least two of which are shade trees. Small or ornamental trees located within the buffer zone shall not be counted toward the minimum requirements.

The remaining required #supplemental public access area# shall be located either on the #pier# or abut the #shore public walkway# continuously along its longest side, and shall also abut the required #upland

connection# where it meets the #shore public walkway#. At least 70 percent of the required #supplemental public access# shall have a width to depth ratio of 2:1. ~~The requirements for a waterfront plaza described in paragraph (b)(3) of this Section shall apply.~~ If any #supplemental public access area# is located on the #pier#, one shade tree shall be provided for each 1,000 square feet of #supplemental public access area#, but in no event shall more than four shade trees be required. A shading element may be substituted for the required shade trees at a rate of 450 sq. ft. of shade element per tree.

(iviii) #Pier# public access
Public access shall be provided on a #pier# located at the western terminus of North 6th Street pursuant to the requirements of Section ~~62-412 62-43~~ and of paragraph (a)(1) of this Section.

(412) Parcel 26

(i) #Shore public walkway#
The requirements of Section ~~62-411 62-42~~ (Requirements for shore public walkways) shall apply, except that the minimum required width of the #shore public walkway# shall be reduced to 34 feet between North 5th Street and the northern boundary of the required #upland connection# at the prolongation of North 4th Street. The quantity of public access eliminated from the #shore public walkway# as a result of this width reduction shall be located in the triangle formed between the #shore public walkway#, the southern #street line# of the North 4th Street #upland connection# and the bulkhead line. ~~The entirety of the #shore public walkway# shall be improved pursuant to the requirements for Prototype I described in paragraph (b)(1) of this Section.~~

(ii) #Upland connections#
An #upland connection# shall be provided between Kent Avenue and the #shore public walkway# located within the prolongation of the #street lines# of North 4th Street. However, if the #upland connection# is provided within a private drive pursuant to Section ~~62-622 62-45~~, then a portion of the southern ~~pedestrian circulation zone public access area~~ beyond 15 feet from Kent Avenue may be located up to 15 feet outside the prolongation of the #street lines# of North 4th Street, provided that this ~~pedestrian circulation zone public access area~~ is not located entirely outside the prolongation of the #street lines# of North 4th Street at any point within 80 feet of Kent Avenue.

(413) Parcel 27

(i) #Shore public walkway#
~~The requirements for Prototype I described in paragraph (b)(1) of this Section shall apply to all new #development#.~~
In the event of any #enlargement#, #extension# or change of #use# within existing #buildings or other structures#, a #shore public walkway# shall occupy the entire area between the seaward edge and the existing #building or other structure#, but need not be wider than 40 feet.
Notwithstanding the requirements of paragraph (c) of Section ~~62-62 62-61~~ (General Requirements for applying to Waterfront Public Access Areas), the #shore public walkway# may be located within the #building or other

structure#, and the obstructions permitted by Section ~~62-626 62-612~~, paragraph (a), shall include any supporting structural elements of the #building or other structure# and its related appurtenances. Additionally, the #shore public walkway# shall have a minimum clear path of 12 feet. No seating, planting or buffer zone shall be required. If seating and planting are provided, they shall comply with the provisions of Sections ~~62-672 62-622~~ and ~~62-675 62-625~~. In addition to the lighting design requirements of paragraph (c)(3) of this Section, lighting fixtures may be mounted on existing #buildings or other structures#.

(ii) #Supplemental public access area#
The requirements for #supplemental public access# shall be waived.

(fe) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan are shown on Map BK-1c in paragraph ~~(g)(f)~~ of this Section and shall be as follows:

- (1) Parcels 3 and 4
A #visual corridor# shall be provided through Parcels 3 and 4 to the pierhead line within a flexible area along the #lot line# between them.
Whichever parcel develops second shall complete the required clearance to comply with the #visual corridor# requirements along the #upland connection# ~~already~~ provided in accordance with the requirements of paragraph ~~(e)(d)(2)(ii)~~ of this Section. If both parcels are developed concurrently, then the requirements can be divided equally along the #lot line# between the parcels.
If, however, Parcel 4 is improved #predominantly# for public access area prior to or concurrent with #development# of Parcel 3, and a #visual corridor# is provided in Parcel 4, then the requirements for #visual corridor# on Parcel 3 shall be waived.
- (2) Parcel 5a
A #visual corridor# shall be provided through Parcel 5a to the pierhead line within the flexible location zone indicated on Map BK-1c in paragraph ~~(g)(f)~~ of this Section. The eastern boundary of such flexible area shall be 110 feet from the shared #lot line# of Parcel 4 and its western boundary shall be 200 feet from the shared #lot line# of Parcels 5b and 6.
- (3) Parcel 5b
Two #visual corridors# shall be provided through Parcel 5b to the pierhead line as the prolongation of the #street lines# of West Street and Dupont Street, respectively.
- (4) Parcel 5c
(i) Three #visual corridors# shall be provided through Parcel 5c to the pierhead line as the prolongation of the #street lines# of West Street, Eagle Street and Green Street.
(ii) The permitted obstructions on #piers#, in Section ~~62-65 62-431~~, paragraph (b), shall be permitted obstructions along the #visual corridor# along Green Street.
- (5) Parcel 13
Two #visual corridors# shall be provided through Parcel 13 to the pierhead line as the prolongation of the #street lines# of Milton Street and Oak Street, respectively.
- (6) Parcel 14
A #visual corridor# shall be provided through Parcel 14 as the prolongation of the #street lines# of Oak Street.
- (7) Parcel 15
A #visual corridor# shall be provided through Parcel 15 as the prolongation of the #street lines# of West Street.

(8) Parcel 25
A #visual corridor# shall be provided through Parcel 25 as the prolongation of the #street lines# of North 6th Street.

(gf) Greenpoint-Williamsburg Waterfront Access Plan Maps

* * *
62-84 Borough of Manhattan

62-85 Borough of Queens

The following Waterfront Access Plans are hereby established within the Borough of Queens. All applicable provisions of Article VI, Chapter 2, remain in effect within the areas delineated by such plans, except as expressly set forth otherwise in the plans:

- Q-1: Northern Hunters Point, as set forth in Section 62-851
- Q-2: Downtown Flushing, as set forth in Section 62-852.

62-851 Waterfront Access Plan Q-1: Northern Hunters Point

Maps Q-1a through Q-1c in paragraph (f) of this Section show the boundaries of the area comprising the Northern Hunters Point Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on October 14, 1997, as follows:

* * *

(a) Special #waterfront yard# requirements
The #yard# regulations of Section 62-33 (Special Yard Regulations on Waterfront Blocks) shall be applicable. In addition, for #developments# not required to provide a #waterfront yard# pursuant to Section 62-33, #yards# meeting the dimensional requirements of Section 62-33 shall be provided in connection with any #development#, in accordance with the provisions of paragraph (f) of Section 62-812 (Elements of a Waterfront Access Plan).

(b) Area wide modifications
The following provisions shall apply to #developments# required to provide #waterfront public access area#, pursuant to Section 62-40 (REQUIREMENTS FOR WATERFRONT PUBLIC ACCESS AREAS AND VISUAL CORRIDORS):

- (1) ~~Paragraph (a) of Section 62-415 62-46~~ (Requirements for supplemental public access areas) shall be inapplicable except where specifically stated otherwise in this Plan.
- (2) ~~Paragraph (b) of Section 62-415 62-48~~ (Special regulations for water-dependent uses and other developments) shall be inapplicable. In lieu thereof, for #developments# listed in ~~62-40 62-41~~, paragraph ~~(a)(b)~~, required #waterfront public access area# shall be provided in accordance with Sections ~~62-411 62-42~~ (Requirements for shore public walkways), ~~62-412 62-43~~ (Requirements for public access on piers), ~~62-413 62-44~~ (Public access requirements for floating structures) and ~~62-414 62-45~~ (Requirements for upland connections), as modified by this Plan.

However, for #developments# that include WD #uses# and would otherwise be permitted to provide public access pursuant to ~~paragraph (b) of Section 62-415 62-48~~, the location of the public access areas specified in this Plan may be moved upland from the #shoreline# for the minimum distance required to accommodate the upland water-dependent functions of such #developments#, provided the relocation allows for a continuous public walkway connecting to #shore public walkways# on ~~all~~ adjoining #zoning lots#.

(c) Special public access and #visual corridor# provisions applying on Anable Basin

The following provisions shall apply to certain #developments# on Parcels 8, 9, 10, 11 and 12:

- (1) In the event that a #building or other structure#, existing at the time that a #waterfront public access area# is required, is located so that the minimum dimensional provisions of Sections ~~62-411 62-42~~ and ~~62-412 62-43~~ cannot be met without requiring the partial or complete demolition of such #building or other structure#, the required width of such ~~a~~ #waterfront public access area# shall be reduced to the width between the seaward edge of the #waterfront yard# or #lot line# and the existing #building or other structure#. However, the minimum width of a #shore public walkway# shall be six

feet and that of an #upland connection# shall be twelve feet. In no case shall a #shore public walkway# have a width less than ten feet for a continuous distance of more than 300 feet.

(2) In the event that a #building or other structure#, existing at the time a #waterfront public access area# is required, is located so that the minimum dimensional standards for public access pursuant to paragraph (c)(1) of this Section cannot be met without requiring the partial or complete demolition of such #building or other structure#, all #waterfront public access area# requirements for such #development# shall be waived.

(3) ~~In addition to the Public Access Area Design Prototypes permitted pursuant to Notwithstanding the design requirements of Section 62-61 62-421 (Design requirements for shore public walkways Options and Methodology), a #shore public walkway# required in conjunction with a #development# involving existing #buildings or other structures#, or required on any #zoning lot# having a #shoreline# length of less than 150 feet, may be improved pursuant to Section 62-422 (Modifications for certain developments in lower density districts) 62-633 (Shore public walkway- Prototype III: Low intensity walkway).~~

(4) Within any portion of a #shore public walkway# having a width of less than ten feet, the minimum width of the circulation path shall be six feet and all planting requirements shall be waived.

(d) Special public access provisions by parcel
The provisions of Section 62-41 (Requirements for Applicability of waterfront public access area requirements) and Section 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR THE WATERFRONT PUBLIC ACCESS AREAS) are modified at the following designated locations which are shown on Map Q-1b in paragraph (f) of this Section:

(1) Parcel 1
No #upland connection# shall be required within Parcel 1 ~~and all provisions relating to #upland connections# shall be inapplicable~~; however, a direct connection shall be provided between the #shore public walkway# and Queensbridge Park.

(3) Parcel 3
No #upland connection# shall be required within Parcel 3 ~~and all provisions relating to #upland connections# shall be inapplicable~~; however, a direct connection shall be provided between the #shore public walkway# and the public access area provided on Parcel 4.

(4) Parcel 4
(i) A continuous public access area shall be provided across the westerly termination of 43rd Avenue adjoining the East River and connecting without interruption to the #shore public walkways# on Parcels 3 and 5. Such public access area shall have a minimum width of 40 feet and be improved consistent with the design standards set forth in Section ~~62-632 62-421~~, paragraphs (a) and (c)(1), for a #shore public walkway# moderate intensity walkway. ~~Landscaped s-A screening buffer shall be provided along any open or enclosed storage areas, maintenance vehicle parking or similar uses adjoining the #waterfront public access area#. Fencing may be provided to assure physical control of non-publicly accessible upland areas.~~

(5) Parcel 5
(i) ~~#Shore public walkway#~~
~~In addition to the Public Access Area Design Prototypes permitted pursuant to Section 62-61 (Design Options and Methodology), a #shore public walkway# required in conjunction with a #development# that involves only an #enlargement#, #extension# or change of #use#, may be improved pursuant to~~

~~Section 62-634 (Shore public walkway C- Prototype IV: Open-recreation walkway).~~

(ii) ~~#Upland connection#~~
A single #upland connection# shall be provided through Parcel 5 between Vernon Boulevard and the #shore public walkway#. The #upland connection# shall be located within either:

(a) the flexible location zone indicated on Map Q-1b in paragraph (f) of this Section, having as its southerly boundary a line 500 feet south of 43rd Avenue and as its northerly boundary a line 200 feet north of such southerly boundary; or

(b) a raised pedestrian sidewalk immediately adjoining a #building# provided both the sidewalk and #building# were existing on October 14, 1997.

The requirements of Sections ~~62-414 62-451 (Minimum dimensions for upland connections) (Requirements for upland connections), paragraph (b), 62-622 (Upland connections) and 62-641 62-452 (Design requirements for upland connections)~~ shall be inapplicable; however, any vehicular way ~~traversing the pedestrian sidewalk shall be at the same level as such raised pedestrian sidewalk, interrupting the raised sidewalk shall be marked as a pedestrian crosswalk by paint striping or other visually distinctive method.~~

A direct connection shall be provided between the #shore public walkway# and the public access areas on Parcels 4 and 6.

(iii) #Supplemental public access area#
Notwithstanding paragraph (b)(1) of this Section ~~and the locational requirements of Section 62-63 (Specific Design Requirements for Public Access Area Prototypes), a #supplemental public access area# shall be provided pursuant to Section 62-415 62-46, paragraph (a), that, and shall be located within the flexible location zone described in paragraph (d)(5)(ii) of this Section, and immediately adjacent to the intersection of the #shore public walkway# and any #upland connection#, if the #upland connection# is located therein. The #supplemental public access area# shall be improved as a single #supplemental public access area#; however, residual public access area, not exceeding the quantity permitted by Section 62-61, may also be provided.~~

(6) Parcel 6
Sections 62-40 and 62-60 shall be inapplicable if public access is provided pursuant to restrictive declaration, number D-138, executed by the RAK Tennis Corporation on July 29, 1991, and as such may be modified pursuant to the terms of the declaration and in accordance with Section 62-12 (Applicability to Developments within the Waterfront Area). If public access is not provided pursuant to the declaration, as such may be modified, then #waterfront public access area# shall be provided in accordance with Sections 62-40, as modified by paragraph (b) of this Section and 62-60.

(7) Parcel 7
(i) #Shore public walkway#
The #shore public walkway# shall be located within the flexible location zone shown on Map Q-1b in paragraph (f) of this Section, having as its westerly boundary the seaward edge of the #waterfront yard# and as its easterly boundary a line perpendicular to the northerly #street line# of 44th Drive, 600 feet westerly of Vernon Boulevard. The area between the seaward edge of the #waterfront yard# and the #shore public walkway# shall be subject to the provisions of Section 62-332 (Rear yards and waterfront yards).

For #developments# on a #zoning lot# having a #building or other structure#, existing on October 14, 1997, and which #developments# would retain the existing #building or other structure#, any portion of which is located within the #waterfront yard#, the #shore public walkway# may be improved pursuant to Section ~~62-633 62-422 (Modifications for certain #developments# in lower density districts) (Shore public walkway- Prototype III: Low intensity walkway)~~. In addition, any portion of the #shore public walkway# located on a #platform# existing on October 14, 1997, shall be exempt from the planting requirements of such Section ~~62-63 (Specific Design Requirements for Public Access Design Prototypes)~~, except that trees shall be required; however, such trees may be located off the #platform# anywhere within or immediately adjoining the #shore public walkway#.

(ii) #Upland connection#
No #upland connection# shall be required within Parcel 7 ~~and all provisions relating to #upland connections# shall be inapplicable~~; however, a direct connection shall be provided between the #shore public walkway# and 44th Drive.

(8) Parcel 8
An #upland connection# shall be provided through Parcel 8 and shall be located within the flexible location zone shown on Map Q-1b in paragraph (f) of this Section, having as its westerly boundary the westerly #street line# of 5th Street and as its easterly boundary a line 250 feet east of such #street line#. In the event that a #building or other structure#, existing at the time an #upland connection# is required, is located within the southerly prolongation of 5th Street, the #upland connection# may be located anywhere within the flexible location zone; otherwise, the #upland connection# shall be located within the southerly prolongation of 5th Street. ~~In addition, a direct connection shall be provided between the #shore public walkway# and 44th Drive at the northwesterly termination of the #shore public walkway#.~~

(9) Parcels 9, 10 and 11
(i) #Shore public walkway#
Except as provided in paragraph (c) of this Section, a #shore public walkway# shall be required across each parcel; however, on any #zoning lot# existing on October 14, 1997, having a #shoreline# length of less than 150 feet, the width of the #shore public walkway# may be reduced to 16 feet, consisting of a ten foot wide pedestrian-circulation path zone and six foot wide screening buffer zone. In addition, the width may be further reduced as permitted pursuant to paragraph (c)(1) of this Section.

(ii) #Upland connection#
Except as provided in paragraph (c) of this Section and on any #zoning lot# with a

#shoreline# length less than 100 feet, an #upland connection# shall be provided between Vernon Boulevard and the #shore public walkway# within the flexible location zone shown on Map Q-1b in paragraph (f) of this Section, having as its northerly boundary the westerly prolongation of the southerly #street line# of 45th Avenue and as its southerly boundary the westerly prolongation of the southerly #street line# of 45th Road. In the event that Parcels 10 and 11 are #developed# as a single #zoning lot# and the #upland connection# has not been provided prior to such #development# of Parcels 10 and 11, the #upland connection# shall be located within the westerly prolongation of 45th Road. Notwithstanding the requirements of Section ~~62-414 62-45~~ (Requirements for upland connections), on any #zoning lot# having a #shoreline# length of less than 150 feet, the required width of an #upland connection# may be reduced to 16 feet consisting of a ten foot wide ~~pedestrian circulation path and the remaining of the area shall be planted, zone and two three foot wide buffer zones.~~ In addition, the width may be further reduced, as permitted pursuant to paragraph (c)(1) of this Section.

(10) Parcel 12

No #upland connection# shall be required within Parcel 12 ~~and all provisions relating to #upland connections# shall be inapplicable~~; however, a direct connection shall be provided between the #shore public walkway# and 5th Street.

(e) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan shall be as follows and are shown on Map Q-1c in paragraph (f) of this Section:

* * *

(5) Parcel 6

Sections ~~62-42 62-49~~ (Requirements for Visual Corridors) and ~~62-642 62-493~~ (Permitted obstructions in visual corridors) ~~(Design requirements for visual corridors)~~ shall be inapplicable if a visual corridor is provided pursuant to restrictive declaration, number D-138, executed by the RAK Tennis Corporation on July 29, 1991, and as may subsequently be modified pursuant to the terms of the declaration and in accordance with Section 62-12 (Applicability to Developments within the Waterfront Area). If the visual corridor is not provided pursuant to the declaration, as such may be modified, then a #visual corridor# shall be provided in accordance with Sections ~~62-40 and 62-60 62-49~~.

* * *

(8) Parcels 9, 10 and 11

A #visual corridor#, if required pursuant to Section ~~62-40 62-49~~, shall be located through Parcel 9, 10 or 11 from Vernon Boulevard using the locational criteria for, and coincident with, the #upland connection# required pursuant to paragraph (d)(9)(ii) of this Section.

* * *

(f) Northern Hunters Point Waterfront Access Plan Maps

* * *

62-852 Waterfront Access Plan Q-2; Downtown Flushing

Maps Q-2a through Q-2c in paragraph (e) of this Section show the boundaries of the area comprising the Downtown Flushing Waterfront Access Plan and the location of certain features mandated or permitted by the Plan. The plan area has been divided into parcels consisting of tax blocks and lots and other lands as established on September 17, 1998, as follows:

* * *

(a) Area wide modifications

The following provisions shall apply to all #developments# required to provide public access, pursuant to Section 62-40:

- (1) Paragraph (a) of Section ~~62-415 62-46~~ (Requirements for supplemental public access areas) shall be inapplicable.

- (2) Paragraph (b) of Section ~~62-415 62-48~~ (Special regulations for water-dependant uses and other developments) shall be inapplicable. In lieu thereof, required #waterfront public access area# shall be provided by means of a #shore public walkway#, #upland connection# and other public access areas in accordance with this Plan.

However, for WD #use developments# which would otherwise be permitted to provide public access pursuant to Section ~~62-48 62-415, paragraph (b)~~, the location of the #waterfront public access areas# specified in this Plan may be moved upland of the #shoreline# for the minimum distance required to accommodate the upland water-dependent functions of such #developments# and still result in a continuous public walkway connecting #shore public walkways# on all adjoining #zoning lots#.

(b) Special public access provisions by parcel

The ~~provisions~~ requirements for #waterfront public access areas# of Sections 62-42 through 62-46, inclusive, ~~62-41 (Requirements for Waterfront Public Access)~~ and Section 62-60 (GENERAL DESIGN STANDARDS AND MAINTENANCE OBLIGATIONS FOR THE WATERFRONT PUBLIC ACCESS AREAS) are modified at the following designated locations which are shown on Map Q-2b in paragraphs (e) of this Section:

(1) Parcel 1

- (i) #Shore public walkway#

The requirements of Section ~~62-411 62-42~~ (Requirements for shore public walkways) are modified to reduce the minimum required width of the #shore public walkway# to 20 feet. In addition, no #shore public walkway# shall be required north of the prolongation of the northerly #street line# of 36th Road. The quantity of public access area eliminated from the #shore public walkway# as a result of this width and length reduction shall be provided at the northerly termination of the #shore public walkway# and shall be improved pursuant to the design standards for #supplemental public access areas# or Section 62-46. ~~a waterview park, as set forth in Section 62-636 (Supplemental public access area - Prototype II: Waterview park).~~ If Parcel 1 is #developed# in conjunction with one or more adjoining parcels, or portions thereof, the area on Parcel 1 required to be improved pursuant to the design standards for a ~~waterview park #supplemental public access area#~~ may be provided on Parcel 2.

* * *

(2) Parcel 2

- (i) #Shore public walkway#

The requirements of Section ~~62-411 62-42~~ are modified to reduce the minimum required width of the #shore public walkway# to 20 feet. The quantity of public access area eliminated from the #shore public walkway# as a result of this width reduction shall be provided adjoining the intersection of the required #upland connection# and the #shore public walkway# and shall be improved pursuant to the design standards for ~~a waterview park #supplemental public access area#~~, as set forth in Section ~~62-46 62-636~~.

* * *

(3) Parcel 3:

- (i) #Shore public walkway#

The requirements of Section ~~62-411 62-42~~ are modified to reduce the minimum required width of the #shore public walkway# to 20 feet. The quantity of public access area eliminated from the #shore public walkway# as a result of this width reduction shall be provided adjoining the intersection of the required

#upland connection# and the #shore public walkway# and shall be improved pursuant to the design standards for ~~a waterview park #supplemental public access area#~~, as set forth in Section ~~62-636 62-46~~. If Parcel 3 is #developed# in conjunction with Parcel 4, or a portion thereof, the area of Parcel 3 required to be improved pursuant to the design standards for ~~a Waterview park #supplemental public access area#~~ may be provided on Parcel 4.

- (ii) #Upland connection#

An #upland connection# shall be located between 39th Avenue and the #shore public walkway# within the flexible location zone indicated on the Map Q-2b in paragraph (e) of this Section, having as its southerly boundary the prolongation of the southerly #street line# of 39th Avenue and as its northerly boundary a line drawn parallel and 75 feet north of such southern boundary.

In the event #buildings or other structures# existing within Parcel 3 on September 17, 1998, obstruct any portion of the flexible location zone at the time any #development# commences the minimum requirements of Sections ~~62-622 62-451~~ (Minimum dimensions of upland connections) (Upland connections) and the design requirements for #upland connections# of Section ~~62-452 62-641~~ (Design requirements for upland connections) shall be modified, as follows:

- (a) the required #upland connection# if located within a private drive shall, for a distance not to exceed 200 feet measured westerly of the #street line# of Janet Place, consist of a single ~~pedestrian circulation path zone~~ having a minimum clear width of six feet ~~improved entirely as a circulation path~~ without planting or seating required; or
- (b) if the required #upland connection# is not within a private drive, its minimum width shall be reduced along its entire length to 25 feet, ~~consisting of a 16 foot wide pedestrian circulation zone and two buffer zones which are 4 feet, 6 inches wide.~~

If Parcel 3 is #developed# in conjunction with any portion of Parcel 4 and there are no existing #buildings or other structures# blocking 50 percent or more of the width of the prolongation of 39th Avenue at the time any #development# commences, the modifications of the foregoing paragraph shall not apply and the #upland connection# shall be located within the prolongation of 39th Avenue.

(4) Parcel 4

- (i) #Shore public walkway#

The requirements of Section ~~62-411 62-42~~ are modified to reduce the minimum required width of the #shore public walkway# to 20 feet. However, within the portion of the parcel between the northerly #street line# of Roosevelt Avenue and a point 50 feet northerly as measured along the #shoreline#, the minimum width shall be 40 feet, ~~consisting of a pedestrian circulation zone and buffer zone as provided in Section 62-621 (Shore public walkways).~~ Throughout the southernmost 30 foot length of this widened portion of the #shore public

walkway#, the seaward edge of the circulation path shall be located a minimum of 15 feet from the #shoreline#.

The quantity of public access area eliminated from the #shore public walkway# as a result of its width reduction shall be provided adjoining the #shore public walkway# and the boundary between Parcels 3 and 4. Such area shall be improved pursuant to the design standards for a ~~waterfront park~~ ~~supplemental public access area~~, as set forth in Section ~~62-636~~ 62-46.

(ii) #Upland connection#

No #upland connection# shall be required within Parcel 4 ~~and all provisions relating to #upland connections# shall be inapplicable~~; however, a direct connection shall be provided between the required #shore public walkway# and the public access area on Parcel 5. In the event that any portion of Parcel 4 is #developed# with Parcel 3, an #upland connection# shall be provided, pursuant to paragraph (b)(3)(ii) of this Section.

(5) Parcel 5

* * *

(iii) If other improvements compatible with the ~~waterfront~~ public access area are provided, ~~including, but not limited to, a waterfront sitting area~~, they should adjoin the boundary of Parcel 4.

Section 62-60 shall be inapplicable; its provisions are recommended as a guide to the design of the required public access areas.

(6) Parcel 6

(i) #Shore public walkway#

The requirements of Section ~~62-621~~ 62-42 are modified to require a minimum distance of 15 feet between the seaward edge of the pedestrian circulation path and the #shoreline#.

(ii) #Upland connection#

An #upland connection# shall be provided within the flexible location zone indicated on Map Q-2b in paragraph (e) of this Section, having boundaries coincident with those of Parcel 6. The #upland connection# shall be located, either:

- (a) along the southerly boundary of Parcel 6 between the termination of 40th Road and the #shore public walkway#; or
- (b) between College Point Boulevard and the #shore public walkway# connecting to the latter at a location within 150 feet of the parcel's southerly boundary, as measured along the upland edge of the #shore public walkway#.

Notwithstanding the requirements of paragraph (c) of Section ~~62-62~~ 62-61 (General Requirements for Applying to Waterfront Public Access Areas), the #upland connection# may be located, wholly or in part, within a #building# or other structure#. Any covered portion of the #upland connection# shall comply with the requirements of paragraph (d)(7) of this Section.

(7) Parcel 7

(i) #Shore public walkway#

Notwithstanding the requirements of Section ~~62-62~~ 62-61, paragraph (c), the #shore public walkway# may be covered by the elevated roadway

of the Van Wyck Expressway and the obstructions permitted by Section ~~62-626~~ 62-612, paragraph (a), shall include any supporting structural elements of the elevated roadway and its related appurtenances. ~~Additionally, the locational requirements of Section 62-63 (Specific Design Requirements for Public Access Prototypes) for pedestrian circulation and buffer zones shall be modified as necessary to accommodate the required clear pedestrian path.~~ The #shore public walkway# shall be connected directly to that on Parcel 6.

(c) Special visual corridor provisions by parcel

The designated locations for #visual corridors# pursuant to this Plan shall be as follows and are shown on Map Q-2c in paragraph (e) of this Section:

* * *

(3) Parcels 3 and 4

A #visual corridor# shall be provided through Parcels 3 or 4 to the pierhead line using the locational criteria for an #upland connection# in paragraph (b)(3)(ii) of this Section. Notwithstanding the requirements of Section 62-42 (Requirements for Visual Corridors), any #building# or other structure# existing on September 17, 1998, shall be a permitted obstruction; however, no such #building# or other structure#, or portion thereof, demolished after September 17, 1998, shall be rebuilt as a permitted obstruction and no new #building# or other structure# shall be permitted except pursuant to Section ~~62-642~~ 62-493 (Permitted obstructions in visual corridors) ~~(Design requirements for visual corridors)~~.

* * *

(d) Special design standards

Required public access areas shall comply with Sections ~~62-40~~ and 62-60, except as modified in this and the preceding paragraphs of this Section.

(1) Any required #shore public walkway# may be improved pursuant Section 62-422 (Modifications for certain #developments# in lower density districts).

~~Notwithstanding the requirements of Section 62-61 (Design Options and Methodology), a required #shore public walkway# may be improved pursuant to Section 62-633 (Shore public walkway-Prototype III- Low intensity walkway).~~

(2) The minimum required width of a pedestrian circulation path within a #shore public walkway# shall be 10 feet and, notwithstanding Section ~~62-621~~ 62-421, the path need not adjoin the #shoreline# at any location except as necessary to connect to an adjoining #shore public walkway#. ~~The entire width of any #shore public walkway# having a width of 20 feet or less shall be improved as a pedestrian circulation zone. #Shore public walkways# having a width of 20 feet or less shall not be required to provide a screening buffer.~~

(3) No public access area located on a #pier# or #platform# existing on September 17, 1998 shall required any planting area in order to satisfy the requirements of Section 62-421

The locational requirements for planting of #waterfront# public access areas#, provided pursuant to Section ~~62-63~~ 62-421, shall be modified for any required public access area which is located on a #pier# or #platform# existing on September 17, 1998, such that any required planting may be provided in an alternative location on the #zoning lot# adjoining the required #waterfront# public access area#.

(4) ~~In lieu of the planting and tree requirements of Section 62-63, the #shore public walkway# on Parcel 6 shall be planted with one small, screening or evergreen tree, selected from Group 2, 3 or 6 of Appendix A (Waterfront Plant List), for every 750 square feet of its area, and the required pedestrian circulation zone planting shall include plants from Groups 3, 7 and 8 of Appendix A.~~

(64) In addition to the obstructions permitted by Section ~~62-626~~ 62-612, paragraph (a), the existing loading crane and adjoining tower on Parcel 4 shall be permitted within the #shore public walkway#, provided such structures are restored and a minimum clear-pedestrian circulation path of 10 feet is provided.

(65) The area of a #shore public walkway# located under an elevated roadway may be subtracted from the total area of #shore public walkway# calculated for the purposes of complying with the seating and tree planting requirements of Section ~~62-63~~ 62-421.

(76) Any portion of an #upland connection# located within a #building# pursuant to this Plan shall comply with the following design standards:

(i) ~~the entire width of the #upland connection# shall be considered a pedestrian circulation zone and its circulation path shall have a minimum width of 16 12 feet which shall adjoin and connect directly to the building's main lobby via transparently-glazed openings with an aggregate width equal to or exceeding that of any other entrances to the lobby;~~

(ii) the minimum clear height shall be 16 feet except for permitted obstructions which, in addition to those permitted by Section ~~62-626~~ 62-612, paragraph (a)(4), shall include structural elements such as beams and joists, provided a minimum clear height of 12 feet is maintained throughout;

(iii) WE #uses# permitted by the underlying district regulations shall continuously adjoin the perimeter of the #upland connection#, except that lobby space or exterior, open areas to which a view is provided shall also be permitted;

(iv) at least 50 percent of the area of any walls bounding an #upland connection# shall be glazed with a clear, untinted transparent material.

For the purposes of this requirement the area of the bounding walls shall be measured from the floor to a height of 16 feet. In no case shall any bounding wall have a continuous length without openings greater than 100 feet;

(v) there shall be no more than three changes in direction over its entire length and no single turn shall be less than 90 degrees relative to the line of travel. Any change in direction with an angle of less than 135 degrees shall be posted with an entry ~~plaque sign~~ pursuant to Section ~~62-674~~ 62-624, ~~paragraph (b), excluding the information required in paragraph (b)(4)~~, and shall also be accompanied by an arrow indicating the direction of travel toward the #shore public walkway#;

(vi) in addition to the general requirements of Section ~~62-674~~ 62-624 (Signage), each principal entrance to an #upland connection# within a #building# shall be posted with an entry ~~plaque sign pursuant to Section 62-674, paragraph (b)~~. However, the information required in paragraph (b)(4) of this Section shall be required at only one such entrance;

(vii) access to the public shall be provided during business hours or from 8:00 a.m. to dusk seven days a week, whichever is greater; and

(viii) the planting and lighting requirements of Section 62-60 shall not apply.

(e) Downtown Flushing Waterfront Access Plan Maps

* * *

62-86 Borough of Staten Island

62-87 Multi-Borough Plans

Appendix A Waterfront Plant List (delete entire Appendix A)

* * *

Article X - Special Purpose Districts

Chapter 7
Special South Richmond Development District

* * *

107-09
Applicability of Article VI Chapter 2

The Chairperson of the City planning Commission may, by certification, modify or waive a required visual corridor with respect to #developments#, including minor modifications thereto, that contain #designated open space# and a portion of the #waterfront esplanade#, where such #development# is conditioned upon a restrictive declaration that includes a site plan for such #development#, including provisions for public access to such #designated open space# and #waterfront esplanade#, provided that at least one required visual corridor continues to be provided pursuant to the restrictive declaration.

* * *

Article XI - Special Purpose Districts

Chapter 2
Special City Island District

* * *

112-14
Special Requirements for Waterfront Access

Except in R1 and R2 Districts, for #residential developments# on #waterfront zoning lots# of 65,000 square feet or more, a publicly-accessible waterfront sitting area shall be provided. Such sitting area shall abut the #shoreline#, have a minimum area of 2,500 square feet, a minimum depth of 50 feet measured from the #shoreline# and contain at least 25 one linear feet of seating for every 100 sq. ft. of public access area. Building entrances may not front upon such sitting area.

Such sitting area shall be accessible by means of either a direct connection to a public sidewalk or a publicly traversable way through the #zoning lot# directly connecting the sitting area with a public sidewalk. Such publicly traversable way shall be comprised of a planting strip of at least four feet in width containing one tree of at least three-inch caliper for every 25 feet of length of such traversable way, and a paved sidewalk of at least six feet in width or, for #developments# with #private roads#, sidewalks provided in accordance with the requirements for #private roads# as set forth in Article II, Chapter 6.

Such public access areas shall comply with the provisions of Sections 62-14-62-634 (Requirements for Recordation), 62-624 (Maintenance and operation of waterfront public access areas) 62-632 (Performance and maintenance obligations), 62-671-62-621 (Guardrails, gates and other protective barriers), 62-672-62-622 (Seating) and 62-674-62-624 (Signage).

The Chairperson of the City Planning Commission shall certify to the Department of Buildings or Department of Business Services, as applicable, that a site plan has been submitted showing compliance with the provisions of this Section.

Article XI - Special Purpose Districts

Chapter 6
Special Stapleton Waterfront District

* * *

116-35
Screening and Tree Planting Requirements for Parking Facilities

The provisions of this Section shall apply to any new or #enlarged# open off-street parking facility with ten spaces or more, except where the provisions of Section 37-90 (PARKING LOTS), inclusive, apply.

(a) Screening

Such off-street parking facilities shall be screened, in accordance with the provisions of this Section, from all adjoining #zoning lots#, including such #zoning lots# situated across a #street#, and from any designated open space accessible to the public situated on the same #zoning lot#, including the #Esplanade#.

Such screening shall consist of a strip at least four feet wide, densely planted with evergreen shrubs at least four feet high at the time of planting and which are of a type which may be expected to form a year-round dense screen at least six feet high within three years.

#Accessory# parking spaces that front upon a #street# shall be screened by a strip at least four feet wide and densely planted with evergreen shrubs to be maintained at all times at a height of four feet less than two and one-half feet and not more than four feet.

In addition, a wall or barrier or uniformly-painted fence of fire-resistant material at least four feet high but not more than eight feet above finished grade may be provided. Such wall, barrier, or fence must be 100 percent opaque up to a height of four feet above the finished grade of the parking facility and not more than 35 percent opaque above four feet. No chain link fences shall be permitted. All permitted fences shall be located behind landscaped areas when viewed from the #street#.

Such screening shall be maintained in good

condition at all times, may be interrupted by normal entrances or exits, and shall have no #signs# hung or attached thereto other than those permitted in Sections 32-60, inclusive, or 62-674 62-624.

* * *

116-40
UPLAND CONNECTIONS AND VISUAL CORRIDORS

116-41
Upland Connections

In the locations shown on Map 5 (Upland Connections and Visual Corridors) in the Appendix to this Chapter, #upland connections# shall be provided. An #upland connection# traversing a #zoning lot# shall consist of a single pedestrian circulation zone path bordered continuously along both sides by planting areas/buffer zones.

(a) Required dimensions

The minimum width of the #upland connection# shall be 30 feet, within which the pedestrian circulation zone shall have a minimum width of 16 feet and each buffer zone shall have a minimum width of seven feet. When an #upland connection#, or a portion thereof, is located within a abuts a private driveway, no buffer zone is required.

(b) Buffer zone

The provisions of paragraph (b)(2) of Section 62-62 (General Requirements for Public Access Areas) shall apply.

The buffer zone is a landscaped area running along the boundary of the #upland connection# with the non-public portions of the #zoning lot#, and each buffer zone shall have a minimum width of seven feet. The buffer zone shall be improved entirely as planting area except:

- (1) at locations occupied by permitted obstructions; or
(2) at locations where there is ground floor #commercial use# frontage on the #upland connection#, in which case that portion of the buffer zone may be paved.

(c) Permitted obstructions

The provisions of Section 62-626 62-612 (Permitted obstructions) shall apply to #upland connections# within the #Special Stapleton Waterfront District#. Certain permitted obstructions listed in paragraph (a)(2)(iii) (b)(1) of Section 62-626 62-612 are further subject to the tree and planting requirements of Section 62-675 62-625. WD (Water-dependent) uses referenced in paragraph (e) (e) of Section 62-626 62-612 shall be as listed in Section 62-211.

* * *

116-51
Design Requirements for Upland Connections and Visual Corridors

116-511
Design requirements for upland connections

(a) Circulation and access

(1) Where an #upland connection# is located within a abuts a private driveway, a circulation path with a minimum clear width of six feet shall be provided along both sides of the driveway in each pedestrian circulation zone. The remaining area shall be planted pursuant to the provisions of paragraph (c) of this Section.

(2) All other #upland connections# through #zoning lots# shall have a circulation path with a minimum clear width of 16 feet, equal to the minimum required width of the pedestrian circulation zone.

(b) Seating

For #upland connections# 100 feet in length or greater, a minimum of 24 linear feet of seating shall be provided.

(c) Planting

Where a #upland connection# is located within abuts a private driveway, a single row of shade trees shall be planted adjoining a required circulation path in accordance with the standards of Section 62-675 62-625 (Planting and trees). Within all #upland connections#, any unpaved area shall be planting area.

116-512
Design requirements for visual corridors

The requirements of this Section shall apply to all #visual corridors#. When a #visual corridor# coincides with an #upland connection#, the provisions of Section 116-521 (Design requirements for upland connections) shall also apply.

No #building or other structure# shall be erected within the width of a #visual corridor#, except as provided in this Section. #Visual corridors# shall be the width of the #street# but shall not be less than 50 feet wide.

Permitted obstructions within #visual corridors# shall be limited to:

- (a) boats, ships or other vessels, and #floating structures# permitted as-of-right by paragraph (a) of Section 62-25 (Uses on Floating Structures);
(b) any moving or parked vehicles or street furniture, including, but not limited to, benches, seats, kiosks, carts and open display booths, lighting fixtures, flagpoles, trash receptacles, drinking fountains and public telephones;
(c) guardrails and fences, provided they comply with the design standards of Section 62-671 62-621 (Guardrails, gates and other protective barriers), except that fences may be eight feet high;
(d) sculpture;
(e) planting areas, provided that no shade trees are planted within a 15 foot wide area along both sides of the center line of the #visual corridor#; and
(f) those obstructions permitted in #rear yards# as listed in Section 23-44 (Permitted Obstructions in Required Yards or Rear Yard Equivalents), except walls exceeding four feet in height shall not be permitted.

* * *

Article XII - Special Purpose Districts

Chapter 3
Special Mixed Use District

* * *

123-60
SPECIAL BULK REGULATIONS

123-61
General Provisions

All #buildings or other structures# on #zoning lots# within the #Special Mixed Use District# shall comply with the #bulk# regulations of this Chapter.

In #Special Mixed Use Districts#, the #bulk# regulations set forth in Article II, Chapter 3, shall apply to all #residential uses# in a #building or other structure#, and the #bulk# regulations set forth in Article IV, Chapter 3, shall apply to all #manufacturing#, #commercial# and #community facility uses# in a #building or other structure#, except as set forth in Sections 123-60 through 123-66, inclusive. However, #developments# on #zoning lots# located on #waterfront blocks# shall comply with the #bulk# regulations of Article VI, Chapter 2.

When two or more #buildings# on a single #zoning lot# are used in any combination for #uses# which, if located in a single #building#, would make it a #mixed use building#, the regulations set forth in this Section shall apply as if such #buildings# were a single #mixed use building#.

* * *

BOROUGH OF BROOKLYN
Nos. 2 & 3
CONEY ISLAND COMMONS
No. 2

CD 13 C 090250 ZMK
IN THE MATTER OF an application submitted by Department of Housing Preservation & Development pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28d, by changing from an R6 District to an R7-2 District property bounded by a line 460 feet southerly of Mermaid Avenue, West 29th Street, Surf Avenue, and West 30th Street, as shown on a diagram (for illustrative purposes only) dated January 5, 2009, and subject to the conditions of CEQR Declaration E-226.

No. 3

CD 13 C 090251 HAK
IN THE MATTER OF an application submitted by the Department of Housing Preservation and Development (HPD):

1) pursuant to Article 16 of the General Municipal Law of New York State for:

a) the designation of property located at:

Table with 3 columns: BLOCK, LOT, ADDRESS. Lists addresses from 2958 West 29th Street to 2967A West 30th Street.

7051	166	2928 West 30th Street
7051	167	2967C West 30th Street
7051	168	2967D West 30th Street
7051	169	2968E West 30th Street
7051	170	2967F West 30th Street
7051	171	2967G West 30th Street
7051	172	2967H West 30th Street
7051	239	2906 West 30th Street
7051	269	2971A West 30th Street
7051	339	2968C West 29th Street
7051	439	2908I West 29th Street

as an Urban Development Action Area; and

- b) an Urban Development Action Area Project for such area; and
- 2) pursuant to Section 197-c of the New York City Charter for the disposition of such property to a developer selected by HPD;

to facilitate a mixed use development, tentatively known as Coney Island Commons, with community facility space and approximately 188 residential units, to be developed under the Department of Housing Preservation and Development's Multi-Family Program.

**No. 4
OCEANA-BRIGHTON BY THE SEA COMMERCIAL OVERLAY**

CD 13 IN THE MATTER OF an application submitted by the Brighton Development LLC pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 28d, by establishing within an existing R7-1 District a C2-4 District bounded by a line 100 feet southerly of Brighton Beach Avenue, a line 200 feet easterly of Coney Island Avenue, a line perpendicular to the easterly street line of Coney Island Avenue distant 340 feet southerly (as measured along the street line) from the point of intersection of the easterly street line of Coney Island Avenue and the southerly street line of Brighton Beach Avenue, and Coney Island Avenue, as shown on a diagram (for illustrative purposes only) dated November 17, 2008.

**BOROUGH OF STATEN ISLAND
No. 5
BLUE HERON PARK**

CD 3 IN THE MATTER OF an application, submitted by the New York City Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the City Map involving:

- the establishment of park additions to Blue Heron Park, in an area generally bounded by Barclay Avenue, Amboy Road, Poillon Avenue, and Tallman Street (a record street);
- the extinguishment of several record streets;
- and any acquisition or disposition of real property related thereto,

in accordance with Map No. 4188 dated February 16, 2007, and signed by the Borough President.

**BOROUGH OF MANHATTAN
No. 6
17 HUBERT STREET**

CD 1 IN THE MATTER OF an application submitted by Charles Ahearn and Jane Dickson pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 111-50 of the Zoning Resolution to permit the modification of use provisions of Sections 111-101 (Location of Permitted Uses in Buildings Containing Loft Dwellings or Joint Living-Work Quarters for Artists) and Section 111-102(b) (Ground Floor Use Restrictions) to allow a loft dwelling use to be located on the ground floor and 2nd floor level of an existing 5-story building designed for non-residential use and erected prior to December 15, 1961, on property located 17 Hubert Street (Block 214, Lot 10), in an M1-5 District (Area B2), within the Special Tribeca Mixed Use District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

**Nos. 7, 8, 9, 10 & 11
FORDHAM UNIVERSITY LINCOLN CENTER CAMPUS
No. 7**

NOTE: This hearing is not likely to begin before 10:00 A.M.

CD 7 IN THE MATTER OF an application submitted by Fordham University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 82-33 of the Zoning Resolution to modify:

- a) the height and setback requirements of Section 23-632 (Front setbacks in districts where front yards are not required);
- b) the inner and outer court regulations of Section 23-841 (Narrow outer courts), Section 23-843 (Outer court recesses), Section 23-851 (Minimum dimensions of inner courts), Section 23-852 (Inner court recesses), Section 24-632 (Wide outer courts), Section 24-633 (Outer court recesses), Section 24-652 (Minimum distance between required windows and certain walls), and Section 23-863 (Minimum distance between legally required windows and any wall in an inner court);
- c) the minimum distance between buildings on a

zoning lot requirements of Section 23-711 (Standard minimum distance between buildings); and

- d) the minimum distance between legally required windows and zoning lot lines requirements of Section 23-861 (General Provisions);

in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam Avenue, West 62nd Street, Columbus Avenue, West 60th Street, Amsterdam Avenue, West 61st Street, a line 200 feet easterly of Amsterdam Avenue, and a line 90 feet southerly of West 62nd Street (Block 1132, Lots 1, 20, and 35), in a C4-7 District, within the Special Lincoln Square District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 8

CD 7 IN THE MATTER OF an application submitted by Fordham University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 82-50 and 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 68 spaces on portions of the ground floor, cellar, and sub-cellar levels of a proposed mixed use building (Site 4, Garage A) in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam Avenue, West 62nd Street, Columbus Avenue, West 60th Street, Amsterdam Avenue, West 61st Street, a line 200 feet easterly of Amsterdam Avenue, and a line 90 feet southerly of West 62nd Street (Block 1132, Lots 1, 20, and 35), in a C4-7 District, within the Special Lincoln Square District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 9

CD 7 IN THE MATTER OF an application submitted by Fordham University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 82-50 and 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 137 spaces on portions of the ground floor, cellar, subcellar and 2nd subcellar level of a proposed mixed use building (Site 3a/3, Garage C) in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam Avenue, West 62nd Street, Columbus Avenue, West 60th Street, Amsterdam Avenue, West 61st Street, a line 200 feet easterly of Amsterdam Avenue, and a line 90 feet southerly of West 62nd Street (Block 1132, Lots 1, 20, and 35), in a C4-7 District, within the Special Lincoln Square District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 10

CD 7 IN THE MATTER OF an application submitted by Fordham University pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Sections 82-50 and 13-561 of the Zoning Resolution to allow an attended accessory parking garage with a maximum capacity of 265 spaces on portions of the ground floor and cellar of a proposed mixed use building (Site 5a/5, Garage B) in connection with the proposed expansion of Fordham University, Lincoln Center Campus, bounded by Amsterdam Avenue, West 62nd Street, Columbus Avenue, West 60th Street, Amsterdam Avenue, West 61st Street, a line 200 feet easterly of Amsterdam Avenue, and a line 90 feet southerly of West 62nd Street (Block 1132, Lots 1, 20, and 35), in a C4-7 District, within the Special Lincoln Square District.

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

No. 11

CD7 IN THE MATTER OF an application submitted by Fordham University pursuant to Section 201 of the New York City Charter for an amendment of the Zoning Resolution of the City of New York, Article VIII, Chapter 2, concerning Section 82-50 (Off-Street Parking and Off-Street Loading Regulations), to modify the requirements for curb cuts on wide streets for off-street loading berths in the Special Lincoln Square District, Borough of Manhattan, Community District 7.

Matter underlined is new, to be added; Matter within # # is defined in Section 12-10; Matter in ~~strikeout~~ is text to be deleted; *** indicates where unchanged text appears in the zoning resolution

Article VIII – Special Purpose Districts

**Chapter 2
Special Lincoln Square District
* * ***

**82-50
OFF-STREET PARKING AND OFF-STREET LOADING REGULATIONS**

The regulations of Article I, Chapter 3 (Comprehensive Off-Street Parking Regulations in Community Districts 1, 2, 3, 4, 5, 6, 7 and 8 in the Borough of Manhattan and a portion of Community Districts 1 and 2 in the Borough of Queens) and the applicable underlying district regulations of Article III, Chapter 6, relating to Off-Street Loading Regulations, shall apply in the #Special Lincoln Square District# except as

otherwise provided in this Section. In addition, the entrances and exits to all off-street loading berths shall not be located on a #wide street# except by authorization as set forth in this Section.

- a) #Accessory# off-street parking spaces

#Accessory# off-street parking spaces are permitted only by special permit of the City Planning Commission pursuant to Section 13-561 (Accessory off-street parking spaces).

- b) Curb cuts

The City Planning Commission may authorize curb cuts within 50 feet of the intersection of any two #street lines#, or on #wide streets# where such curb cuts are needed ~~exclusively~~ for required off-street loading berths, provided the location of such curb cuts meets the findings in Section 13-553 ~~and the loading berths are arranged so as to permit head-in and head-out truck movements to and from the #zoning lot#.~~

- c) Waiver of loading berth requirements

The City Planning Commission may authorize a waiver of the required off-street loading berths where the location of the required curb cuts would:

- (1) be hazardous to traffic safety;
- (2) create or contribute to serious traffic congestion or unduly inhibit vehicular and pedestrian movement; or
- (3) interfere with the efficient functioning of bus lanes, specially designated streets or public transit facilities.

The Commission shall refer these applications to the Department of Transportation for its comments.

NOTICE

On Wednesday, March 4, 2009, at 9:00 A.M., in Spector Hall, at the Department of City Planning, 22 Reade Street, in Lower Manhattan, a public hearing is being held by the City Planning Commission with the above ULURP hearing to receive comments related to a Draft Environmental Impact Statement (DEIS) concerning a zoning text amendment and special permits to facilitate a proposed expansion of Fordham University.

This hearing is being held pursuant to the State Environmental Quality Review Act (SEQRA) and City Environmental Quality Review (CEQR), CEQR No. 05DCP020M.

**BOROUGH OF BROOKLYN
Nos. 12, 13 & 14
DOCK STREET-DUMBO DEVELOPMENT**

NOTE: This hearing is not likely to begin before 12:30 P.M.

No. 12

CD 2 IN THE MATTER OF an application submitted by Two Trees Management Company pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the Zoning Map, Section No. 12d:

- 1. changing from an M1-2 District to an M1-2/R8 District property bounded by Water Street, a line 230' westerly of Main Street, Front Street, and Dock Street; and
- 2. establishing a Special Mixed Use District (MX-2) bounded by Water Street, a line 230' westerly of Main Street, Front Street and Dock Street;

as shown on a diagram (for illustrative purposes only) dated November 17, 2008.

No. 13

CD 2 IN THE MATTER OF an application submitted by Two Trees Management Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-512 of the Zoning Resolution to allow a public parking garage with a maximum capacity of 465 spaces including 129 accessory spaces, and to allow 37,599 square feet of floor space up to a height of 23 feet above base plane level to be exempted from the definition of floor area as set forth in Section 12-10 (DEFINITIONS) in connection with a proposed mixed use development on property located on the easterly side of Dock Street between Front Street and Water Street (Block 36, Lots 1, 3, 14, 49, 52 & 53), in an M1-2/R8 (MX-2) District*, within a general large-scale development (Block 36, Lots 1, 3, 14, 15, 16, 40, 49, 52, & 53, and Block 26, Lots 33 & 38), in M1-2/R8 (MX-2)*, M1-2/R8A (MX-2), and M3-1 Districts.

*Note: The site is proposed to be rezoned from an M1-2 District to an M1-2/R8 (MX-2) District under a related application (C 080181 ZMK).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007

No. 14

CD 2 IN THE MATTER OF an application submitted by Two Trees Management Company pursuant to Sections 197-c and 201 of the New York City Charter for the grant of a special permit pursuant to Section 74-743** of the Zoning Resolution to modify the regulations of Section 23-851 (Minimum dimension of inner courts), Section 23-86 (Minimum Distance Between Legally Required Windows and Lot Lines), Section

25-533 (Required rear yard equivalents), Section 43-28 (Special Provisions for Through Lots) and Section 123-66 (Height and Setback Regulations) to facilitate a mixed use development on property located on the easterly side of Dock Street between Front Street and Water Street (Block 36, Lots 1, 3, 14, 49, 52 & 53), in an M1-2/R8 (MX-2) District*, within a general large-scale development (Block 36, Lots 1, 3, 14, 15, 16, 40, 49, 52, & 53, and Block 26, Lots 33 & 38), in M1-2/R8 (MX-2)*, M1-2/R8A (MX-2), and M3-1 Districts, Borough of Brooklyn, Community District 2.

*Note: The site is proposed to be rezoned from an M1-2 District to an M1-2/R8B (MX-2) District under a related application (C 080181 ZMK).

**Note: A zoning text change for amendment to Section 74-743 (Special provisions for bulk modification) of the Zoning Resolution is proposed under a concurrent related application (N 090182 ZRK).

Plans for this proposal are on file with the City Planning Commission and may be seen in Room 3N, 22 Reade Street, New York, N.Y. 10007.

YVETTE V. GRUEL, Calendar Officer
City Planning Commission
22 Reade Street, Room 2E
New York, New York 10007
Telephone (212) 720-3370

f19-m4

COMMUNITY BOARDS

PUBLIC HEARINGS

BOROUGH OF BROOKLYN

Community Board #10 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Monday, February 23, 2009 at 7:15 P.M. at Knight of Columbus, 1305 86th Street, Brooklyn.

f13-20

BOROUGH OF BROOKLYN

Community Board #12 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Tuesday, February 24, 2009 at 7:15 P.M. at Community Board 12's office, 5910 13th Avenue, Brooklyn.

f13-20

BOROUGH OF BROOKLYN

Community Board #10 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Monday, February 23, 2009 at 7:15 P.M. at Knight of Columbus, 1305 86th Street, Brooklyn.

f16-20

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 13 - Wednesday, February 25, 2009, 7:00 P.M., Coney Island Hospital - Auditorium, 2602 Ocean Parkway, 2nd Fl., Brooklyn, NY

BSA 272-08-A

Re: Brighton 2nd Place
 Application filed pursuant to General City Law Section 36 to permit the construction of a building not fronting a mapped street.

#090284ZMK and N 090285ZRK

IN THE MATTER OF an application submitted by the Department of City Planning pursuant to Sections 197-c and 201 of the New York City Charter for an amendment of the zoning map changing from an R6 district to an R4A district property.

f19-25

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 12 - Monday, February 23, 2009, 7:00 P.M., 5910 13th Avenue, Brooklyn, NY

BSA# 13-09-BZ

5611 21st Avenue
 This application has been filed for a variance in order to construct a Synagogue and rectory in an R5 zone.

f17-23

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 12 - Thursday, February 26, 2009, 7:00 P.M., Town Hall, 4101 White Plains Road, Bronx, NY

Community Board 12, The Bronx will hold a Public Hearing on the Preliminary Capital and Expense Budget for FY' 2010.

f20-26

BOROUGH OF BROOKLYN

Community Board #16 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Tuesday,

February 24, 2009 at 7:00 P.M. at 444 Thomas Boyland Street, Brooklyn.

f17-23

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 4 - Tuesday, February 24, 2009 at 6:00 P.M., 1650 Grand Concourse, (Murray Cohen Auditorium), Bronx, NY

A Public Hearing on the NYC Preliminary Budget for Fiscal Year 2010.

f18-24

BOROUGH OF BRONX

Community Board #5 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Wednesday, February 25, 2009 at 5:00 P.M. at South Bronx Job Corps., 1771 Andrews Avenue (corner of West Tremont Avenue), Bronx, New York.

f19-25

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 10 - Monday, February 23, 2009 at 7:15 P.M., Knights of Columbus, 1305 86th Street, Brooklyn, NY

N 080497ECK

IN THE MATTER OF an application from the Chianti, Inc., doing business as Chianti for review, pursuant to Section 66-a(c) of the New York City Charter, of the grant of a revocable consent to operate a pre-existing enclosed sidewalk cafe with 11 tables and 42 seats at 8530 Third Avenue on the northwest corner of 86th Street.

f17-23

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF BROOKLYN

COMMUNITY BOARD NO. 16 - Tuesday, February 24, 2009, 7:00 P.M., Brownsville Multi Service Center, 444 Thomas S. Boyland Street, Brooklyn, NY

Public Hearing on the Citywide Statement of Needs for City Facilities/Fiscal Years 2010 and 2011.

f18-24

BOROUGH OF BROOKLYN

Community Board #9 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Tuesday, February 24, 2009 at 7:00 P.M. at the Auditorium of MS 61, 400 Empire Blvd., Brooklyn, NY 11225.

f18-24

PUBLIC NOTICE IS HEREBY GIVEN THAT the following matters have been scheduled for public hearing by Community Boards:

BOROUGH OF THE BRONX

COMMUNITY BOARD NO. 1 - Thursday, February 26, 2009, 6:30 P.M., 3024 Third Avenue, Bronx, NY

#C 090166MMX

IN THE MATTER OF an application submitted by the Department of City Planning and the Department of Parks and Recreation, pursuant to Sections 197-c and 199 of the New York City Charter, for an amendment to the city map involving the establishment of a waterfront Park and any acquisition of disposition of real property related thereto.

f20-26

BOROUGH OF MANHATTAN

Community Board #12 - Public Hearing on Capital and Expense Budget for FY 2010 will take place on Thursday, February 26, 2009 at 7:00 P.M. at 711 W 168th Street, 1st Floor, New York, NY 10032.

f20-26

DEFERRED COMPENSATION PLAN BOARD

MEETING

The New York City Deferred Compensation Plan Board will hold its monthly meeting on Thursday, February 19, 2009 from 10:00 A.M. to 1:00 P.M. at the meeting will be held at 40 Rector Street, 3rd Floor, NYC.

f20-26

EDUCATIONAL CONSTRUCTION FUND

MEETING

The Trustees and Executive Director of the New York City Educational Construction Fund hereby provide notice of its Meeting to be held on Friday, February 27, 2009. This meeting will take place at the offices of the New York City Office of Management and Budget, 75 Park Place, New York, NY, in Conference Room 6M-4. The meeting time is 10:30 A.M.

f20-27

LANDMARKS PRESERVATION COMMISSION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that pursuant to the provisions of Title 25, chapter 3 of the Administrative Code of the City of New York (Sections 25-307, 25-308, 25-309, 25-313, 25-318, 25-320) (formerly Chapter 8-A, Sections 207-6.0, 207-7.0, 207-12.0, 207-17.0, and 207-19.0), on Tuesday, **March 03, 2009**, at 9:30 A.M. in the morning of that day, a public hearing will be held in the Conference Room at 1 Centre Street, 9th Floor, Borough of Manhattan with respect to the following properties and then followed by a public meeting. Any person requiring reasonable accommodation in order to participate in the hearing or attend the meeting should call or write the Landmarks Commission no later than five (5) business days before the hearing or meeting.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-6165 - Block 43, lot 26-72 Hudson Avenue - Vinegar Hill Historic District
 An Italianate style rowhouse built circa 1869-1876.
 Application is to construct a rooftop bulkhead.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-5337 - Block 1929, lot 7
 315 Vanderbilt Avenue - Clinton Hill Historic District
 A commercial building built in the 1940's. Application is to create new window openings, install windows, and a fence.

BINDING REPORT
 BOROUGH OF BROOKLYN 09-6498 - Block 7777, lot 7777-Grand Army Plaza - Prospect Park - Scenic Landmark
 A naturalistic style park designed in 1865 by Frederick Law Olmsted and Calvert Vaux. Application is to install an automated pay toilet.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF BROOKLYN 09-6023 - Block 5180, lot 84-451 East 16th Street - Ditmas Park Historic District
 A free-standing Colonial Revival style house designed by A. White Pierce and built in 1903. Application is to alter rear window openings and porch. Zoned R6.

ADVISORY REPORT

BOROUGH OF MANHATTAN 09-6824 - Block various, lot various- Wall Street and Broad Street - Street Plan of New Amsterdam and Colonial New York-Individual Landmark
 The street pattern of 17th century New Amsterdam and Colonial New York. Application is to amend Binding Commission Reports 04-5342 and 08-8272 for a master plan governing the future installation of security devices and streetscape improvements on Wall Street, Exchange Place, New Street and Broad Street.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-5617 - Block 149, lot 2-77 Chambers Street - Tribeca South Historic District
 A building originally built in 1847, altered in the Italianate style by Samuel A. Warner in 1857, and again in 1926.
 Application is to replace storefront infill.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-5916 - Block 214, lot 3, 4-401 and 403 Greenwich Street - Tribeca West Historic District
 A building designed by Gertler and Wente and built in 2003-04, and a mid-twentieth century commercial style building designed by Moore and Landsiedel and built in 1947.
 Application is to demolish both buildings and construct a new building. Zoned M1-5C.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-6646 - Block 228, lot 30-27 Wooster Street, aka 61-69 Grand Street - SoHo-Cast Iron Historic District
 A vacant lot. Application is to amend Certificate of Appropriateness 06-8018 for the construction of a new building. Zoned M1-5A/B.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 08-6877 - Block 497, lot 33-83 Spring Street - SoHo-Cast Iron Historic District
 A 19th century building redesigned by Richard Berger as a store and loft building in 1886. Application is to install a new storefront infill.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-6614 - Block 511, lot 16-600-602 Broadway, aka 134-136 Crosby Street - SoHo-Cast Iron Historic District
 A store building designed by Samuel A. Warner and built in 1883-84. Application is to paint the building, install a painted wall sign and reclad an elevator shaft. Zoned M15B.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-4535 - Block 530, lot 132-57 Great Jones Street - NoHo Historic District Extension
 An altered Romanesque Revival style stable building, built c. 1860-1868. Application is to install new storefront infill and alter a barrier-free access ramp.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-5771 - Block 644, lot 38-833 Washington Street - Gansevoort Market Historic District
 A Utilitarian style market building originally built in 1880 and altered in 1940. Application is to install signs.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-5761 - Block 644, lot 38-833 Washington Street - Gansevoort Historic District
 A Utilitarian style market building originally built in 1880 and altered in 1940. Application is to install roll-down security gates, doors and install signage.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-6536 - Block 618, lot 53-227 West 13th Street - Greenwich Village Historic District
 A commercial building designed by James S. Herman and built in 1895. Application is to install signage.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-6385 - Block 623, lot 15-576 Hudson Street - Greenwich Village Historic District
 An apartment building designed by Charles B. Meyers and built in 1926. Application is to alter the storefronts and install a bracket sign.

CERTIFICATE OF APPROPRIATENESS
 BOROUGH OF MANHATTAN 09-2534 - Block 610, lot 16-115-125 7th Avenue South - Greenwich Village Historic District

A building designed by the Liebman Melting Partnership and Terry Van Dyne and built in 1990-1994. Application is to alter the façade and construct a rooftop addition. Zoned CA-5.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5852 - Block 857, lots 1, 6-233 Fifth Avenue and 1 East 27th Street - Madison Square North Historic District
A converted dwelling built c. 1850, altered as a clubhouse with an addition by R. H. Robertson in 1890-91. Application is to install storefront infill, signage and lighting, and a new fire escape.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5976 - Block 1208, lot 15-49 West 94th Street - Upper West Side/Central Park West Historic District
A Renaissance/Romanesque Revival style rowhouse designed by Charles M. Youngs and built in 1890-91. Application is to legalize altering the areaway and painting the facade and windows in non-compliance with PMW 07-7301.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-6808 - Block 1378, lot 115-712 Madison Avenue - Upper East Side Historic District
An Italianate/neo-Grec style residential building, designed by Gage Inslee and built in 1871, and altered in 1920 to accommodate storefronts at the first and second floors. Application is to install a new storefront and construct a rear yard addition.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5885 - Block 1503, lot 44-62 East 92nd Street - Carnegie Hill Historic District
A neo-Renaissance style townhouse designed by Laurence F. Peck and built in 1924. Application is to construct a rooftop addition and install mechanical equipment. Zoned R8B.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-5841 - Block 1505, lot 33-75 East 93rd Street - (former) George F. Baker House-Individual Landmark
A modified Federal style residence designed by Delano & Aldrich and built in 1917-18. Application is to construct a rooftop addition and modify the courtyard. Zoned R10.

CERTIFICATE OF APPROPRIATENESS
BOROUGH OF MANHATTAN 09-4201 - Block 2067, lot 10-469 West 152nd Street - Hamilton Heights/Sugar Hill Northwest Historic District
A Renaissance Revival style apartment house designed by John P. Leo and built in 1895. Application is to legalize the installation of windows, a door and transom, and areaway fences, and alterations at the parapet, all without Landmarks Preservation Commission permits.

f18-m3

OFFICE OF THE MAYOR

■ PUBLIC HEARINGS

NOTICE OF PUBLIC HEARING ON PROPOSED LOCAL LAWS

PURSUANT TO STATUTORY REQUIREMENT, NOTICE IS HEREBY GIVEN that proposed local laws numbered and titled hereinafter have been passed by the Council and that a public hearing on such proposed local laws will be held in the Blue Room at City Hall, Borough of Manhattan, New York City, on **Thursday, February 26, 2009 at 4:30 P.M.**:

Intro 408-A – A Local Law to amend the administrative code of the City of New York, in relation to the inspection of water tanks used for the purpose of storing and distributing drinking water.

Intro 880-A – A Local Law to amend the administrative code of the City of New York, in relation to displaying a passengers' bill of rights in taxicabs and liveries.

Intro 908-A - A Local Law to amend the administrative code of the City of New York, in relation to street cleaning and the collection and removal of solid waste and recyclable materials at street events.

Michael R. Bloomberg
Mayor

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of City Legislative Affairs, 253 Broadway, 14th Floor, New York, NY 10007, (212) 788-3678, no later than five business days prior to the public hearing. TDD users call Verizon relay service.

f20

PARKS AND RECREATION

■ JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Parks and Recreation to be held on Monday, March 9, 2009 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 P.M. relative to:

INTENT TO AWARD as a concession the renovation and operation of the Bayside Marina, Queens, New York, for a license term of fifteen (15) years, to MDM Marina Corp., whose address is 197 Wicks Lane, Malverne, NY 11565. Compensation to the City will be as follows: in each operating year of the license, licensee shall pay the City a license fee consisting of the higher of the minimum annual fee (Year 1: \$25,000; Year 2: \$25,000; Year 3: \$30,000; Year 4: \$30,000; Year 5: \$30,000; Year 6: \$40,000; Year 7: \$40,000; Year 8: \$40,000; Year 9: \$40,000; Year 10: \$40,000; Year 11: \$45,000; Year 12: \$45,000; Year 13: \$45,000; Year 14: \$45,000; Year 15: \$45,000), or \$5,000 plus an annual percentage of gross receipts over \$25,000 derived from the operation of the licensed premises for that year (Year 1: 10%; Year 2: 10% Year 3: 11%; Year 4: 11%; Year 5: 11%; Year 6: 12%; Year 7: 12%; Year 8: 12%; Year 9: 12%; Year 10: 12%; Year 11: 12%; Year 12: 12%; Year 13: 12%; Year 14: 12%; Year 15: 12%).

LOCATION: A draft copy of the agreement may be reviewed or obtained at no cost, commencing Monday, March 2, 2009 through Monday, March 9, 2009, between the hours of 9:00

A.M. and 5:00 P.M., excluding weekends and holidays at the NYC Department of Parks and Recreation, located at 830 Fifth Avenue, Room 313, New York, NY 10065.

Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)
212-504-4115

f20

TRANSPORTATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN, pursuant to law, that the following proposed revocable consents, have been scheduled for a public hearing by the New York City Department of Transportation. The hearing will be held at 40 Worth Street, Room 814 commencing at 2:00 P.M. on Wednesday, March 4, 2009. Interested Parties can obtain copies of proposed agreements or request sign-language interpreters (with at least seven days prior notice) at 40 Worth Street, 9th Floor South, New York, NY 10013, or by calling (212) 442-8040.

#1 In the matter of a proposed revocable consent authorizing 1056 Fifth Avenue Corp. to construct, maintain and use planted areas on the east sidewalk of Fifth Avenue, south of East 87th Street, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$1,106/annum

the maintenance of a security deposit in the sum of \$1,800, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#2 In the matter of a proposed revocable consent authorizing Turner Homeowners Association, Inc. to construct maintain and use a force main, together with a manhole, under and across Turner Street and under and along Crabtree Avenue, north of Turner Street, in the Borough of Staten Island. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of approval to June 30, 2009 - \$3,522/annum
For the period July 1, 2009 to June 30, 2010 - \$3,628
For the period July 1, 2010 to June 30, 2011 - \$3,734
For the period July 1, 2011 to June 30, 2012 - \$3,840
For the period July 1, 2012 to June 30, 2013 - \$3,946
For the period July 1, 2013 to June 30, 2014 - \$4,052
For the period July 1, 2014 to June 30, 2015 - \$4,158
For the period July 1, 2015 to June 30, 2016 - \$4,264
For the period July 1, 2016 to June 30, 2017 - \$4,370
For the period July 1, 2017 to June 30, 2018 - \$4,476
For the period July 1, 2018 to June 30, 2019 - \$4,582

the maintenance of a security deposit in the sum of \$10,000, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#3 In the matter of a proposed revocable consent authorizing Stella D'Oro Biscuit Company, Inc. to continue to maintain and use a pipe under and across West 237th Street, east of Broadway, in the Borough of the Bronx. The proposed revocable consent is for a term from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$1,885
For the period July 1, 2010 to June 30, 2011 - \$1,940
For the period July 1, 2011 to June 30, 2012 - \$1,995
For the period July 1, 2012 to June 30, 2013 - \$2,050
For the period July 1, 2013 to June 30, 2014 - \$2,105
For the period July 1, 2014 to June 30, 2015 - \$2,160
For the period July 1, 2015 to June 30, 2016 - \$2,215
For the period July 1, 2016 to June 30, 2017 - \$2,270
For the period July 1, 2017 to June 30, 2018 - \$2,325
For the period July 1, 2018 to June 30, 2019 - \$2,380

the maintenance of a security deposit in the sum of \$4,000, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#4 In the matter of a proposed revocable consent authorizing Brian R. Zipp to continue to maintain and use a fenced-in area on the north sidewalk of East 92nd Street, between Park Avenue and Lexington Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2008 to June 30, 2018 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2008 to June 30, 2018 - \$100/annum

the maintenance of a security deposit in the sum of \$2,000, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#5 In the matter of a proposed revocable consent authorizing El Dorado LP to maintain and use an accessibility ramp, together with steps, on the south sidewalk of Pacific Street, west of Ralph Avenue, in the Borough of Brooklyn. The

proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$25/annum

the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$500,000/ \$2,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$200,000.

#6 In the matter of a proposed revocable consent authorizing The Cooper Union for the Advancement of Science and Art to continue to maintain and use a conduit under and across Third Avenue at East 7th Street, in the Borough of Manhattan. The proposed revocable consent is for a term from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$4,058
For the period July 1, 2010 to June 30, 2011 - \$4,181
For the period July 1, 2011 to June 30, 2012 - \$4,303
For the period July 1, 2012 to June 30, 2013 - \$4,425
For the period July 1, 2013 to June 30, 2014 - \$4,547
For the period July 1, 2014 to June 30, 2015 - \$4,669
For the period July 1, 2015 to June 30, 2016 - \$4,791
For the period July 1, 2016 to June 30, 2017 - \$4,913
For the period July 1, 2017 to June 30, 2018 - \$5,035
For the period July 1, 2018 to June 30, 2019 - \$5,157

the maintenance of a security deposit in the sum of \$5,200, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#7 In the matter of a proposed revocable consent authorizing Trinity Episcopal Schools Corporation to continue to maintain and use a planted area, together with surrounding fence, on the north sidewalk of West 91st Street, west of Columbus Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2009 to June 30, 2019 - \$824/annum
the maintenance of a security deposit in the sum of \$7,000, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#8 In the matter of a proposed revocable consent authorizing Growth Through Art and Museum Experience, Inc. (The Children's Museum of Manhattan) to continue to maintain and use a ramp, stair and banner post on the south sidewalk of West 83rd Street, between Amsterdam Avenue and Broadway, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period from July 1, 2009 to June 30, 2019 - \$175/annum
the maintenance of a security deposit in the sum of \$5,000, and the filing of an insurance policy in the minimum amount of \$500,000/ \$2,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$200,000.

#9 In the matter of a proposed revocable consent authorizing Kostas Alexiou to maintain and use retaining walls and planted-in areas on the south sidewalk of 28th Avenue and on the west sidewalk of 215th Street, at 28-08 215th Street in the Borough of Queens. The proposed revocable consent is for a term from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - \$100/annum

the maintenance of a security deposit in the sum of \$2,000, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#10 In the matter of a proposed revocable consent authorizing Visiting Nurse Association of Staten Island Inc. to continue to maintain and use a pipe under and across Lake Avenue, north of Forest Avenue, in the Borough of Staten Island. The proposed revocable consent is for a term from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$1,885
For the period July 1, 2010 to June 30, 2011 - \$1,940
For the period July 1, 2011 to June 30, 2012 - \$1,995
For the period July 1, 2012 to June 30, 2013 - \$2,050
For the period July 1, 2013 to June 30, 2014 - \$2,105
For the period July 1, 2014 to June 30, 2015 - \$2,160
For the period July 1, 2015 to June 30, 2016 - \$2,215
For the period July 1, 2016 to June 30, 2017 - \$2,270
For the period July 1, 2017 to June 30, 2018 - \$2,325
For the period July 1, 2018 to June 30, 2019 - \$2,380

the maintenance of a security deposit in the sum of \$2,400, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#11 In the matter of a proposed revocable consent authorizing The Brookdale Hospital Medical Center to

continue to maintain and use a pipe under and across East 98th Street, between Hegeman Avenue and Strauss Street, in the Borough of Brooklyn. The proposed revocable consent is for a term from July 1, 2009 to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

For the period July 1, 2009 to June 30, 2010 - \$1,775
 For the period July 1, 2010 to June 30, 2011 - \$1,827
 For the period July 1, 2011 to June 30, 2012 - \$1,879
 For the period July 1, 2012 to June 30, 2013 - \$1,931
 For the period July 1, 2013 to June 30, 2014 - \$1,983
 For the period July 1, 2014 to June 30, 2015 - \$2,035
 For the period July 1, 2015 to June 30, 2016 - \$2,087
 For the period July 1, 2016 to June 30, 2017 - \$2,139
 For the period July 1, 2017 to June 30, 2018 - \$2,191
 For the period July 1, 2018 to June 30, 2019 - \$2,243

the maintenance of a security deposit in the sum of \$2,300, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#12 In the matter of a proposed revocable consent authorizing Carlton Mews LLC to construct, maintain and use a fenced-in area, together with stoops, on the east sidewalk of Carlton Avenue, south of Willoughby Avenue, in the Borough of Brooklyn. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the date of the approval to June 30, 2009 - \$1,500/annum
 For the period July 1, 2009 to June 30, 2010 - \$1,545
 For the period July 1, 2010 to June 30, 2011 - \$1,590
 For the period July 1, 2011 to June 30, 2012 - \$1,635
 For the period July 1, 2012 to June 30, 2013 - \$1,680
 For the period July 1, 2013 to June 30, 2014 - \$1,725
 For the period July 1, 2014 to June 30, 2015 - \$1,770
 For the period July 1, 2015 to June 30, 2016 - \$1,815
 For the period July 1, 2016 to June 30, 2017 - \$1,860
 For the period July 1, 2017 to June 30, 2018 - \$1,905
 For the period July 1, 2018 to June 30, 2019 - \$1,950

the maintenance of a security deposit in the sum of \$7,500, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

#13 In the matter of a proposed revocable consent authorizing The Jewish Community Center in Manhattan, Inc. to maintain and use bollards on the north sidewalk of Amsterdam Avenue west of West 76th Street and on the west sidewalk of West 76th Street north of Amsterdam Avenue, in the Borough of Manhattan. The proposed revocable consent is for a term of ten years from the Date of Approval by the Mayor to June 30, 2019 and provides, among other terms and conditions, for compensation payable to the City according to the following schedule:

From the Approval Date to June 30, 2019 - N/A

the maintenance of a security deposit in the sum of \$25,000, and the filing of an insurance policy in the minimum amount of \$250,000/ \$1,000,000 for bodily injury and property damage for each occurrence in the aggregate amount of \$100,000.

f11-m4



CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ AUCTION

PUBLIC AUCTION SALE NUMBER 09001 - Q AND R

NOTICE IS HEREBY GIVEN of a bi-weekly public auction of City fleet vehicles consisting of cars, vans, light duty vehicles, trucks, heavy equipment and miscellaneous automotive equipment to be held on Wednesday, March 4, 2009 (SALE NUMBER 09001-R). This auction is held every other Wednesday unless otherwise notified. Viewing is on auction day only from 8:30 A.M. until 9:00 A.M. The auction begins at 9:00 A.M.

NOTE: The auction scheduled for Wednesday, February 18, 2009 (SALE NUMBER 09001-Q) has been cancelled.

LOCATION: 570 Kent Avenue, Brooklyn, NY (in the Brooklyn Navy Yard between Taylor and Clymer Streets). A listing of vehicles to be offered for sale in the next auction can be viewed on our web site, on the Friday prior to the sale date at: <http://www.nyc.gov/auctions>
 Terms and Conditions of Sale can also be viewed at this site. For further information, please call (718) 417-2155 or (718) 625-1313.

f5-m4

■ SALE BY SEALED BID

SALE OF: Two year citywide contract to remove and/or receipt, as required, and the complete destruction (or recycling to prevent illicit use) of used bullet and/or stab-slash resistant vests from April 1, 2009 to March 31, 2011.

S.P.#: 09015

DUE: March 5, 2009

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
 For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

f20-m5

SALE OF: 1 LOT OF UNUSED MISCELLANEOUS OFFICE SUPPLIES.

S.P.#: 09014

DUE: February 24, 2009

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
 DCAS, Division of Municipal Supply Services, 18th Floor Bid Room, Municipal Building, New York, NY 10007.
 For sales proposal contact Gladys Genoves-McCauley (718) 417-2156 for information.

f9-24

POLICE

OWNERS ARE WANTED BY THE PROPERTY CLERK DIVISION OF THE NEW YORK CITY POLICE DEPARTMENT.

The following listed property is in the custody, of the Property Clerk Division without claimants.

Recovered, lost, abandoned property, property obtained from prisoners, emotionally disturbed, intoxicated and deceased persons; and property obtained from persons incapable of caring for themselves.
Motor vehicles, boats, bicycles, business machines, cameras, calculating machines, electrical and optical property, furniture, furs, handbags, hardware, jewelry, photographic equipment, radios, robes, sound systems, surgical and musical instruments, tools, wearing apparel, communications equipment, computers, and other miscellaneous articles.

INQUIRIES

Inquiries relating to such property should be made in the Borough concerned, at the following office of the Property Clerk.

FOR MOTOR VEHICLES

(All Boroughs):

- * College Auto Pound, 129-01 31 Avenue, College Point, NY 11354, (718) 445-0100
- * Gowanus Auto Pound, 29th Street and 2nd Avenue, Brooklyn, NY 11212, (718) 832-3852
- * Erie Basin Auto Pound, 700 Columbia Street, Brooklyn, NY 11231, (718) 246-2029

FOR ALL OTHER PROPERTY

- * Manhattan - 1 Police Plaza, New York, NY 10038, (212) 374-4925.
- * Brooklyn - 84th Precinct, 301 Gold Street, Brooklyn, NY 11201, (718) 875-6675.
- * Bronx Property Clerk - 215 East 161 Street, Bronx, NY 10451, (718) 590-2806.
- * Queens Property Clerk - 47-07 Pearson Place, Long Island City, NY 11101, (718) 433-2678.
- * Staten Island Property Clerk - 1 Edgewater Plaza, Staten Island, NY 10301, (718) 876-8484.

j1-d31

■ AUCTION

PUBLIC AUCTION SALE NUMBER 1152

NOTICE IS HEREBY GIVEN of a ONE (1) day public auction of unclaimed salvage vehicles, motorcycles, automobiles, trucks, and vans. Inspection day is February 9, 2009 from 10:00 A.M. - 2:00 P.M.

Salvage vehicles, motorcycles, automobiles, trucks, and vans will be auctioned on February 10, 2009 at approximately 9:30 A.M.

Auction will be held at the Erie Basin Auto Pound, 700 Columbia Street (in Redhook area of B'klyn., 2 blocks from Halleck St.)

For information concerning the inspection and sale of these items, call the Property Clerk Division's Auction Unit information line (646) 610-4614.

f11-23

PROCUREMENT

"The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination. The contracting opportunities for construction/construction services and construction-related services that appear in the individual agency listings below reflect that commitment to excellence."

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ SOLICITATIONS

Goods

STOREHOUSE, MISCELLANEOUS – Competitive Sealed Bids – PIN# 8570900706 – DUE 03-18-09 AT 10:30 A.M.

- **CASTINGS: MANHOLE FRAME, COVER AND MISCELLANEOUS** – Competitive Sealed Bids – PIN# 8570900634 – DUE 03-19-09 AT 10:30 A.M.
- **FLUOROSILICIC ACID** – Competitive Sealed Bids – PIN# 8570900705 – DUE 03-09-09 AT 10:30 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Citywide Administrative Services, Office of Vendor Relations, 1 Centre Street, Room 1800, New York, NY 10007. Jeanette Megna (212) 669-8610.

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■ AWARDS

Goods

PERSONAL FLOTATION DEVICES: VARIOUS

Competitive Sealed Bids – PIN# 857801145 – AMT: \$364,759.00 – TO: Fremont Industrial Corp., 2200 Shames Drive, Westbury, NY 11590.

● STOREHOUSE MISCELLANEOUS - CHEMICAL RELATED

Competitive Sealed Bids – PIN# 857701609 – AMT: \$43,164.00 – TO: Alter Distributors Inc., 1004 Cortelyou Road, Brooklyn, NY 11218.

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ESRI MICROCOMPUTER SOFTWARE

Intergovernmental Purchase – PIN# 8570900641 – AMT: \$365,000.00 – TO: Environmental Systems Research Institute Inc., 380 New York St., Redlands, CA 92373. NYS Contract #PT 63832.

● SYMANTEC SOFTWARE AND SERVICES

Intergovernmental Purchase – PIN# 8570900959 – AMT: \$293,332.00 – TO: Webhouse Inc., 450 Sunrise Hwy., Suite 103, Rockville Centre, NY 11570. NYS Contract #PT 57160.

Suppliers wishing to be considered for a contract with the Office of General Services of New York State are advised to contact the Procurement Services Group, Corning Tower Room 3711, Empire State Plaza, Albany, NY 12242 or by phone: 518-474-6717.

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■ VENDOR LISTS

Goods

ACCEPTABLE BRAND LIST – In accordance with PPB Rules, Section 2-05(c)(3), the following is a list of all food items for which an Acceptable Brands List has been established.

1. Mix, Biscuit - AB-14-1:92
2. Mix, Bran Muffin - AB-14-2:91
3. Mix, Corn Muffin - AB-14-5:91
4. Mix, Pie Crust - AB-14-9:91
5. Mixes, Cake - AB-14-11:92A
6. Mix, Egg Nog - AB-14-19:93
7. Canned Beef Stew - AB-14-25:97
8. Canned Ham Shanks - AB-14-28:91
9. Canned Corned Beef Hash - AB-14-26:94
10. Canned Boned Chicken - AB-14-27:91
11. Canned Corned Beef - AB-14-30:91
12. Canned Ham, Cured - AB-14-29:91
13. Complete Horse Feed Pellets - AB-15-1:92
14. Canned Soups - AB-14-10:92D
15. Infant Formula, Ready to Feed - AB-16-1:93
16. Spices - AB-14-12:95
17. Soy Sauce - AB-14-03:94
18. Worcestershire Sauce - AB-14-04:94

Application for inclusion on the above enumerated Acceptable Brand Lists for foods shall be made in writing and addressed to: Purchase Director, Food Unit, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-4207.

j4-jy17

EQUIPMENT FOR DEPARTMENT OF SANITATION

In accordance with PPB Rules, Section 2.05(c)(3), an acceptable brands list will be established for the following equipment for the Department of Sanitation:

- A. Collection Truck Bodies
- B. Collection Truck Cab Chassis
- C. Major Component Parts (Engine, Transmission, etc.)

Applications for consideration of equipment products for inclusion on the acceptable brands list are available from: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007. (212) 669-8610.

j4-jy17

OPEN SPACE FURNITURE SYSTEMS - CITYWIDE

In accordance with PPB Rules, Section 2.05(c)(3), an Acceptable Brands List, #AB-17W-1-99, has been established for open space furniture systems.

Application for consideration of product for inclusion on this acceptable brands list shall be made in writing and addressed to: Vendor Relations, Department of Citywide Administrative Services, Division of Municipal Supply Services, 1 Centre Street, 18th Floor, New York, NY 10007, (212) 669-8610.

j4-jy17

DESIGN & CONSTRUCTION**CONTRACT SECTION****■ SOLICITATIONS***Construction / Construction Services*

CLEMENTE SOTO VELEZ CULTURAL AND EDUCATIONAL CENTER FACADE AND BUILDING ENVELOPE, MANHATTAN – Competitive Sealed Bids – PIN# 8502009PV0013C – DUE 03-23-09 – PROJECT NO.: PV467-CSV. Contract documents will not be sold after Monday, March 9, 2009. There will be a mandatory pre-bid conference on Tuesday, March 10, 2009 at 10:00 A.M. at the Clemente Soto Velez Cultural Center located at 107 Suffolk Street, New York, NY 10002. Bid documents are available at: <http://www.nyc.gov/buildnyc>. This bid solicitation includes M/WBE participation goal(s) for subcontracted work. For the M/WBE goals, please visit our website at www.nyc.gov/buildnyc see "Bid Opportunities." For more information about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified. Apprenticeship Requirements apply to this contract. Vendor Source ID#: 58230.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Bid document deposit - \$35.00 per set. Company check or money order only. No cash accepted. Late bids will not be accepted. *Department of Design and Construction*
30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2614.

KINGS COUNTY SUPREME COURT RENOVATION - 2ND AND 9TH FLOORS, BROOKLYN – Competitive Sealed Bids – DUE 03-25-09 AT 2:00 P.M. – PIN# 8502009CT0004C - GENERAL CONSTRUCTION
PIN# 8502009CT0005C - PLUMBING
PIN# 8502009CT0006C - HVAC
PIN# 8502009CT0007C - ELECTRICAL

PROJECT NO.: CO278CONV. Contract documents will not be sold after Tuesday, March 10, 2009. There will be a mandatory pre-bid conference on Wednesday, March 11, 2009 at 10:00 A.M. at the Kings County Supreme Court located at 360 Adams Street, Brooklyn, NY 11201. Bid documents are available at: <http://www.nyc.gov/buildnyc>. Companies who have been certified by the New York City Department of Small Business Services as Minority- or Women- Owned Business Enterprises ("M/WBE") are strongly encouraged to submit a bid. Also, this bid solicitation includes M/WBE participation goal(s) for subcontracted work. For the M/WBE goals, please visit our website at www.nyc.gov/buildnyc see "Bid Opportunities." To find out more about M/WBE certification, please call 311 or go to www.nyc.gov/getcertified. Apprenticeship Requirements apply to this contract. Vendor Source ID#: 58232.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. Bid document deposit - \$35.00 per set. Company check or money order only. No cash accepted. Late bids will not be accepted. *Department of Design and Construction*
30-30 Thomson Avenue, 1st Floor, Long Island City, NY 11101. Ben Perrone (718) 391-2614.

EDUCATION**DIVISION OF CONTRACTS AND PURCHASING****■ SOLICITATIONS***Goods & Services*

SCHOLARSHIP PROGRAMS FOR SPECIAL EDUCATION IN TEACHING AND CLINICAL DISCIPLINES AND FOR RELATED SERVICES – Competitive Sealed Bids – PIN# R0725040 – DUE 03-09-09 AT 5:00 P.M. – To download the RFP, go to <https://vendorportal.nycenet.edu>. If you cannot download the RFP, call (718) 935-2300 or e-mail vendorhotline@schools.nyc.gov with the RFP number and title in the subject line of your e-mail. All RFP R0725 questions should be e-mailed to [sstamo@schools.nyc.gov](mailto:ssstamo@schools.nyc.gov). The New York City Department of Education is seeking proposals from graduate and undergraduate colleges/universities, offering New York State accredited degree programs, so that they may participate in our Scholarship Program in various areas of special education and related services. There will be a pre-proposal conference at 11:00 A.M. on February 23, 2009, at Brooklyn Borough Hall, 209 Joralemon Street, 1st Floor Community Room, Brooklyn, N.Y.

There is a non-refundable fee of \$50.00 which is payable by all major credit cards.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/

blueprints; other information; and for opening and reading of bids at date and time specified above.

*Department of Education, 65 Court Street, Room 1201
Brooklyn, NY 11201. Vendor Hotline (718) 935-2300
vendorhotline@schools.nyc.gov*

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EMPLOYEES' RETIREMENT SYSTEM**■ AWARDS***Goods & Services*

BUILD OUT OF VOICE PORTAL TEST AND DEV ENVIRONMENT – Cooperative Purchasing – PIN# 00902132009 – AMT: \$257,103.10 – TO: Avaya Inc., 211 Mount Airy Rd., Basking Ridge, NJ 07920-2311.

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ENVIRONMENTAL PROTECTION**BUREAU OF WASTEWATER TREATMENT****■ SOLICITATIONS***Services (Other Than Human Services)*

THERMOENERGY AMMONIA REMOVAL PROCESS FACILITY AT 26TH WARD – Sole Source – Available only from a single source - PIN# 82609WPC1179 – DUE 03-09-09 AT 4:00 P.M. – Project: APR-09. DEP intends to enter into a Sole Source Agreement with ThermoEnergy Corp., for APR-09: ThermoEnergy Ammonia Removal Process Facility at 26th Ward. ThermoEnergy Corporation (TEC) patented Ammonia Recovery Process (ARP) has been successfully demonstrated to remove over 85 percent of the Ammonia from the 26th Ward WPCP centrate stream in July and November 2008. When compared to currently employed biological treatment processes ARP appears to be one of the more efficient means of removing ammonia from centrate, thus minimizing the release of nutrients to the surrounding waters of NYC, preventing fugitive emissions of Greenhouse gases released by wastewater treatment and consuming less available power. Based upon the above, NYCDEP has determined that it is in the best interest of New York City to implement a full-scale project of TEC's patented ARP technology. Any firm which believes it can also provide the required service is invited to so, indicated by letter to: Department of Environmental Protection, Agency Chief Contracting Officer, 59-17 Junction Blvd., 17th Floor, Flushing, New York 11373, attn. Ms. Debra Butlien (718) 595-3423, d.butlien@dep.nyc.gov

f18-24

CARBON ODOR CONTROL SERVICES AT DEP FACILITIES CITYWIDE – Competitive Sealed Bids – PIN# 826101217CRB – DUE 03-12-09 AT 11:30 A.M. CONTRACT 1217-CRB: Document Fee \$80.00. There will be a pre-bid conference on 3/13/09 at 10:00 A.M. at 96-05 Horace Harding Expressway, 2nd Floor Conference Room #4, Flushing, NY 11373. Jean Ulysse, Project Manager, (718) 595-5017. Prevailing wages does not comply with this contract. Vendor Source ID#: 58185.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Department of Environmental Protection*
59-17 Junction Boulevard, 17th Floor, Flushing, New York 11373. ghall@dep.nyc.gov

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HEALTH AND HOSPITALS CORPORATION

The New York City Health and Hospitals Corporation is regularly soliciting bids for supplies and equipment at its Central Purchasing Offices, 346 Broadway, New York City, Room 516, for its Hospitals and Diagnostic and Treatment Centers. All interested parties are welcome to review the bids that are posted in Room 516 weekdays between 9:00 a.m. and 4:30 p.m. For information regarding bids and the bidding process, please call (212) 442-3863.

j1-d31

■ SOLICITATIONS*Goods*

ESSURE PERMANENT BIRTH CONTROL SYSTEM – Sole Source – Available only from a single source - PIN# 231-09-109 – DUE 02-24-09 AT 10:00 A.M. – The North Brooklyn Health Network intends to enter into a sole source contract for Essure Permanent Birth Control System with Conceptus Inc., 1021 Howard Avenue, San Carlos, CA 94070.

Any other supplier who is capable of providing these items to the North Brooklyn Health Network may express their interest in doing so by writing to Millicent Thompson, Procurement Analyst, 100 North Portland Avenue, Rm. C-32, Brooklyn, NY 11205 or Millicent.Thompson@nychhc.org on or before 10:00 A.M. on February 24, 2009.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *North Brooklyn Health Network, 100 North Portland Avenue, Rm C-32, Brooklyn, NY 11205.*
Millicent Thompson (718) 260-7686.

f17-23

Goods & Services

MAINTENANCE AND MONITORING OF BURGLARY ALARM SYSTEM – Competitive Sealed Bids – PIN# 11209075 – DUE 03-06-09 AT 3:00 P.M. – At MTP clinic located at 284 West 118th Street, New York, N.Y. 10026. The pre site visit is on the 25th of February, 2009 at the MTP Clinic.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Lincoln Hospital Center, 234 East 149th Street, Room 2A2 Bronx, NY 10451. Junior Cooper (718) 579-5096*
junior.cooper@nychhc.org

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PERPETUAL LICENSE AND MAINTENANCE OF VERICEPT MONITORS – Competitive Sealed Bids – PIN# RB09-319020 – DUE 03-04-09 AT 3:00 P.M. – Vericept Professional Services included. All technical questions should be directed to Dino Civan at (718) 245-4782.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Kings County Hospital Center, 451 Clarkson Avenue, Brooklyn, NY 11203. Declan LaHee (718) 245-2126.*
Support Office Building, 591 Kingston Avenue, Room #251 Brooklyn, NY 11203.

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Construction Related Services

SECURITY DETECTION SYSTEM – Competitive Sealed Bids – PIN# 331-09-036 – DUE 03-18-09 AT 11:00 A.M. – Window and door detection for 153 windows, screens and doors for the 3rd and 5th floors of Dept. of Behavioral Health. Mandatory site inspection on Wednesday, March 11, 2009 at 10:00 A.M. in Rm. 1N45.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Coney Island Hospital, 2601 Ocean Parkway, Room 1N45 Brooklyn, NY 11235. Nadine Patterson (718) 616-4271*
davisvi@nychhc.org

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MATERIALS MANAGEMENT**■ SOLICITATIONS***Goods & Services*

CRYOSTATS, MICROTOMES, STAINERS, COVERSLIPPERM EMBEDDERS SLIDE – Public Bid – PIN# 029-0034 – DUE 03-03-09 AT 10:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Health and Hospitals Corporation, 346 Broadway, 5th Floor, Room 516, New York, NY 10013.*
Jeannette Torres (212) 442-3867, jeannette.torres@nychhc.org

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HOMELESS SERVICES**OFFICE OF CONTRACTS AND PROCUREMENT****■ SOLICITATIONS***Human / Client Service*

TRANSITIONAL RESIDENCES FOR HOMELESS/ DROP-IN CENTERS – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# 071-00S-003-262Z – DUE 06-25-10 AT 10:00 A.M. – The Department of Homeless Services is soliciting proposals from organizations interested in developing and operating transitional residences for homeless adults and families including the Neighborhood Based Cluster Residence and drop-in centers for adults. This is an open-ended solicitation; there is no due date for submission.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above. *Department of Homeless Services, 33 Beaver Street 13th Floor, New York, NY 10004.*
Marta Zmoira (212) 361-0888, mzmaira@dhs.nyc.gov

j12-24

HOUSING AUTHORITY**■ SOLICITATIONS***Goods & Services*

INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE – Competitive Sealed Bids – PIN# 8021155 – DUE 03-17-09 AT 10:00 A.M. – In apartments at Van Dyke I Houses.
● **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021156 – DUE 03-17-09 AT 10:05 A.M. - In apartments at Seth Low Houses.
● **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021157 – DUE 03-17-09 AT 10:10 A.M. - In apartments at Unity Plaza (4-27), Unity Plaza (17, 24, 25A), Fiorentino Plaza and Long Island Baptist.

- **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021158 – DUE 03-17-09 AT 10:15 A.M. - In apartments at Williams Plaza, Wyckoff Gardens, 572 Warren Street and Atlantic Terminal.
- **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021159 – DUE 03-17-09 AT 10:20 A.M. - In apartments at Lafayette Gardens.
- **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021160 – DUE 03-17-09 AT 10:25 A.M. - In apartments at Castle Hill Houses.
- **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021163 – DUE 03-17-09 AT 10:30 A.M. - In apartments at Rangel Houses.
- **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021164 – DUE 03-17-09 AT 10:35 A.M. - In apartments at Wagner Houses.
- **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021165 – DUE 03-17-09 AT 10:40 A.M. - In apartments at Wilson Houses and White Houses.
- **INSTALLATION AND REMOVAL AND INSTALLATION OF VINYL COMPOSITION FLOOR TILE** – Competitive Sealed Bids – PIN# 8021166 – DUE 03-17-09 AT 10:45 A.M. - In apartments at Adams Houses.

There is a non-refundable fee of \$25.00 payable by certified check or postal money order for each set of contract documents.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Housing Authority, 23-02 49th Avenue, 4th Floor Bid Room, Long Island City, NY 11101. Joseph Schmidt (718) 707-8921.

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HUMAN RESOURCES ADMINISTRATION

AWARDS

Human/Client Service

HOUSING FOR PERSONS WITH AIDS – Contract Change – Center for Urban Community Services, Inc., 2212 Third Avenue, 6th Floor, NYC, NY 10035
PIN#: 06906H040610
Contract Amount: \$17,418.86
Contract Term: 07/01/05 - 06/30/09

Center for Urban Community Services, Inc., 2212 Third Avenue, 6th Floor, NYC, NY 10035
PIN#: 06906H003603
Contract Amount: \$14,397.46
Contract Term: 07/01/05 - 06/30/09

West Side Federation for Senior and Supportive Housing, Inc. 2345 Broadway, NYC, NY 10024
PIN#: 06908H065701
Contract Amount: \$7,883.54
Contract Term: 07/01/07 - 12/31/08

Henry Street Settlement 40 Montgomery Street, NYC, NY 10002
PIN#: 06903H039401
Contract Amount: \$2,109.60
Contract Term: 09/01/03 - 08/31/08

Friends Quarters Housing Development Fund Corp. 15 Rutherford Pl., NYC, NY 10003
PIN#: 06907A550010
Contract Amount: \$56,715.48
Contract Term: 07/01/06 - 06/30/11

☛ #20

HOMEMAKER SERVICES FOR PERSON WITH AIDS – Contract Change – PIN# 06909H00207 – The Dannelisse Corp., 250 West 57th Street, #926, NYC, NY 10117.
Contract Term: 07/01/08 - 06/30/11
Contract Amount: \$180,000.00
● **FOOD STAMP OUTREACH** – BP/City Council Discretionary – PIN# 06909H070011 – AMT: \$100,000.00 – TO: New York City Coalition Against Hunger, 16 Beaver Street, NYC, NY 10004-2314. Contract Term: 07/01/08 - 06/30/09.

☛ #20

D.V. PUBLIC AWARENESS – BP/City Council Discretionary – PIN# 06909H070006 – AMT: \$20,000.00 – TO: Queensboro Council for Social Welfare, Inc., 221-10 Jamaica Ave., Suite 107, Queens Village, NY 11428-2037.
● **FOOD PANTRY** – BP/City Council Discretionary – PIN# 06909H070005 – AMT: \$18,700.00 – TO: Trinity's Services and Food for the Homeless, Inc., 602 East 9th Street, NY, NY 10009.

☛ #20

HOME ATTENDANT SERVICES – Negotiated Acquisition – Judgment required in evaluating proposals – Association for Services for the Aged 36-36 33rd Street, Long Island City, NY 11106
PIN #: 06909H068002
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Barele Inc. 44 Court Street, Suite 700, Brooklyn, NY 11201
PIN #: 06909H068003
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Bestcare Inc./All City Care P.O. Box 9010, 3000 Hempstead Tpke., Rm 205, Levittown, NY 11756-9010
PIN #: 06909H068004
Contract Amount: \$0.00

Contract Period: 07/01/08-06/30/09

Beth Emeth Home Attendant Service 1080 McDonald Avenue, Brooklyn, NY 11230-2600
PIN #: 06909H068005
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

BHRAGS Home Care Corp. 444 Thomas S. Boyland Street, Brooklyn, NY 11212-5042
PIN #: 06909H068006
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Bushwick Stuyvesant Heights Home Attendants, Inc. 1004 Gates Avenue, Brooklyn, NY 11221-3502
PIN #: 06909H068007
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

CIDNY Independent Living Services 841 Broadway, Suite 203, NYC, NY 10003
PIN #: 06909H068008
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

CABS Home Attendant Services, Inc. 545 Broadway, Brooklyn, NY 11206-2962
PIN #: 06909H068009
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

CABS Home Attendants Service, Inc. 545 Broadway, Brooklyn, NY 11206-2962
PIN #: 06909H068010
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Chinese-American Planning Council Home Attendant Program 40 Worth Street, Suite 1304, NYC, NY 10013-2904
PIN #: 06909H068011
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Chinese-American Planning Council Home Attendant Program 40 Worth Street, Suite 1304, NYC, NY 10013-2904
PIN #: 06909H068012
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Community Home Care Referral Service/ DBA Helping Hands Attendants Service 3920 13th Avenue, Brooklyn, NY 11218
PIN #: 06909H068013
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Council for Human Services Home Care Services, Corp. 253 Third Avenue, 4th Floor, NYC, NY 10035
PIN #: 06909H068014
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

FEGS Home Attendant Services, Inc. 240 East 123rd Street, 3rd Fl., NYC, NY 10035
PIN #: 06909H068015
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Family Home Care Services of Brooklyn and Queens 241 37th Street, Brooklyn, NY 11232-2409
PIN #: 06909H068016
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Family Home Care Services of Brooklyn and Queens 241 37th Street, Brooklyn, NY 11232-2409
PIN #: 06909H068017
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

First Chinese Presbyterian Community Affairs Home Attendants 121 Avenue of the Americas, Suite 504, NYC, NY 10013-1591
PIN #: 06909H068018
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Home Attendant Services of Hyde Park 4510 16th Avenue, Suite 201, Brooklyn, NY 11204-1101
PIN #: 06909H068019
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Home Attendant Vendor Agency, Inc. 3036-B Nostrand Avenue, Brooklyn, NY 11229
PIN #: 06909H068020
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Home Care Service for Independent Living Inc. 2044 Ocean Avenue, Suite B-4, Brooklyn, NY 11230
PIN #: 06909H068021
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Home Health Management Service Inc. 853 Broadway, Suite 200, NYC, NY 10003
PIN #: 06909H068022
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Home Services Systems Inc. 32-75 Steinway Street, 2nd Fl., Astoria, NY 11103
PIN #: 06909H068023
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Home Services Systems Inc. 32-75 Steinway Street, 2nd Fl., Astoria, NY 11103
PIN #: 06909H068024
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Human Development Association 12 Heyward Street, Brooklyn, NY 11211
PIN #: 06909H068025
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Jewish Community Council Services Commission Inc. 80 Maiden Lane, 10th Fl., NYC, NY 10038
PIN #: 06909H068027
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Mobilization for Youth Health Services 199 Avenue B (storefront), NYC, NY 10009
PIN #: 06909H068028

Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

NY Health Care Inc. 1850 McDonald Avenue, Brooklyn, NY 11223
PIN #: 06909H068029
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

New York Foundation for Senior Citizens Home Attendant Service 11 Park Place, Suite 1416, NYC, NY 10007
PIN #: 06909H068030
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

North General Home Attendant Corp. 205 East 122nd Street, NYC, NY 10035
PIN #: 06909H068031
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

PSC Community Services Inc. 176 Java Street, Brooklyn, NY 11222-6007
PIN #: 06909H068032
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

People Care Incorporated /Assisted Care 116 West 32nd Street, 15th Fl., NYC, NY 10001
PIN #: 06909H068033
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

People Care Incorporated/ Assisted Care 116 West 32nd Street, 15th Fl., NYC, NY 10001
PIN #: 06909H068034
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

People Care Incorporated /Assisted Care 116 West 32nd Street, 15th Fl., NYC, NY 10001
PIN #: 06909H068035
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Personal Touch Home Care of N.Y., Inc./ Early Intervention 188-18 Hillside Avenue, Jamaica, NY 11432
PIN #: 06909H068036
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Pomono Home Services Inc. 61-17 190th Street, Suite 201, Fresh Meadows, NY 11365
PIN #: 06909H068037
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Prestige Home Attendant Inc./ All Season Home Attendant 377 Broadway, 2nd Fl. (front), NYC, NY 10013
PIN #: 06909H068039
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Prestige Home Attendant Inc./ All Season Home Attendant 377 Broadway, 2nd Fl., (front), NYC, NY 10013
PIN #: 06909H068040
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Progressive Home Health Service Inc./ dba Kind Care 132 West 31st Street, 7th Fl., NYC, NY 10001-3406
PIN #: 06909H068041
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Ridgewood Bushwick Senior Citizen Home Care Council Inc. 533 Bushwick Avenue, Brooklyn, NY 11206
PIN #: 06909H068043
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Ridgewood Bushwick Senior Citizen Home Care Council Inc. 533 Bushwick Avenue, Brooklyn, NY 11206
PIN #: 06909H068044
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Rockaway Home Attendant Service Inc. 1603 Central Avenue, Suite 100, Post Office Box 328, Far Rockaway, NY 11690-0328
PIN #: 06909H068045
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

School Settlement Home Attendant Service Corp. 357 Manhattan Avenue, Brooklyn, NY 11211-2428
PIN #: 06909H068046
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Services for the Aged 36-36 33rd Street, Suite 305, Long Island City, NY 11106
PIN #: 06909H068047
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Social Concern Community Development 22618 Merrick Blvd., Laurelton, NY 11413
PIN #: 06909H068049
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

St. Nicholas Human Support Corporation 11 Catherine Street, Brooklyn, NY 11211
PIN #: 06909H068050
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

The Stella Orton Home Care Agency, Inc. 3155 Amboy Road, Staten Island, NY 10306-2799
PIN #: 06909H068051
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

Sunnyside Home Care Project 43-31 39th Street, Sunnyside, NY 11104

PIN #: 06909H068052
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

The Caring Neighbor Inc. 331 East 70th Street, 6th Floor, NYC, NY 10021
PIN #: 06909H068053
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

VIP Health Care Services Inc. 116-12 Myrtle Avenue, Richmond Hill, NY 11418-1748

PIN #: 06909H068055
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

VIP Health Care Services Inc.
116-12 Myrtle Avenue, Richmond Hill, NY 11418-1748
PIN #: 06909H068056
Contract Amount: \$0.00
Contract Period: 07/01/08-06/30/09

HOME ATTENDANT – Negotiated Acquisition/Pre-Qualified List – Judgment required in evaluating proposals – Family Care Services DBA Visiting Nurse Service of New York
355 East 149th Street, Bronx, NY 10455
Contract Amount: \$1,153,539.00
PIN#: 06908H067605 - Term: 01/01/08 - 06/30/08

Lower West Side Household Service Corp.
250 West 57th Street, Suite 626, NY, NY 10107
Contract Amount: \$342,690.00
PIN#: 06908H067707 - Term: 07/01/07 - 06/30/08

HOUSEKEEPING SERVICES – Competitive Sealed Proposals – Judgment required in evaluating proposals – South Bronx Housekeeper Vendor
2804 3rd Avenue, Bronx, NY 10455
PIN#: 06906H020801
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

CABS Housekeeper Service Inc.,
7 Debevoise Street, Brooklyn, NY 11206-4101
PIN#: 06906H020802
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

Selfhelp Community Services, Inc.
520 Eighth Avenue, 5th Floor, NYC, NY 10018
PIN#: 06906H020803
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

Richmond Home Need Services Inc.
3155 Amboy Road, Staten Island, NY 10306
PIN#: 06906H020804
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

Beth Emeth Home Attendant Service
1080 McDonald Avenue, Brooklyn, NY 11230-2600
PIN#: 06906H020806
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

First Chinese Presbyterian Church Community Affairs Corp.
61 Henry Street, NYC, NY 10002
PIN#: 06906H020807
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

Ridgewood Bushwick Senior Citizens Homecare Council Inc.
533 Bushwick Avenue, Brooklyn, NY 11206
PIN#: 06906H020808
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

PSC Community Inc.
176 Java Street, Brooklyn, NY 11222-6007
PIN#: 06906H020811
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

Social Concern Vendor Agency Inc.
184-45 147th Avenue, Springfield Garden, NY 11413
PIN#: 06906H020812
Contract Amount: \$0.00
Contract Term: 07/01/08-06/30/11

HOME ATTENDANT AND HOUSEKEEPER SERVICES – Competitive Sealed Proposals – Judgment required in evaluating proposals – Alliance Home Services Inc.
1 Salvatore Naclerio Plaza, Bronx, NY 10466-6145
PIN#: 06908H038002
Contract Amount: \$0.00
Contract Term: 07/01/08 - 06/30/11

Best Care Inc. / dba All City Care
P.O. Box 9010, 3000 Hempstead Tpke., Room 205, Levittown, NY 11756-9010
PIN#: 06909H038003
Contract Amount: \$0.00
Contract Term: 07/01/08 - 06/30/11

Bronx Jewish Community Council Home Attendant Services
2930 Wallace Avenue, Bronx, NY 10467
PIN#: 06906H038004
Contract Amount: \$0.00
Contract Term: 07/01/08 - 06/30/11

Chinese-American Planning Council Home Attendant Program
40 Worth Street, Suite 1304, NYC, NY 10013-2904
PIN#: 06908H038005
Contract Amount: \$0.00
Contract Term: 07/01/08 - 06/30/11

Cooperative Home Care Associates, Inc.
349 East 149th Street, Bronx, NY 10451
PIN#: 06908H038007
Contract Amount: \$0.00
Contract Term: 07/01/08 - 06/30/11

Family Care Services/ DBA Visiting Nurse Service of New York
355 East 149th Street, Bronx, NY 10455
PIN#: 06906H038008
Contract Amount: \$0.00
contract Term: 07/01/08 - 06/30/11

Health Acquisition Corp./Get Well At Home Services
175-20 Hillside Avenue, Jamaica, NY 11432
PIN#: 06908H038010
Contract Amount: \$0.00
Contract Term: 07/01/08 - 06/30/11

Rain Home Attendant Services
811 Morris Park Avenue, Bronx, NY 10462
PIN#: 06909H038013
Contract Amount: \$0.00
Contract Term: 07/01/08 - 06/30/11

OFFICE OF THE MAYOR

CRIMINAL JUSTICE COORDINATOR'S OFFICE

■ INTENT TO AWARD

Human/Client Service

PROVISION OF MEDIATION/ARBITRATION SERVICES AS AN ALTERNATIVE TO COURT – Negotiated Acquisition – PIN# 00208DMPS208B – DUE 02-23-09 AT 3:00 P.M. – The Criminal Justice Coordinator's Office ("CJC") in accordance with Section 3-04(b)(2)(iii) of the Procurement Policy Board Rules intends to enter into negotiations with Washington Heights Inwood Coalition located at 652 West 187th Street, New York, NY 10033, for the provision of mediation and arbitration services in the Washington Heights-Inwood area (Community District 12) as an alternative to court. The term of the contract will be from July 1, 2008 to June 30, 2009. There will be no option to renew. Additionally, the amount of the contract will be \$43,422.

Vendors interested in being notified of future solicitations for the provision of mediation and arbitration services should submit such requests in writing to Monique D. Davis of the Criminal Justice Coordinator's Office at 1 Centre Street, Room 1012, New York, NY 10007, (212) 788-6810.

A Request for Proposal for the provision of Mediation/ arbitration services was let by the Criminal Justice Coordinator's Office on March 13, 2008 but a vendor was not selected to provide services in the Washington Heights-Inwood area, hence the Negotiated Acquisition Extension.

PARKS AND RECREATION

REVENUE AND CONCESSIONS

■ SOLICITATIONS

Services (Other Than Human Services)

OPERATION OF A HIGH-QUALITY SPECIALTY CART WITH SEATING – Competitive Sealed Proposals – Judgment required in evaluating proposals - PIN# M10-72-SB – DUE 03-16-09 AT 3:00 P.M. – At the Arcade at Bethesda Terrace, Central Park, Manhattan. Parks will hold a recommended proposer meeting on Tuesday, February 24, 2009 at 1:00 P.M. at the concession site, which is located on the north side of the 72nd Street Transverse Road in Central Park. All interested parties are urged to attend.

TELECOMMUNICATION DEVICE FOR THE DEAF (TDD)
212-504-4115.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*Parks and Recreation, The Arsenal-Central Park
830 Fifth Avenue, Room 407, New York, NY 10021.
Evan George (212) 360-1397, evan.george@parks.nyc.gov*

f10-24

POLICE

CONTRACT ADMINISTRATION UNIT

■ INTENT TO AWARD

Services (Other Than Human Services)

CORRECTION: LIVESCAN – Sole Source – Available only from a single source - PIN# 056090000648 – DUE 02-24-09 AT 8:00 A.M. – Correction: NYPD intends to award this contract to Sagem Morpho Incorporated through sole source procurement method.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
Police Department, 51 Chambers Street, Room 310, New York, NY 10007. Howard Babich (646) 610-5214.

f17-23

SCHOOL CONSTRUCTION AUTHORITY

CONTRACT ADMINISTRATION

■ SOLICITATIONS

Construction/Construction Services

SCIENCE LAB UPGRADE – Competitive Sealed Bids – PIN# SCA09-004445-1 – DUE 03-05-09 AT 11:00 A.M.
Science Lab Upgrade.
Four (4) Schools in Brooklyn
Project Range: \$1,280,000.00 to \$1,352,000.00.

Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA, (718) 472-8360.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

*School Construction Authority, Plans Room Window
30-30 Thomson Avenue, Room #1046, Long Island City, NY 11101. Kevantae Idlett (718) 472-8360, kidlett@nycsca.org*

f13-20

SCIENCE LAB – Competitive Sealed Bids – PIN# SCA09-11264D-1 – DUE 03-09-09 AT 10:00 A.M.
PS 752/Career Development at IS 142 (Queens).

Project Range: \$1,420,000.00 to \$1,493,000.00.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Stacia Edwards (718) 752-5849
sedwards@nycsca.org*

f18-24

Construction Related Services

EXTERIOR MASONRY/PARAPETS – Competitive Sealed Bids – PIN# SCA09-12138D-1 – DUE 03-10-09 AT 10:30 A.M. – PS 184 (Queens) - Exterior Masonry/Parapets. Project Range: \$2,150,000.00 - \$2,270,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA, (718) 752-5868.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*School Construction Authority, 30-30 Thomson Avenue,
1st Floor, Long Island City, NY 11101.
Judith Walker (718) 752-5868, jwalker@nycsca.org*

f19-25

Services (Other Than Human Services)

INDUSTRIAL AND ENVIRONMENTAL HYGIENE

SERVICES – Competitive Sealed Proposals – PIN# SCA09-00054R – DUE 03-06-09 AT 2:00 P.M. – For special investigative and emergency investigation consulting for various schools throughout New York City.

Proposal will be accepted from the following firms: Ysrael A. Seinuk, P.C.; Leadbusters, Inc. d/b/a ALC Environmental; Ensign Engineering, P.C.; Hi-Tech Systems Inc; Yu and Associates, Inc. d/b/a Yu and Associates Engineers, P.C.; Gyomo Architecture Eng. and Land Surveying; O'Brien and Gere; Camp Dresser and McKee (CDM), Inc.; Henningson, Durham and Richardson PC; Dewberry-Goodkind, Inc.; Earth Tech Northeast, Inc.; Edwards and Kelcey Engineers, Inc.; AECOM USA, Inc.; FPM Engineering Group, P.C.; Fuss and O'Neill; Gannett Fleming Engineers and Architects; H2M Group; Hatch Mott MacDonald Consulting Engineers; MACTEC Engineering and Consulting; The RBA Group - New York; The Shaw Group Inc.; Tectonic Engineering and Surveying Consultant PC.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*School Construction Authority, 30-30 Thomson Avenue,
1st Floor, Long Island City, New York 11101.
Nacardie Louis (718) 752-5851, nlouis@nycsca.org*

f19-25

CONTRACT SECTION

■ SOLICITATIONS

Construction/Construction Services

INSTALLATION OF VIDEO SURVEILLANCE SECURITY CAMERAS – Competitive Sealed Bids – PIN# SCA09-12307D-1 – DUE 03-06-09 AT 10:00 A.M. – Six (6) Various Schools (Manhattan). Project Range: \$1,770,000.00 - \$1,863,000.00. Non-refundable bid document charge: \$100.00, certified check or money order only. Make payable to the New York City School Construction Authority. Bidders must be pre-qualified by the SCA, (718) 752-5852.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*School Construction Authority, 30-30 Thomson Avenue
Long Island City, NY 11101. Lily Persaud (718) 752-5852
lpersaud@nycsca.org*

f17-23

Construction Related Services

EXTERIOR MASONRY AND ROOF REPLACEMENT – Competitive Sealed Bids – PIN# SCA09-12150D-1 – DUE 03-09-09 AT 11:00 A.M. – PS 119 (Bronx). Project Range: \$3,460,000.00 to \$3,643,000.00. Non-refundable bid document charge: \$100.00.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
*School Construction Authority, 30-30 Thomson Avenue, First Floor, Long Island City, NY 11101.
Ricardo Forde (718) 752-5288, rforde@nycsca.org*

f20-26

TRANSPORTATION

DIVISION OF FRANCHISES, CONCESSIONS AND CONSENTS

■ VENDOR LISTS

Services (Other Than Human Services)

NOTICE OF MAILING LIST FOR FUTURE CONCESSIONS – The Department of Transportation (DOT) is seeking individual and businesses interested in being contacted for future requests for bids or proposals for DOT concessions. Some types of DOT concessions are outdoor food courts, cafes, pedestrian plazas, and vending machines. Interested entities should complete the Bidder Information form that can be found on the DOT website, at <http://www.nyc.gov/html/dot/downloads/pdf/solicrequestform.pdf> or, at www.nyc.gov/dot, under "Doing Business with DOT." The form should be mailed or faxed to:

Department of Transportation
Franchises, Concessions and Consents
40 Worth Street, Room #940
New York, NY 10013

RE: Future DOT Concessions

By Fax: (212) 442-8070

Please direct any questions you may have to DOT by phone at (212) 442-8040.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Department of Transportation, 40 Worth Street, Room 940, New York, NY 10013. DOT Concessions (212) 442-8040.

f18-24

TRIBOROUGH BRIDGE & TUNNEL AUTHORITY

■ SOLICITATIONS

Goods

LAPTOP COMPUTERS – Competitive Sealed Bids – PIN# OP1413000000 – DUE 03-12-09 AT 3:00 P.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.

Triborough Bridge and Tunnel Authority, 3 Stone Street

Bid Suite, Bid Reception Desk, (646) 252-6101

uprocare@mtab.org

f20

YOUTH AND COMMUNITY DEVELOPMENT

■ SOLICITATIONS

Goods & Services

SYSTEM FOR ADULT LITERACY EDUCATION TRACKING – Sole Source – Available only from a single source - PIN# 260090000LAC – DUE 02-27-09 AT 5:00 P.M. – DYCD intends to enter into a Sole Source Agreement with Literacy Assistance Center. LAC is ready, willing and able to provide DYCD with full use of ASISTS (Adult Student Information System and Technical Support) for the adult literacy programs funded by DYCD. Any firm which believes that in the future it can also provide the required service is invited to so indicated by letter to: Department of Youth and Community Development, Agency Chief Contracting Officer, 156 William Street, 2nd Floor, New York, NY 10038, RElsevyf@dycd.nyc.gov

f17-23

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor’s Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

HEALTH AND MENTAL HYGIENE

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 5, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, to provide education and information on the use of crystal methamphetamine use. The program will serve the lesbian/gay/ bisexual/transgender (LGBT) community, Citywide. The contract term shall be from July 1, 2008 to June 30, 2011 with two three-year options to renew from July 1, 2011 to June 30, 2014 and from July 1, 2014 to June 30, 2017. This contract will be 100% State funded.

Contractor/Address	PIN #	Amount
Community Health Project d/b/a Callen-Lorde Community Health Center 356 West 18th Street New York, New York 10011	09SA102101R0X00	\$150,000

The proposed contractor has been selected by means of Required Authorized Service, pursuant to Section 1-02 (d) (2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office of the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from February 20, 2009 to March 5, 2009, from 10:00 A.M. to 4:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Department within 5 business days after the publication of this notice. Written requests to speak should be sent to Paul Romain, 93 Worth Street, Room 812, New York, NY 10013, or to promain1@health.nyc.gov. If DOHMH does not receive any written requests to speak within the prescribed time, DOHMH reserves the right not to conduct the public hearing.

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HOMELESS SERVICES

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 5, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Homeless Services and Partnership for the Homeless, 305 7th Avenue, 13th Floor, New York, NY 10001, to operate a ‘Furnish A Future’ program to provide families moving into permanent housing with furniture, located at 476 Jefferson Street, 2nd floor, Brooklyn, NY 11237. The contract amount shall be \$2,518,788. The contract term shall be from July 1, 2009 to June 30, 2012 with one one-year option to renew from July 1, 2012 to June 30, 2013. PIN#: 071-09S-03-1377.

The proposed contractor has been selected as a Sole Source Procurement, pursuant to Section 3-05 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

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HOUSING PRESERVATION AND DEVELOPMENT

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 5, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Housing Preservation and Development and the Contractor listed below, for the provision of Anti Illegal Eviction Services, as indicated below. The contract term shall be from July 1, 2008 to June 30, 2009

Contractor/Address

Housing Conservation Coordinators
777 Tenth Avenue, New York, NY 10019

Amount \$143,500
PIN# 806099070086
Boro/CD Manhattan, CD #s 4 & 7

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Housing Preservation and Development, 100 Gold Street, 8th Floor, Room 8-S6, New York, NY 10038, on business days, from February 20, 2009 to March 5, 2009, excluding Holidays, from 10:00 A.M. to 4:00 P.M. Contact Ms. Angela Blake Fields at Room # 8-S6, (212) 863-6655.

Any individual wishing to speak at such hearing must submit a written request to Mr. Jay Bernstein, Deputy Agency Chief Contracting Officer, Department of Housing Preservation and Development, 100 Gold Street, Room 8-S4, New York, NY 10038; by FAX: (212) 863-5455; or by E-mail: jbi1@HPD.nyc.gov. If the Agency does not receive a written request to speak within 5 days business days after the publication of this notice, the Agency reserves the right not to conduct the public hearing. In such case, a notice will be published in The City Record cancelling the public hearing.

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PARKS AND RECREATION

■ PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 5, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the City of New York Parks & Recreation (Parks) and Asphalt Green, Inc., 555 East 90th Street, New York, NY 10128, to provide services for the Waterproofing Program and the Recess Enhancement Program. The contract amount shall be \$210,000.00. The contract term shall be from July 1, 2008 to June 30, 2009. PIN#: 846CCA09003.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at Parks - Arsenal West, Purchasing & Accounting, 3rd Floor, 24 West 61st Street, New York, NY 10023, from February 20, 2009 to March 5, 2009, excluding Weekends and Holidays, from 9:00 A.M. to 5:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by Parks within 5 business days after publication of this notice. Written requests should be sent to Brett Meaney, Deputy Director of Contracts, 3rd Floor, 24 West 61st Street, New York, NY 10023, or brett.meaney@parks.nyc.gov. If Parks receives no written requests to speak within the prescribed time, Parks reserves the right not to conduct the public hearing. In such case, a notice will be published in The City Record canceling the public hearing.

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AGENCY RULES

BUILDINGS

■ NOTICE

NOTICE OF ADOPTION OF RULE

NOTICE IS HEREBY GIVEN, pursuant to the authority vested in the Commissioner of Buildings by Section 643 of the New York City Charter and in accordance with Section 1043 of the Charter and Title 28, Article 401 of the Administrative Code, that the Department of Buildings hereby adopts a new Subchapter D and Sections §104-01 through §104-07, §104-09 and §104-22 to Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York relating to licensing.

Matter underlined is new.

This rule was first published on December 22, 2008 and a public hearing thereon was held on January 26, 2009.

Dated: February 17, 2009
New York, New York

/s/
Robert D. LiMandri
Commissioner

Section 1. Title 1 of the Rules of the City of New York is amended by adding a new Subchapter D and Sections §104-01 through §104-07, §104-09 and §104-22 to Chapter 100 of Title 1 of the Rules of the City of New York, to read as follows:

Subchapter D Licensing and Registration of Businesses, Trades and Occupations Engaged in Building Work

§104-01 Examinations and Other Qualifications.

(a) Definitions. For purposes of this rule, the term “license” shall include “certificate of competence” whenever such a certificate is required by Chapter 4 of title 28 of the Administrative Code.

(b) Examinations

(1) Applicability

(i) This subdivision (b) shall apply to Department-sponsored examinations administered for the following licenses:

(A) Site Safety Manager Certificate

(B) Private Elevator Inspection Agency Director Certificate

(C) Private Elevator Inspection Agency Inspector Certificate

(D) Additional license types may be added to this listing as responsibility for their administration is transferred from the Department of Citywide Administrative Services to the Department of Buildings.

(2) Examination procedures.

(i) The examination shall consist of a written and/or a practical test, and a background investigation of the applicant’s character and fitness and training/experience.

(ii) Candidates must first apply for the written examination by submitting an application on a form prescribed by the Department to the Department’s Licensing Unit or its designee. The application must be accompanied by the examination fee and any other required documents as set forth in the Department’s rules.

(iii) Failed written test.

(A) Candidates who fail the written test must wait at least fourteen (14) days before retaking it.

(B) Each time a candidate wishes to take the written test, including after a failure, the candidate must reapply to the Department and pay the required fee as set forth in the Department’s rules.

(C) Candidates may take the written test three (3) times within a six (6) month period.

(D) Candidates who fail the written test three times within six (6) months must wait six (6) months before applying again to take the written test, in accordance with the procedure in paragraph (c) of this rule.

(iv) A candidate who has been notified of failure to pass the written test may appeal such failure only if the candidate has failed by not more than five (5) points. Such appeal must be in writing with an original signature and addressed as the Commissioner may require. The appeal must state the title of the license examination, the applicant’s name, return address and social security number, the date of the test and a detailed statement of the grounds for appeal. The appeal must be received not later than thirty (30) days from the date of notification of failure to pass the license exam.

(3) Issuance of license after examination.

(i) A candidate who passes the required examination as provided in this rule and who is found to have met the qualifications of §28-401.6 of the Administrative Code, after an investigation, shall receive a notice of qualification from the Department.

(ii) Upon receipt of the notice of qualification, the applicant must contact the Department's Licensing Unit to schedule an appointment to obtain the license.

(iii) The applicant shall appear and furnish to the Department all requested original forms, documents and fees within one (1) year of the date of the Department's notice of qualification. Failure to do so within the time specified will result in the denial of the license and will require a re-examination and reapplication.

(iv) License examinations administered by other agencies. License examinations administered by other agencies for licenses regulated by the Department shall continue to be subject to such other agency's rules and regulations regarding examinations and investigations until the responsibility for administering particular licensing examinations is transferred to the Department, at which point the provisions of this rule shall apply.

(c) Education, training and experience. An applicant must possess the minimum education, training and/or experience requirements specified by the Administrative Code at the time of filing the application. For purposes of this subdivision (c), the term "experience" refers to that experience gained as the result of full-time employment, unless otherwise determined by the Commissioner.

(d) Investigation.

(1) The Department or its designee shall conduct an investigation of each candidate to determine the candidate's fitness and qualification for the license. An applicant's failure to meet the requirements specified by the Administrative Code or by the Department's rules, and/or an applicant's refusal to cooperate with an investigation, will result in denial of the license or certificate of competence.

(2) Candidates who refuse to provide all requested documents within six (6) months of the date of request shall be denied a license or certificate of competence.

(3) A candidate who has been notified of failure to meet the fitness and qualification requirements may request reconsideration provided that the candidate has additional relevant information or documentation for the Department's review. Such appeal must be in writing with an original signature and addressed as the Commissioner may require. The request for reconsideration must state the title of the license examination, the applicant's name and return address, the date of the Department's denial and a detailed statement of the grounds for reconsideration with any supporting documentation. The request for reconsideration must be received not later than sixty (60) days from the date of notification of the denial of the license.

(e) Change of address.

(1) Candidates shall promptly notify the Department in writing of any address change that occurs after filing the license application.

(2) Failure to furnish such notification may result in denial of the license.

§104-02 Proof of required insurance.

(a) General liability insurance.

(1) The following licensees are required to submit proof of insurance prior to issuance or renewal of a license:

- (i) Master Plumber
- (ii) Master Fire Suppression Piping Contractor
- (iii) Master Electrician
- (iv) Special Electrician (to the extent of his/her employer's coverage)
- (v) Rigger (Master/Special)
- (vi) Sign Hanger (Master/Special)
- (vii) Elevator Inspection Agency Director
- (viii) General Contractors.

(2) Each holder of and applicant for a license shall secure Commercial General Liability (CGL) insurance policy or policies satisfying the requirements in this subparagraph. All CGL insurance policies, whether primary, excess or umbrella, shall:

- (i) Be issued by a company or companies that may lawfully issue the required policy and has an A.M. Best rating of at least A-VII or a Standard and Poor's rating of at least AA.
- (ii) Provide coverage at least as broad as that provided by the most recent edition of ISO Form CG 0001;
- (iii) Provide coverage of at least \$1,000,000 (one million dollars) combined single limit per occurrence.
- (iv) Contain the following

endorsement: This policy shall not be cancelled or terminated, or modified or changed unless thirty (30) days prior written notice is sent to the Named Insured and the commissioner of the New York City Department of Buildings, except that notice of termination for non-payment may be made on only ten (10) days written notice.

(3) Each holder of and applicant for a license shall file with the Department proof that there is in place insurance that provides the coverage set forth in this subdivision. Proof may consist of an insurance certificate, in which case the insurance certificate shall be accompanied by a sworn statement in a form prescribed by the Department from the insurer or from a licensed insurance broker certifying that the insurance certificate may be relied upon as proof that the certificate is accurate in all respects and that the insurance certified thereon is in force.

(4) The holder of and applicant for a license shall provide a copy of any required policy within thirty days of a request for such policy by the Department or the New York City Law Department.

(5) A failure by the City or the Department to enforce any of the foregoing requirements shall not constitute a waiver of such requirement or any other requirement.

(b) Workers' compensation insurance and disability insurance. Holders of and applicants for the license types specified in this subdivision shall, at their expense, procure and maintain workers' compensation and disability insurance:

- (1) Master Plumber
- (2) Master Fire Suppression Piping Contractor
- (3) Master Electrician
- (4) Special Electrician (to the extent of his/her employer's coverage)
- (5) Oil Burner Equipment Installer
- (6) Rigger (Master/Special)
- (7) Sign Hanger (Master/Special)
- (8) Elevator Inspection Agency Director
- (9) General Contractor

(c) Acceptable forms:

(1) Workers' compensation insurance. The licensee must submit one of the following forms to the Department, or another form acceptable to the Department, or exemption from required coverage:

- (i) C-105.2 Certificate of Worker's Compensation Insurance.
- (ii) U-26.3 — State Insurance Fund Certificate of Workers' Compensation Insurance.
- (iii) Request for WC/DB Exemption (Form CE-200).

(2) Disability insurance. The licensee must submit a form demonstrating required disability insurance coverage or exemption from required coverage.

(d) Requirements for all submitted insurance certificates.

(1) Insurance certificate requirements. All submitted insurance certificates must contain the following:

- (i) The licensee's license or tracking number(s).
- (ii) The insurance policy number(s).
- (iii) The federal Employer Identification Number of the insured or the social security number on any workers' compensation or disability certificates.
- (iv) The policy holder's business address, which cannot be a post office box. The address must appear exactly as on the Department's Buildings Information System ("BIS").
- (v) New York City Department of Buildings, Attn: Licensing Unit, 280 Broadway, 6th Floor, New York, NY 10007 shall be specified as a certificate holder.

§104-03 Term of license.

(a) The term of a license issued to a new or renewal applicant for which an examination is required shall be three (3) years, measured from the date the license is issued, except as otherwise specified in this rule.

(b) The term of a license issued to a new or renewal applicant for which no examination is required shall be one (1) year, measured from the date the license is issued, except as otherwise specified in this rule.

(c) The term of a construction superintendent registration issued to a new or renewal applicant shall be three (3) years measured from the date the registration is issued.

(d) The term of a general contractor registration issued to a new or renewal applicant shall be three (3) years, measured from the date of the applicant's birthday.

(e) The term of a concrete safety manager registration issued to a new or renewal applicant shall be three (3) years, measured from the date the registration is issued.

(f) Nothing contained herein shall limit the authority of the Commissioner to stagger the issuance of licenses based on considerations other than the date of issuance of the license or to otherwise provide for reasonable implementation of modifications to license terms.

§104-04 Renewal. License renewals shall be governed by the provisions of Administrative Code §28-401.12.

§104-05 Reinstatement of license. In accordance with §28-401.13 of the Administrative Code, a license may be reinstated in accordance with the following requirements.

(a) A license that has been expired for less than one year may be reinstated upon filing of an application with the Department. Such reinstatement shall be subject to any applicable late and reinstatement fees.

(b) A license that has been expired for a period of one year to five years from the date of expiration may be reinstated without examination where the applicant demonstrates continued competence and completion of any and all required continuing education requirements.

(1) Continued competence shall be demonstrated by the applicant's active and legal engagement in the trade for which the applicant's license was issued. The applicant shall supply the Department with the following:

(i) A resume detailing employment history and the duties the applicant performed in each position during the time the license was expired;

(ii) A signed and notarized statement from the applicant's employer stating the nature of the applicant's duties and the dates of such employment;

(iii) For work in the trade requiring the supervision of a licensed person in accordance with Chapter 4 of the Code, a signed and notarized (or sealed) statement from the supervising licensee stating that he or she supervised the applicant, the dates of such supervision and the nature of the applicant's duties; and

(iv) Any other documentation the Department deems appropriate.

(2) An applicant for reinstatement must be actively and legally engaged in the trade during the time period between the expiration of the license and the date of the application for reinstatement, except for periods of time away from the trade not to exceed, in the aggregate, one (1) year.

(3) A candidate shall appear and furnish to the Department all requested original forms, documents and fees within six (6) months of the date of the request for reinstatement. Failure to do so will result in the denial of the reinstated license and will require a reexamination and reapplication.

(c) No license shall be reinstated if it is expired for over five (5) years. The applicant must reapply for a new license and meet all applicable qualifications, including any required examination.

(d) Exceptions to reinstatement provisions. If an application for renewal of a license for Construction Superintendent, Concrete Safety Manager or General Contractor is not filed within one year of a registration's expiration, the applicant must reapply for a new registration and meet all applicable qualifications.

§104-06 Continuing education requirements.

(a) Applicability. This section shall be applicable to license holders seeking renewal of licenses requiring the completion of continuing education course(s) and to applicants seeking Department approval to provide continuing education courses for the following license types:

- (1) Construction Superintendent.
- (2) Master Plumber.
- (3) Master Fire Suppression Piping Contractor.
- (4) Site Safety Manager.
- (5) Site Safety Coordinator.
- (6) Concrete Safety Manager.
- (7) Master Electrician.
- (8) Special Electrician.

(b) Course requirements for license renewals. The following courses are required for renewal of the below listed license types:

(1) Construction Superintendent. During the one (1) year period immediately prior to renewal, the licensee shall have successfully completed a Site Safety Manager refresher course approved by the Department, or any equivalent course(s) approved by the Department, including those in electronic format.

(2) Concrete Safety Manager. During the one (1) year immediately prior to renewal, the licensee shall have successfully completed an eight (8) hour Department approved course that is sufficient to

qualify the individual as a competent person under OSHA standards to oversee concrete operations or any equivalent course(s) approved by the Commissioner, including those in electronic format.

(3) Master Plumber and Master Fire Suppression Piping Contractor. During the two (2) year period immediately prior to renewal, the licensee shall have successfully completed a one-day (7 hour) continuing education course approved by the Department.

(4) Site Safety Manager. During the one (1) year period immediately prior to renewal, the licensee shall have successfully completed a Site Safety Manager refresher course approved by the Department.

(5) Site Safety Coordinator. During the two (2) year period immediately prior to renewal, the licensee shall have successfully completed a Site Safety Manager refresher course approved by the Department.

(6) Master Electrician and Special Electrician. Effective January 1, 2010, during the one (1) year period immediately prior to renewal, the licensee shall have successfully completed a course of at least 8 hours, at least 4 hours of which shall focus on the New York City Electrical Code, approved by the Department.

(c) Course providers and content. Course providers seeking the Department's approval of courses shall submit written proposals that include the following:

(1) Identification of the type(s) and class(es) of licensees for which the proposed course(s) will be taught;

(2) A proposed curriculum appropriate for the type(s) and class(es) of licensees to which the course(s) will be taught. Except for Master and Special Electricians, no more than 4 hours of any curriculum shall consist of course materials or credits to be applied to multiple license types. All curricula shall include but not be limited to:

(i) Business practices;

(ii) Relevant building code provisions, rules, and policy and procedure notices enacted or promulgated by the Department;

(iii) Department of Environmental Protection Water Rules for master plumber and master fire suppression piping contractor courses;

(iv) Occupational Safety and Health Standards for the Construction Industry for Site Safety Manager and Site Safety Coordinator courses;

(v) For Master Electricians and Special Electricians, relevant New York City Fire Department code provisions, rules and policies, and relevant utility regulations;

(vi) Relevant Department of Buildings filing and inspection requirements;

(vii) Safety/hazardous materials;

(viii) New technology;

(ix) Integrity/anti-corruption standard; and

(x) Other subjects identified by the Commissioner.

(3) A schedule detailing the proposed course cost(s) to individuals and/or groups wishing to enroll;

(4) A listing of proposed course availability, including a schedule of their times and locations;

(5) A detailed statement of the proposed provider's qualifications, including but not limited to instruction staff names and qualifications, other jurisdictions in which the provider has been approved to provide continuing education or other courses (if any), the composition of its governing authority, identification of its administrative resources (physical and human), certification that its facilities and equipment are adequate to deliver the training program, and documentation of financial viability;

(6) A detailed statement of the proposed provider's procedures for confirming the identity of individuals taking any course(s) and for the issuance of a fraud-resistant document demonstrating that a licensee attended the course(s);

(7) A commitment to generate and retain for 5 years records of the course(s) offered, including attendance logs for each session of each course and course evaluations by the attendees; and

(8) Such other items as the Commissioner may deem appropriate and necessary.

(d) Course approval. The Department of Buildings shall notify proposed course providers in writing of its approval. The Department may reevaluate approved courses through audit or other means at such intervals as it deems

necessary and may withdraw approval or impose additional requirements.

(e) Listing of approved course providers. Approved course providers shall be listed on the Department's website.

§104-07 Suspension or revocation.

(a) Hearings concerning disciplinary proceedings pursuant to Administrative Code §28-401.19 seeking suspension or revocation, with or without penalties, against any licensee or holder of a certificates of competence issued by the Department shall be held before the Office of Administrative Trials and Hearings and shall be governed by the rules of procedure utilized at that tribunal.

(b) Stop work and suspension of permits. Upon any suspension or revocation of a license, certificate of competence, approval or authorization, unless replaced by another licensee, certificate holder, approved agency, special inspector, or registered design professional within five (5) business days of such suspension or revocation, all open jobs on which the licensee, certificate holder, approved agency, special inspector, or registered design professional is designated shall be stopped and the permits shall be suspended until such time as another licensee, certificate holder, approved agency, special inspector, or registered design professional is designated or such permits expire. Where the commissioner has summarily suspended a license or certificate of competence pursuant to Administrative Code §28-401.19.1, all open jobs on which the licensee, certificate holder, approved agency, special inspector, or registered design professional is designated shall be stopped immediately and the permits shall be suspended immediately for the earlier of the duration of the suspension or until such time as another licensee, certificate holder, approved agency, special inspector, or registered design professional is designated or until such permits expire.

(c) Conduct of hearing by office of administrative trials and hearings. The administrative law judge assigned to hear any matter specified in this rule shall submit his or her proposed findings of fact and recommended decision to the commissioner. Where the commissioner has summarily suspended a license or certificate of competence pursuant to Administrative Code §28-401.19.1, at the conclusion of the hearing on the first return date, the administrative law judge may lift the suspension, finally determine the matter, or, if the administrative law judge finds that the summary suspension was appropriate, but that further hearings are necessary to make a final determination of the charges, the administrative law judge may make a finding as to the need for further hearings and continue the suspension pending such further hearings without need for issuance of a commissioner's order.

§104-09 Hoisting Machine Operators Class C.

(a) Applicants for a Class C Hoisting Machine Operator license shall satisfy the qualification and examination requirements of the Administrative Code by complying with the following requirements:

(1) Applicants shall furnish to the Department a certification issued by the National Commission for the Certification of Crane Operators or an equivalent certification entity approved by the Department. The certification shall authorize operation of the type of equipment for which the applicant seeks a license. The applicant shall provide to the Department a copy of the certification, a copy of future re-certifications and documentation of new specialties acquired. The applicable certification shall be maintained continuously for the duration of the license term.

(2) Applicants shall provide proof of experience demonstrating two years work, within the three years prior to application, under the direct and continuing supervision of a Hoisting Machine Operator licensed by the Department or by another jurisdiction that regulates crane operators. The qualifying work shall include instruction in outrigger placement incorporating at least 100 crane set-ups. At least one year of the qualifying work must have been undertaken in the city of New York or in an urban area of comparable density, as determined by the commissioner.

(b) Fitness requirements for renewal and reinstatement. As a condition of license renewal or reinstatement, a licensed or previously licensed Class C Hoisting Machine Operator shall provide evidence of fitness to perform the work authorized to be performed by a holder of the license type held or once held by the applicant. Such evidence shall consist of a valid certification(s) issued by the National Commission for the Certification of Crane Operators or an equivalent certification entity approved by the Department. The certification shall authorize the operation of the type of equipment for which the licensee is licensed and the licensee shall provide to the Department a copy of the certification, a copy of future re-certifications and documentation of new specialties acquired. Class C Hoisting Machine Operator's licenses that have been or will be renewed or reinstated at any time between July 1, 2008 and September 30, 2009 shall be conditioned on the licensee's satisfaction of the requirements of this rule by September 30, 2009, and shall lapse, effective October 1, 2009, upon failure to satisfy such condition, provided, however, that the commissioner may for cause, following notice and an opportunity to be heard, accelerate the date by which holders of such licenses must satisfy the requirements of this rule and in such case, upon failure to satisfy such condition, the license shall lapse. Renewal applicants shall satisfy the requirements of this rule at every subsequent renewal. The licensee shall pay the full license renewal or reinstatement fee at the time of renewal or reinstatement.

(c) Licensees shall provide to the Department no later than September 30, 2009 or at an earlier date determined by

the commissioner pursuant to subdivision (b) or upon application, renewal, or re-instatement, as applicable:

(1) Evidence of having passed a physical exam that complies with the standards of ASME B 30, effective for the term of the license sought or held by the licensee; and

(2) Evidence of having certified compliance with the substance abuse testing provisions and standards of ASME B 30, effective for the term of the license sought or held by the licensee. Such evidence shall include the name, address and telephone number of the laboratory that performed the tests and consent to the release by such laboratory of the test results to the Department upon request of the Department.

(3) Evidence of a valid certification(s) issued by the National Commission for the Certification of Crane Operators or an equivalent certification entity approved by the Department.

(d) A Class C Hoisting Machine Operator license issued following compliance with this rule shall authorize the operation of only that type of equipment for which Department records indicate the licensee is certified.

(e) The provisions of this rule shall be in addition to the qualification, renewal and reinstatement requirements prescribed by articles 401 and 405 of title 28 of the Administrative Code.

(f) In addition to any other documents required to be maintained on-site by a licensed Class C Hoisting Machine Operator, such Operator shall have on-site at all times the following documents:

(1) The certification(s) issued to him or her by the National Commission for the Certification of Crane Operators or equivalent certification entity approved by the Department; and

(2) The hoisting machine operator license issued to him or her by the Department; and

(3) Evidence of having passed a physical exam that complies with the standards of ASME B 30, effective for the term of the license held by the licensee; and

(4) Evidence of having certified compliance with the substance abuse testing provisions and standards of ASME B 30, effective for the term of the license held by the licensee.

§104-22 Other obligations.

(a) Licensees shall promptly notify the Department in writing of any address change within thirty (30) days of the change.

(b) Licensees, as part of their obligation to maintain good moral character, shall notify the Department in writing of any criminal conviction within ten (10) days of the occurrence.

STATEMENT OF BASIS AND PURPOSE

This rule is adopted pursuant to the authority of the Commissioner of Buildings under sections 643 and 1043(a) of the New York City Charter and Title 28, Article 401 of the New York City Administrative Code. Article 401 authorizes rulemaking regarding the licensing, qualification and regulation of businesses, trades and occupations engaged in building work.

The rule sets forth the procedures that will govern the Department's administration of certain licensing exams. The rule will apply to specified license types; other license types may be added as responsibility for their administration is assumed by the Department. The rule also covers investigations of license applicants and certain administrative housekeeping matters.

In addition, the rule addresses license terms for licenses of various types and makes clear that the Commissioner maintains the authority to stagger the issuance of licenses based on considerations other than the date of issuance of the subject license, or to otherwise provide for reasonable implementation of modifications to the terms.

The rule also implements §28-401.9 by specifying insurance amounts, applicability to specific license categories, proper documentation, and certificate requirements and updates. It recognizes the need to exempt certain licensees from required workers' compensation and disability insurance requirements when the licensee has no employees.

The rule implements §28-401.13 and §28-401.14 by specifying requirements and procedures for license reinstatement, specifying the licensees required to meet continuing education requirements, and setting forth their course requirements as well as requirements for course providers seeking Department approval.

The rule also reflects miscellaneous licensee obligations not confined to the material covered in any one of the sections of Subchapter D. Such topics include notification of address change and notification of criminal conviction.

Finally, the rule contains provisions based on Sections 28-401.7 and 28-405.4 of the Administrative Code. The first requires license applicants to take examinations as provided in Department rule. The second authorizes the commissioner to require hoisting machine operators to provide proof of fitness to perform authorized work as a condition to license renewal. Recent crane accidents have prompted the City to re-assess its testing and ongoing training requirements for all persons involved in the operation of cranes, including Class C Hoisting Machine Operators. The examination for the Class C Hoisting Machine Operator license is alleged by law enforcement authorities to have been the subject of improprieties, making it necessary for the Department to take permanent steps to restore integrity to the examination

and license renewal processes for this license type.

Statement of Substantial Need for Earlier Implementation

I hereby find, pursuant to § 1043, subdivision e, paragraph 1(c) of the New York City Charter, and hereby represent to the Mayor, that there is a substantial need for the earlier implementation of new Subchapter D and Sections §104-01 through §104-07, §104-09 and §104-22 to Chapter 100 of Title 1 of the Official Compilation of the Rules of the City of New York, relating to licensing and qualification and regulation of businesses, trades and occupations engaged in building work.

The rule sets forth the procedures that will govern the Department's administration of certain licensing exams and addresses license terms for licenses of various types making clear that the Commissioner maintains the authority to stagger the issuance of licenses based on considerations other than the date of issuance of the subject license, or to otherwise provide for reasonable implementation of modifications to the terms. The rule also specifies insurance amounts, applicability to specific license categories, proper documentation, and certificate requirements and updates and recognizes the need to exempt certain licensees from required workers' compensation and disability insurance requirements when the licensee has no employees. In addition, the rule specifies requirements and procedures for license reinstatement, specifying the licensees required to meet continuing education requirements, and setting forth their course requirements as well as requirements for course providers seeking Department approval. Furthermore, the rule also reflects licensee obligations such as notification of address change and notification of criminal conviction. Finally, the rule requires license applicants to take examinations as provided in Department rule and authorizes the commissioner to require hoisting machine operators to provide proof of fitness to perform authorized work as a condition to license renewal.

§104-09 contains certification requirements for certain crane operators that have been in effect via emergency rule since October 22, 2008. Therefore, in order to avoid a gap in the regulation, there is a substantial need for the earlier implementation of these rules pursuant to Charter §1043(e)(1)(c).

/s/ _____
Robert D. LiMandri
Commissioner
Department of Buildings

APPROVED: /s/ _____
Michael R. Bloomberg
Mayor

DATE: February 17, 2009

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CAMPAIGN FINANCE BOARD

NOTICE

Notice of Final Rules

IN COMPLIANCE WITH SECTION 1043 OF THE NEW YORK CITY CHARTER, and exercising authority vested in the Campaign Finance Board (the "Board") under Chapter 46 of the New York City Charter (including, but not limited to, Sections 1052(a)(8) and 1052(a)(12) thereof) and under the New York City Campaign Finance Act (the "Act") (including, but not limited to, Section 3-708(8) of the New York City Administrative Code), the Board hereby adopts amendments to the Campaign Finance Board Rules. Underscoring denotes additions; ~~strikeout~~ denotes deletions.

I. Explanation, Basis, and Purpose

The Campaign Finance Board Rules are codified in Chapter 52 of the Rules Compilation of the City of New York. The subject matter of this rulemaking was described in the Board's regulatory agenda for fiscal year 2009, published in The City Record on April 14, 2008.

The amendments effect the following specific changes and will take effect thirty days after final publication in The City Record.

Returning receipts (Rule 1-04(c)(1))

Candidates must return contributions in excess of the "doing business" contribution limits within 20 days of notification from the Board that the contributor is considered to be doing business with the City. See Admin. Code § 3-703(1-b). The new rule clarifies that a candidate may retain apparent "doing business" contributions if the candidate demonstrates, within 20 days of notification from the Board, that an application for removal from the doing business database is pending before the Mayor's Office of Contract Services (MOCS) or the City Clerk. The candidate may retain the contribution until notified by the Board that MOCS or the City Clerk had denied the application for removal, in which case the campaign has 20 days following such second notification to return the contribution. Contributions retained pursuant to the new rule are not eligible to be matched with public funds unless and until the Board notifies the campaign that the contributor was removed from the doing business database.

Spending public funds (Rule 1-08(g))

The amendment clarifies that public funds may not be used for services that are never received, including legal services paid in advance pursuant to a retainer agreement to the extent such advance payments exceed the value of the services ultimately rendered by the attorney or law firm.

Filer Registration; Certification (Rules 1-11 and 2-01)

The amendments clarify that candidates must amend their Filer Registration or Certification forms if any of the information required to be listed on those forms changes. Candidates must submit the amended form by the deadline for their next disclosure statement, or, in the case of changes that occur after the deadline for the last disclosure statement for an election, within 30 days of the change. Candidates need not amend the forms after the issuance of the Final

Audit Report unless they have outstanding liabilities from the covered election, including penalties or public funds repayments owed to the Board.

Filing dates (Rule 3-02(b))

The amendment provides that if the first semi-annual disclosure statement following the date of a special election is due less than 30 days after the 27 day post-election statement, the last disclosure statement required to be filed by candidates in a special election is the second semi-annual statement after the date of the special election.

Credit Card Contributions (Rule 4-01(b)(6))

The amendment clarifies that candidates must maintain copies of their unique merchant account agreements.

Record Retention (Rule 4-03)

The amendment requires candidates to notify the Board of any changes to the contact information for the custodian of their records by the deadline for their next disclosure statement, or, in the case of changes that occur after the deadline for the last disclosure statement for an election, within 30 days of the change. This requirement remains in effect for six years following the date of the election to which the campaign records pertain.

Petitions for review of payment determinations (Rules 5-01(i), 5-02(a))

The amendments provide that a participant may only petition the Board for review of public funds determinations prior to the election, unless the participant submits information and/or documentation that was not available to the Board previously and is material to the payment or non-payment determination, and shows good cause for the previous failure to provide such information and/or documentation. As a result of a change to the Campaign Finance Act added by Local Law 34 of 2007, participants now have the opportunity to challenge public funds determinations prior to the issuance of the final audit report in a hearing before the Board or before an independent hearing officer.

Deductions from payments (Rule 5-01(n))

The amendment clarifies that funds deposited into, and disbursements made from a segregated bank account established and maintained in compliance with Rule 5-01(n) for the purpose of repaying debt from a previous election will not be considered raised or spent for the current covered election for purposes of the participant's expenditure limit and unspent campaign funds calculations.

II. Final Rules

Contributions (Rule 1-04)

Campaign Finance Board Rule 1-04(c)(1) is amended as follows:

(c) Returning receipts.

(1) **Excess and prohibited contributions.** When a candidate knows or has reason to know that he or she has accepted a contribution, contributions, or aggregate contributions from a single source in excess of the applicable contribution limit, including a contribution or contributions from a contributor having business dealings with the city, or from a source prohibited by the Act or the Charter, the candidate shall promptly return the excess portion or prohibited contribution, as the case may be, by bank check or certified check made out to the contributor; provided, however, that in the case of a contribution from a contributor having business dealings with the city in excess of the applicable limitation set forth in §3-703(1-a) of the Code, the candidate shall return the excess portion of such contribution within 20 days of receipt of notice from the Board that the contribution exceeds such limitation. Alternatively, if return of the contribution to the contributor is impracticable, the candidate may pay to the Fund an amount equal to the amount of the prohibited contribution or the excess portion, as the case may be. Remedial actions taken pursuant to this rule will not, however, preclude imposition of a penalty under the Act; provided, however, that no violation shall issue and no penalty shall be imposed where the excess portion of a contribution from a contributor having business dealings with the city is postmarked or delivered within 20 days of receipt of notification from the Board. The Board shall provide such notification to the candidate within 20 days of the reporting of the contribution, or, in the case of a contribution reported during the six weeks preceding the candidate's next covered election, the Board shall provide such notification within 3 business days; provided, however, that if such twentieth day is a Saturday, Sunday, or legal holiday, notification by the Board by 5 p.m. on the next business day shall be considered timely. If the candidate demonstrates to the Board, within 20 days of receipt of such notice, that the contributor identified by the Board as having business dealings with the city has applied to the Mayor's Office of Contract Services or the City Clerk for removal from the doing business database and that such application is pending, the candidate may retain contribution(s) received from such contributor until the Board notifies the candidate that the Mayor's Office of Contract Services or the City Clerk has denied the application for removal, in which case the candidate shall have 20 days from receipt of such second notice to return the excess portion of the contribution(s). Contributions from contributors who have applied for removal from the doing business database shall not be considered matchable contributions unless and until the contributor is removed from the doing business database by the Mayor's Office of Contract Services or the City Clerk. A candidate may not accept any contributions in excess of the applicable contribution limits or from sources prohibited by the Act or the Charter.

Spending public funds (Rule 1-08(g))

Campaign Finance Board Rule 1-08(g)(2)(xviii) is added as follows:

(xvi) expenditures made primarily for the purpose of expressly advocating a vote for or against a ballot proposal, other than expenditures made also to further the participating candidate's nomination for election or election; ~~or~~

(xvii) payment of any penalty or fine imposed pursuant to federal, state or local law; ~~or~~

(xviii) payments for services that were never received, including payments for legal services pursuant to a retainer agreement to the extent payments for such services exceed the value of the services rendered.

Filer Registration (Rule 1-11)

Campaign Finance Board Rule 1-11 is amended as follows:

Rule 1-11 Filer Registration.

Not later than the day that a candidate files the first disclosure statement for an election, the candidate shall submit a filer registration form. The filer registration form shall include:

(a) the candidate's name, address information and telephone numbers, e-mail address, and employment information;

(b) the name and mailing address, and treasurer name, treasurer address information and telephone numbers, treasurer e-mail address, and treasurer employment information, of every political committee authorized by the candidate that has not been terminated, and, in the case of a participant or limited participant, an indication of which such committee is the principal committee;

(c) the name, mailing address, e-mail address, and telephone number of any person designated by the candidate to act as liaison with the Board for each committee filing disclosure statements;

(d) identification of all bank accounts and other depository accounts, including merchant accounts, into which receipts have been, or will be, deposited, and all bank accounts used for the purpose of repaying debt from a previous election; and

(e) other information as required by the Board.

The candidate shall notify the Board of any material change, including any new, or any change to any required information concerning any political committee, bank account, unique merchant account, candidate or treasurer employment, address information, telephone number, or e-mail address, in the filer registration form in such manner as may be provided by the Board. The candidate shall notify the Board of any such changes no later than the next deadline for filing a disclosure statement, or, in the case of changes that occur after the deadline for the last disclosure statement required to be filed, no later than 30 days after the date of the change; provided, however, that if the candidate has extinguished all outstanding liabilities resulting from the election to which the filer registration relates, including payment of any penalties and/or repayment of public funds owed to the Board, the candidate need not notify the Board of any material change to the filer registration information after the date the candidate's final audit report is issued, except as provided in Rule 4-03(b).

Certification (Rule 2-01)

Campaign Finance Board Rule 2-01(d) is amended as follows:

(d) **Amendments.** The participant or limited participant shall notify the Board of any material change in the information submitted pursuant to this rule, including, but not limited to any new, or any change to any required information concerning any political committee, bank account, unique merchant account, candidate or treasurer employment, address information, telephone number, or e-mail address, included in the filer registration information required by Rule 1-11, in such manner as may be provided by the Board and no later than the next deadline for filing a disclosure statement or, in the case of changes that occur after the deadline for the last disclosure statement required to be filed, no later than 30 days after the date of the change, provided, however, that if the participant or limited participant has extinguished all outstanding liabilities resulting from the election to which the certification relates, including payment of any penalties and/or repayment of public funds owed to the Board, the candidate need not notify the Board of any material change to the information required by Rule 1-11 after issuance of the candidate's final audit report, except as provided in Rule 4-03(b). If, based upon a reasonable belief that there has been a material change in the information submitted, the Board requests an amendment, the participant or limited participant shall submit promptly any amendment necessary in such manner as may be provided by the Board. Notification of any change to the candidate's or treasurer's information included in the certification must be made to the Board for six (6) years after the date of the last election to which the certification relates.

Filing Dates (Rule 3-02)

Campaign Finance Board Rule 3-02(b)(2) is amended as follows:

(b) Semi-annual disclosure statements.

(1) Semi-annual disclosure statements are due on January 15 and July 15 in each year of the election cycle and on January 15 in the year after the election.

(2) Notwithstanding paragraph (1) above, (i) for candidates in a special election who continue to raise or spend funds for the following primary or general election, the 27 day post-election disclosure statement described in subdivision (d) shall be the last statement required for the special election; provided, however, that in the event that there is a runoff special election, the semi-annual disclosure statement described in subdivision (d) shall be the last disclosure statement required for all candidates in the special election who continue to raise or spend funds for the following primary or general election, regardless whether they were candidates in the runoff special election; and (ii) for candidates in a special election who do not continue to raise or spend funds for the following primary or general election, the first semi-annual disclosure statement due following the date of the special election shall be the last statement required for the special election, provided, however, that if the first semi-annual disclosure statement following the date of the special election is due less than 30 days after the deadline for filing the 27 day post-election disclosure statement, then the second semi-annual disclosure statement after the date of the special election shall be the last statement required for the special election.

Credit Card Contributions (Rule 4-01(b)(6))

Rule 4-01(b)(6) is amended as follows:

(6) **Credit card contributions.** For each instance in which a candidate accepts contributions by credit card, including contributions received over the Internet, the candidate shall maintain a copy of the unique merchant account agreement as well as copies of all merchant account statements, credit

card processing company statements and correspondence, transaction reports or other records demonstrating that the credit card used to process the transaction is that of the individual contributor (including proof of approval by the credit card processor for each contribution and proof of real time address verification), and a separate written record of the contributor's name, residential address, credit card account type, credit card account number, and credit card expiration date. This record shall contain the statement: "I understand that State law requires that a contribution be in my name and be from my own funds. I hereby affirm that this contribution is being made from my personal credit card account, billed to and paid by me for my personal use, and having no corporate or business affiliation, and is not being made as a loan." This record shall be signed by the contributor, or if the contributor is unable to sign his or her name, marked with an "X" and signed by a witness. Adjacent to the signature or mark, the contributor or witness shall write the date on which he or she signed the record. The Board shall provide a specimen of this card. Notwithstanding the requirements of this paragraph, in the case of credit card contributions made over the Internet, authorization cards need not be signed by the contributor. In addition, if the candidate accepts credit card contributions over the Internet, the candidate shall maintain a copy of all website content concerning the solicitation and processing of credit card contributions.

Record Retention (Rule 4-03)

Board Rule 4-03(b) is amended as follows:

(a) **Six-year retention period.** The candidate shall retain all records and documents required to be kept under Rule 4-01 for 6 years after the date of the last election to which the records or documents relate.

(b) **Custodian and location of Records records.** At the time of the filing of the filer registration form and/or certification, the candidate shall notify the Board, in writing, of the name, address, e-mail address, and telephone number of the person who is the custodian for the candidate's records and documents for an election and the location of those records and documents. Thereafter, for 6 years after the date of the last election to which the records or documents relate, the candidate shall notify the Board, in writing, within ten business days, of any change of custodian, of the custodian's address, e-mail address, or telephone number, and of the location of the candidate's records and documents, no later than the deadline for filing the next disclosure statement, or, in the case of changes that occur after the deadline for the last disclosure statement required to be filed, no later than 30 days after the date of the change.

Pre-election payments (Rule 5-01(i))

Campaign Finance Board Rule 5-01(i)(3) is amended as follows:

(i) Pre-election payments.

(1) Pursuant to §§ 3-709(5) and (6) of the Code: (i) no public funds shall be paid to participants in a primary election any earlier than two weeks after the last day to file designating petitions for such primary election; (ii) no public funds shall be paid to participants in a runoff primary election or general election any earlier than the day after the day of the primary election held to nominate candidates for such election; and (iii) no public funds shall be paid to participants in a runoff special election held to fill a vacancy any earlier than the day after the day of the special election for which such runoff special election is held.

(2) Pursuant to §3-703(1)(a) and (5) of the Code, public funds are not payable to a participant who has not met the legal requirements to have his or her name on the ballot or who is unopposed. To enable the Board to ascertain whether a candidate has met the legal requirements to be on the ballot and is opposed, the Board shall first make payments in an election after the Board of Elections conducts hearings on the ballot petitions filed in that election except if the Board determines that delays in Board of Elections proceedings or determinations warrant first making payments earlier.

(3) The Board shall schedule at least three payment dates in the thirty days prior to a covered election, and the Board shall provide each candidate participant a written determination specifying the basis for any payment or non-payment. As provided in Rule 5-02(a), Candidates the participant may petition the Board in writing for a reconsideration of any such payment or non-payment determination, prior to the election, and in the case of a petition received prior to the election, such reconsideration shall occur within five business days of the filing of such petition. The candidate shall not include in any such petition any documentation or information not submitted to the Board prior to the non-payment determination that is the subject of the petition unless such documentation or information is specifically requested in writing by the Board or the candidate demonstrates good cause for the previous failure to submit such documentation or information on a timely basis. In the event the Board is unable to convene within five business days, the Board may delegate to the Chair of the Board or his or her designee authority to make a determination regarding the petition. If the petition is denied, the Board shall provide notice to the candidate of the reasons for such denial and notify the candidate of his or her right to appeal the Board's determination pursuant to Article 78 of the Civil Practice Law and Rules.

Written petitions for review (Rule 5-02(a))

Campaign Finance Board Rule 5-02(a) is amended as follows:

Rule 5-02 Review of Eligibility, Payment, and Repayment Determinations.

(a) Post-election Written written petitions for review.

(1) After the Board issues that a participant is ineligible for public funds or matchable contribution claims are invalid, the Board shall provide a written determination specifying the basis of any ineligibility or invalidation. The participant, within 30 days of such determination, may submit to the Board a written petition for review of the determination including a request to appear before the Board concerning the subject of such petition. To the extent practicable, the

Board shall make a determination on such petition within 30 days of receipt of the written petition. Upon such determination, the Board shall issue written notice to the petitioner of the Board's determination, including the reason(s) for the determination and, in the event that the Board denies such petition, the Board shall immediately notify the candidate of the right to appeal pursuant to Article 78 of the Civil Practice Law and Rules. After the Board provides a participant a written determination specifying the basis for payment or non-payment of public funds prior to the election, the participant may petition the Board in writing for reconsideration of such determination. Such petition must state the grounds for reconsideration and may include a request to appear before the Board concerning the subject of such petition. Before the election, the Board shall review the determination that is the subject of the petition for review within five business days of the filing of such petition. In the event the Board is unable to convene within five business days, the Board may delegate to the Chair of the Board or his or her designee authority to make a determination regarding the petition. The Board shall timely issue a written determination on the subject of the petition. If the petition is denied, the Board's notice shall inform the participant of the right to appeal the Board's determination pursuant to Article 78 of the Civil Practice Law and Rules.

(2) The participating candidate and his or her principal committee shall not include in any such petition any documentation or factual information not submitted to the

Board prior to the determination under review unless the participating candidate can demonstrate good cause for the previous failure to submit such documentation or information and for any failures to communicate on a timely basis with the Board.

(3) The participating candidate may submit a petition for review of a payment or non-payment determination after the issuance of the participant's final audit report only upon submission of information and/or documentation that was unavailable to the Board previously and is material to such determination, and a showing that the participant had good cause for the previous failure to provide such information and/or documentation.

Deductions from Payments (Rule 5-01(n))

Rule 5-01(n)(7) is added as follows:

(7) Funds deposited into, and disbursements made from a segregated bank account established and maintained in compliance with this Rule for the purpose of making expenditures to pay expenses for or debt from a previous election, including repayments of public funds owed to the Board, will not be considered to be raised or spent for the current covered election for purposes of the participant's expenditure limit and unspent campaign funds calculation.

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SPECIAL MATERIALS

CITYWIDE ADMINISTRATIVE SERVICES

DIVISION OF MUNICIPAL SUPPLY SERVICES

■ NOTICE

OFFICIAL FUEL PRICE SCHEDULE NO. 6205 FUEL OIL AND KEROSENE

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 2/16/2009
2887105	2.0	#1DULS	MANH	SPRAGUE ENERGY CORP	-0.260 GAL. 1.8862 GAL.
2887105	3.0	#1DULS	BRONX	SPRAGUE ENERGY CORP	-0.260 GAL. 1.8862 GAL.
2887105	4.0	#1DULS	BROOKLYN	SPRAGUE ENERGY CORP	-0.260 GAL. 1.9212 GAL.
2887105	5.0	#1DULS	QUEENS	SPRAGUE ENERGY CORP	-0.260 GAL. 1.9212 GAL.
2887105	6.0	#1DULS	S.I.	SPRAGUE ENERGY CORP	-0.260 GAL. 1.9862 GAL.
2887105	7.0	#1DULS	P/U	SPRAGUE ENERGY CORP	-0.260 GAL. 1.7980 GAL.
2887086	3.0	#1DULSB20	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-0.205 GAL. 1.8968 GAL.
2887086	7.0	#1DULSB20	P/U	SPRAGUE ENERGY CORP	-0.205 GAL. 1.8271 GAL.
2887086	1.0	#1DULSB5	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-0.246 GAL. 1.8274 GAL.
2887086	5.0	#1DULSB5	P/U	SPRAGUE ENERGY CORP	-0.246 GAL. 1.7454 GAL.
2887052	1.0	#2	MANH	RAPID PETROLEUM	-0.330 GAL. 1.3970 GAL.
2887052	4.0	#2	BRONX	RAPID PETROLEUM	-0.330 GAL. 1.3968 GAL.
2887052	7.0	#2	BROOKLYN	RAPID PETROLEUM	-0.330 GAL. 1.3864 GAL.
2887052	13.0	#2	S.I.	RAPID PETROLEUM	-0.330 GAL. 1.4299 GAL.
2887053	10.0	#2	QUEENS	METRO FUEL OIL CORP.	-0.330 GAL. 1.4197 GAL.
2887169	1.0	#2B5	CITY WIDE BY TW	METRO FUEL OIL CORP.	-0.313 GAL. 1.8143 GAL.
2887105	8.0	#2DHS	BARGE M.T.F. 111	SPRAGUE ENERGY CORP	-0.330 GAL. 1.6725 GAL.
2887106	9.0	#2DHS	BARGE WI	METRO FUEL OIL CORP.	-0.330 GAL. 1.5839 GAL.
2887301	1.0	#2DLS	BARGE ST. GEORGE	METRO FUEL OIL CORP.	-0.330 GAL. 1.6706 GAL.
2887301	3.0	#2DLS	P/U	METRO FUEL OIL CORP.	-0.330 GAL. 1.5334 GAL.
2887302	4.0	#2DLS	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	-0.330 GAL. 1.6551 GAL.
2887105	1.0	#2DULS	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-0.337 GAL. 1.5089 GAL.
2887105	1.1	#2DULS	P/U	SPRAGUE ENERGY CORP.	-0.337 GAL. 1.4739 GAL.
2887301	2.0	#2DULS	BARGE ST. GEORGE	METRO FUEL OIL CORP.	-0.337 GAL. 1.5886 GAL.
2887086	4.0	#2DULSB20	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-0.267 GAL. 1.6837 GAL.
2887087	8.0	#2DULSB20	P/U	METRO FUEL OIL CORP.	-0.267 GAL. 2.0345 GAL.
2887086	2.0	#2DULSB5	CITY WIDE BY TW	SPRAGUE ENERGY CORP	-0.320 GAL. 1.5769 GAL.
2887105	10.0	#2DULSB5	BARGE ST. GEORGE	SPRAGUE ENERGY CORP	-0.320 GAL. 2.1122 GAL.
2887159	6.0	#2DULSB5	P/U	METRO FUEL OIL CORP.	-0.320 GAL. 1.6246 GAL.
2887274	7.0	#2DULSDISP	DISPENSED	SPRAGUE ENERGY CORP.	-0.337 GAL. 1.8358 GAL.
2887052	2.0	#4	MANH	RAPID PETROLEUM	-0.398 GAL. 1.2595 GAL.
2887052	5.0	#4	BRONX	RAPID PETROLEUM	-0.398 GAL. 1.2629 GAL.
2887052	8.0	#4	BROOKLYN	RAPID PETROLEUM	-0.398 GAL. 1.2737 GAL.
2887052	14.0	#4	S.I.	RAPID PETROLEUM	-0.398 GAL. 1.3067 GAL.
2887053	11.0	#4	QUEENS	METRO FUEL OIL CORP.	-0.398 GAL. 1.2785 GAL.
2887052	3.0	#6	MANH	RAPID PETROLEUM	-0.443 GAL. 1.1835 GAL.
2887052	6.0	#6	BRONX	RAPID PETROLEUM	-0.443 GAL. 1.1835 GAL.
2887052	9.0	#6	BROOKLYN	RAPID PETROLEUM	-0.443 GAL. 1.1985 GAL.
2887052	15.0	#6	S.I.	RAPID PETROLEUM	-0.443 GAL. 1.2345 GAL.
2887054	12.0	#6	QUEENS	CASTLE OIL CORPORATION	-0.443 GAL. 1.2026 GAL.
2787347	1.0	JETA	FLOYD BENNETT	SPRAGUE ENERGY CORP	-0.292 GAL. 2.0936 GAL.

OFFICIAL FUEL PRICE SCHEDULE NO. 6206 FUEL OIL, PRIME AND START

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 2/16/2009
2787117	1.0	#2	MANH	PACIFIC ENERGY	-0.330 GAL. 1.4763 GAL.
2787117	79.0	#2	BRONX	PACIFIC ENERGY	-0.330 GAL. 1.4763 GAL.
2787117	157.0	#2	QNS., BROOKLYN & S.I.	PACIFIC ENERGY	-0.330 GAL. 1.4753 GAL.
2787118	235.0	#4	CITY WIDE BY TW	EAST COAST PETROLEUM	-0.398 GAL. 1.4516 GAL.
2787118	236.0	#6	CITY WIDE BY TW	EAST COAST PETROLEUM	-0.443 GAL. 1.4286 GAL.

OFFICIAL FUEL PRICE SCHEDULE NO. 6207 FUEL OIL AND REPAIRS

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 2/16/2009
2787112	1.0	#2	MANH	SJ FUEL CO. INC.	-0.330 GAL. 1.3543 GAL.
2787113	79.0	#2	BRONX	PACIFIC ENERGY	-0.330 GAL. 1.2989 GAL.
2787114	157.0	#2	QNS., BROOKLYN & S.I.	NU WAY FUEL OIL	-0.330 GAL. 1.4699 GAL.
2787115	234.0	#4	CITY WIDE BY TW	EAST COAST PETROLEUM	-0.398 GAL. 1.4076 GAL.

OFFICIAL FUEL PRICE SCHEDULE NO. 6208 GASOLINE

CONTRACT NO.	ITEM NO.	FUEL/OIL TYPE	VENDOR	CHANGE	PRICE EFF. 2/16/2009
2687312	1.0	E70	CITY WIDE BY TW	SPRAGUE ENERGY CORP.	+0.150 GAL. 1.9714 GAL.
2787192	7.0	PREM	CITY WIDE BY TW	METRO TERMINALS	+0.0374 GAL. 1.6434 GAL.
2887274	6.0	PREM	CITY WIDE BY VEHICLE	SPRAGUE ENERGY CORP.	+0.0374 GAL. 1.8769 GAL.
2787192	1.0	U.L.	CITY WIDE BY TW	METRO TERMINALS	+0.0360 GAL. 1.4230 GAL.
2887274	1.0	U.L.	MANH P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.0360 GAL. 1.7941 GAL.
2887274	2.0	U.L.	BX P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.0360 GAL. 1.6941 GAL.
2887274	3.0	U.L.	BR P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.0360 GAL. 1.6941 GAL.
2887274	4.0	U.L.	QNS P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.0360 GAL. 1.6941 GAL.
2887274	5.0	U.L.	S.I. P/U BY VEHICLE	SPRAGUE ENERGY CORP.	+0.0360 GAL. 1.6941 GAL.

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CHANGES IN PERSONNEL

DEPARTMENT OF SANITATION
FOR PERIOD ENDING 01/23/09

NAME	NUM	SALARY	ACTION	PROV	EFF DATE
HENRY	MARCUS M 9140A	\$12.0000	APPOINTED	YES	12/20/08
HENVILL	DAVID A 9140A	\$12.0000	APPOINTED	YES	12/20/08
HERNANDEZ JR.	ROBERT 70112	\$64108.0000	DISMISSED	NO	01/03/09
HODGE	MAURICE J 9140A	\$12.0000	APPOINTED	YES	12/20/08
HOLMES	WILLIAM J 9140A	\$12.0000	APPOINTED	YES	12/20/08
HOOKER	ALFRED F 9140A	\$12.0000	APPOINTED	YES	12/20/08
HOPSON	CHRISTOP 9140A	\$12.0000	APPOINTED	YES	12/20/08
HOSANG	JELICO T 9140A	\$12.0000	APPOINTED	YES	12/20/08
HOWARD	STEVE 9140A	\$12.0000	APPOINTED	YES	12/20/08
HUDSON	WESLEY 9140A	\$12.0000	APPOINTED	YES	12/20/08
HUEY	ROBERT L 9140A	\$12.0000	APPOINTED	YES	12/20/08
HUMPHREY	CHARLES 9140A	\$12.0000	APPOINTED	YES	12/20/08
IBRAHIM	SAHER 9140A	\$12.0000	APPOINTED	YES	12/20/08
JACKSON	BRUCE 9140A	\$12.0000	APPOINTED	YES	12/20/08
JACKSON	SHELDON D 9140A	\$12.0000	APPOINTED	YES	12/20/08
JACOBS	WILLIAM 9140A	\$12.0000	APPOINTED	YES	12/20/08
JAMES	GODWIN W 9140A	\$12.0000	APPOINTED	YES	12/20/08
JAMES	MILTON 9140A	\$12.0000	APPOINTED	YES	12/20/08
JIMENEZ	LUIS A 9140A	\$12.0000	APPOINTED	YES	12/20/08
JOHNSON	CALVIN 9140A	\$12.0000	APPOINTED	YES	12/20/08
JOHNSON	DOUGLAS 9140A	\$12.0000	APPOINTED	YES	12/20/08
JOHNSON	ERSKINE 9140A	\$12.0000	APPOINTED	YES	12/20/08
JOHNSON	KEITH 9140A	\$12.0000	APPOINTED	YES	12/20/08
JOHNSON	KEVIN 9140A	\$12.0000	APPOINTED	YES	12/20/08
JOHNSON	MILTON R 9140A	\$12.0000	APPOINTED	YES	12/20/08
JOHNSON	TRYONE 9140A	\$12.0000	APPOINTED	YES	12/20/08
JONES	KWESI M 9140A	\$12.0000	APPOINTED	YES	12/20/08
JONES	STACEY A 9140A	\$12.0000	APPOINTED	YES	12/20/08
JONES, JR.	MARK A 9140A	\$12.0000	APPOINTED	YES	12/20/08
JORDAN	TA'NISHA 9140A	\$12.0000	APPOINTED	YES	12/20/08
KELLY	SEAN P 9140A	\$12.0000	APPOINTED	YES	12/20/08
KING	ISAAC G 9140A	\$12.0000	APPOINTED	YES	12/20/08
KINGSTON	TROY A 9140A	\$12.0000	APPOINTED	YES	12/20/08
LAGUERRE	LUIS 9140A	\$12.0000	APPOINTED	YES	12/20/08
LAMARTZ	RENEE M 9140A	\$12.0000	APPOINTED	YES	12/20/08
LAWERY	PHILIP A 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEE	DELROY A 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEE	TIMOTHY F 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEMONS	THEODORE C 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEVENSTEIN	KEVIN I 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEVERIDGE	STEVIE F 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEWIS	ALEX J 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEWIS	ANTHONY L 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEWIS	DARYL 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEWIS	KIMBERLY 9140A	\$12.0000	APPOINTED	YES	12/20/08
LEWIS	MARKEITH J 9140A	\$12.0000	APPOINTED	YES	12/20/08
LILAVOIS	KIPO P 9140A	\$12.0000	APPOINTED	YES	12/20/08
LINEN	TONY 9140A	\$12.0000	APPOINTED	YES	12/20/08
LOPEZ	CARLOS A 9140A	\$12.0000	APPOINTED	YES	12/20/08
LOPEZ	DARIKON 9140A	\$12.0000	APPOINTED	YES	12/20/08
LOPEZ	HECTOR I 9140A	\$12.0000	APPOINTED	YES	12/20/08
LOPEZ	RAMON A 9140A	\$12.0000	APPOINTED	YES	12/20/08
LUGO	LUIS A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MABLE	FREDERIC K 9140A	\$12.0000	APPOINTED	YES	12/20/08
MACKIE	JOHN H 9140A	\$12.0000	APPOINTED	YES	12/20/08
MAISONNEUVE	TIMOTHY M 9140A	\$12.0000	APPOINTED	YES	12/20/08
MALDONADO	CARLOS A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MANN III	LEON C 9140A	\$12.0000	APPOINTED	YES	12/20/08
MAPP	ROBIN I 70150	\$69053.0000	RESIGNED	NO	01/04/09
MARTELL	DAVID R 9140A	\$12.0000	APPOINTED	YES	12/20/08
MARTIN	LIBERTY A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MARTIN	MICHAEL L 9140A	\$12.0000	APPOINTED	YES	12/20/08
MARTIN	RONALD V 9140A	\$12.0000	APPOINTED	YES	12/20/08
MARTIN JR	DEANO 9140A	\$12.0000	APPOINTED	YES	12/20/08
MARTINEZ	EDWIN L 9140A	\$12.0000	APPOINTED	YES	12/20/08
MARTINEZ	NELSON F 9140A	\$12.0000	APPOINTED	YES	12/20/08
MARTINEZ	VICTOR 9140A	\$12.0000	APPOINTED	YES	12/20/08
MASON	GREGORY D 9140A	\$12.0000	APPOINTED	YES	12/20/08
MAYO	MICHAEL E 9140A	\$12.0000	APPOINTED	YES	12/20/08
MAYO	ROBERT C 9140A	\$12.0000	APPOINTED	YES	12/20/08
MAYSONETT	HARRY J 9140A	\$12.0000	APPOINTED	YES	12/20/08
MCCBRIDE	GENESIS V 9140A	\$12.0000	APPOINTED	YES	12/20/08
MCCRORY	DWAYNE 9140A	\$12.0000	APPOINTED	YES	12/20/08
MCDONALD	JOSEPH S 9140A	\$12.0000	APPOINTED	YES	12/20/08
MCKELVEY	LORENZO 9140A	\$12.0000	APPOINTED	YES	12/20/08
MCKINSEY	NICOLO 9140A	\$12.0000	APPOINTED	YES	12/20/08
MCKNIGHT	ERIC L 9140A	\$12.0000	APPOINTED	YES	12/20/08
MCLEAN	CHARLES A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MEDINA	RAYMOND A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MELENDEZ	JAMES E 9140A	\$12.0000	APPOINTED	YES	12/20/08
MERRITT	WELDON J 9140A	\$12.0000	APPOINTED	YES	12/20/08
MILLER	ANDREW B 9140A	\$12.0000	APPOINTED	YES	12/20/08
MILLER	GRANT 9140A	\$12.0000	APPOINTED	YES	12/20/08
MILLER	WILLIE S 9140A	\$12.0000	APPOINTED	YES	12/20/08
MINCEY	PRINCE 9140A	\$12.0000	APPOINTED	YES	12/20/08
MITCHELL	MICHELE 9140A	\$12.0000	APPOINTED	YES	12/20/08
MONROE	TONY A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MONTI	WILLIAM F 91717	\$329.0000	APPOINTED	NO	12/07/08
MOORE	FRANK 9140A	\$12.0000	APPOINTED	YES	12/20/08
MORALES	MAGIN 9140A	\$12.0000	APPOINTED	YES	12/20/08
MORALES	ROLANDO A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MORANO	KATHLEEN 9140A	\$12.0000	APPOINTED	YES	12/20/08
MORTON	FRANKLIN W 9140A	\$12.0000	APPOINTED	YES	12/20/08
MORTON	MARC A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MOZON	JOSHUA D 9140A	\$12.0000	APPOINTED	YES	12/20/08
MURRAY	ALLEN L 9140A	\$12.0000	APPOINTED	YES	12/20/08
MYERS	DEBRA A 9140A	\$12.0000	APPOINTED	YES	12/20/08
MYERS	JOHN W 9140A	\$12.0000	APPOINTED	YES	12/20/08
NAZARIO	HECTOR L 9140A	\$12.0000	APPOINTED	YES	12/20/08
NEAL	MICHAEL 9140A	\$12.0000	APPOINTED	YES	12/20/08
NESBIT	ALFRAE S 9140A	\$12.0000	APPOINTED	YES	12/20/08
NORFORD	DENNIS 9140A	\$12.0000	APPOINTED	YES	12/20/08
NORWOOD	WILLIAM E 9140A	\$12.0000	APPOINTED	YES	12/20/08
OCONEILL	MICHAEL P 92510	\$270.0800	DECEASED	NO	01/06/09
OLIVERA	JAIME 9140A	\$12.0000	APPOINTED	YES	12/20/08
OTERO	JULIO 9140A	\$12.0000	APPOINTED	YES	12/20/08
OTLEY	ELTON T 9140A	\$12.0000	APPOINTED	YES	12/20/08
PAGAN	JOSE B 9140A	\$12.0000	APPOINTED	YES	12/20/08
PALAO	JERSON G 9140A	\$12.0000	APPOINTED	YES	12/20/08
PANETO	TOMAS J 9140A	\$12.0000	APPOINTED	YES	12/20/08
PARKER	CORNELIU 9140A	\$12.0000	APPOINTED	YES	12/20/08
PARKER	LAURENCE A 9140A	\$12.0000	APPOINTED	YES	12/20/08
PARKER	RANDY 9140A	\$12.0000	APPOINTED	YES	12/20/08
PATTERSON	ERIC C 9140A	\$12.0000	APPOINTED	YES	12/20/08
PEREZ	ALBERTO 9140A	\$12.0000	APPOINTED	YES	12/20/08
PEREZ	CARLOS 9140A	\$12.0000	APPOINTED	YES	12/20/08
PEREZ	DUANE A 9140A	\$12.0000	APPOINTED	YES	12/20/08
PERRY	DONALD 9140A	\$12.0000	APPOINTED	YES	12/20/08
PERRY	YOLANDA 9140A	\$12.0000	APPOINTED	YES	12/20/08
PETTWAY	ANTHONY T 9140A	\$12.0000	APPOINTED	YES	12/20/08
PHILLIPS	RAFAEL J 9140A	\$12.0000	APPOINTED	YES	12/20/08
PINEDA	JOSE 9140A	\$12.0000	APPOINTED	YES	12/20/08
PINILLA	ALEXANDE 9140A	\$12.0000	APPOINTED	YES	12/20/08
POPE	ERIC L 9140A	\$12.0000	APPOINTED	YES	12/20/08
POPE	WARREN 9140A	\$12.0000	APPOINTED	YES	12/20/08
PORTIS SR.	CURTIS L 9140A	\$12.0000	APPOINTED	YES	12/20/08
POWELL	KIRK D 9140A	\$12.0000	APPOINTED	YES	12/20/08
POWELL	TYRONE J 9140A	\$12.0000	APPOINTED	YES	12/20/08
PRINCE	ONEAL 9140A	\$12.0000	APPOINTED	YES	12/20/08

PUGH	KASHUN 9140A	\$12.0000	APPOINTED	YES	12/20/08
PUGH	MARK E 9140A	\$12.0000	APPOINTED	YES	12/20/08
PUGLIONESI	ROBERT J 9140A	\$12.0000	APPOINTED	YES	12/20/08
QUINONES	JOAQUIN C 9140A	\$12.0000	APPOINTED	YES	12/20/08
QUINONES	REYNALDO 9140A	\$12.0000	APPOINTED	YES	12/20/08
RAMIREZ	ROBERTO 9140A	\$12.0000	APPOINTED	YES	12/20/08
RAMOS	HIPOLITO R 9140A	\$12.0000	APPOINTED	YES	12/20/08
RASCOE	CHANTAE N 9140A	\$12.0000	APPOINTED	YES	12/20/08
RAY	MICHAEL D 9140A	\$12.0000	APPOINTED	YES	12/20/08
REDA	STEVEN R 9140A	\$12.0000	APPOINTED	YES	12/20/08
REED	EVERETT 9140A	\$12.0000	APPOINTED	YES	12/20/08
REID	BLAINE D 9140A	\$12.0000	APPOINTED	YES	12/20/08
REID	BLAINE D 9140A	\$12.0000	APPOINTED	YES	12/20/08
REID	JUMEL R 9140A	\$12.0000	APPOINTED	YES	12/20/08
REID	JUSTIN S 9140A	\$12.0000	APPOINTED	YES	12/20/08
REMBERT	ANTHONY 9140A	\$12.0000	APPOINTED	YES	12/20/08
REYES	MICHAEL J 9140A	\$12.0000	APPOINTED	YES	12/20/08
RICCI	MARK T 7019B	\$116899.0000	INCREASE	NO	01/04/09
RICHARDSON	EUGENE 9140A	\$12.0000	APPOINTED	YES	12/20/08
RICHARDSON	LATISHA Z 9140A	\$12.0000	APPOINTED	YES	12/20/08
RIULLANO	RICKY C 9140A	\$12.0000	APPOINTED	YES	12/20/08
RIVERA	ERIC E 9140A	\$12.0000	APPOINTED	YES	12/20/08
RIVERA	KENNETH 9140A	\$12.0000	APPOINTED	YES	12/20/08
RIVERA	LUIS I 9140A	\$12.0000	APPOINTED	YES	12/20/08
RIVERA	MARIAN 9140A	\$12.0000	APPOINTED	YES	12/20/08
RIVERA	MICHAEL 9140A	\$12.0000	APPOINTED	YES	12/20/08
RIVERA	MICHAEL J 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROBINS	PHILEMON G 9140A	\$12.0000	APPOINTED	YES	12/20/08
RODRIGUEZ	BRIEN A 9140A	\$12.0000	APPOINTED	YES	12/20/08
RODRIGUEZ	CRYSTAL 9140A	\$12.0000	APPOINTED	YES	12/20/08
RODRIGUEZ	EDDY A 9140A	\$12.0000	APPOINTED	YES	12/20/08
RODRIGUEZ	ELIUD A 9140A	\$12.0000	APPOINTED	YES	12/20/08
RODRIGUEZ	JESUS D 9140A	\$12.0000	APPOINTED	YES	12/20/08
RODRIGUEZ	LUIS G 9140A	\$12.0000	APPOINTED	YES	12/20/08
RODRIGUEZ	LUIS J 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROMAN	EDDIE 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROMAN	SUZANNE 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROSA	MARK A 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROSADO	JAY N 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROSARIO	ADRIAN 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROSARIO	ELIAS 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROSARIO	LUIS M 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROSARIO	OMAR H 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROSS	AMIN K 9140A	\$12.0000	APPOINTED	YES	12/20/08
ROWE	DANIEL 9140A	\$12.0000	APPOINTED	YES	12/20/08
RUSHMORE	HAROLD E 9140A	\$12.0000	APPOINTED	YES	12/20/08
RUSSELL	ROHAN O 9140A	\$12.0000	APPOINTED	YES	12/20/08
SABREE JR	OMAR 9140A	\$12.0000	APPOINTED	YES	12/20/08
SANABRIA	MELVIN 9140A	\$12.0000	APPOINTED	YES	12/20/08
SANDIMANIE	OMAR K 9140A	\$12.0000	APPOINTED	YES	12/20/08
SANTIAGO	ANGEL L 9140A	\$12.0000	APPOINTED	YES	12/20/08
SANTIAGO	ORLANDO 9140A	\$12.0000	APPOINTED	YES	12/20/08
SANTOS	ARNULFO 9140A	\$12.0000	APPOINTED	YES	12/20/08
SANTOS	CHRISTPH B 9140A	\$12.0000	APPOINTED	YES	12/20/08
SAUL	RORY				

WILLIAMS	MICHAEL	E	9140A	\$12.0000	APPOINTED	YES	12/20/08
WILLIAMS	SYLVESTE	E	9140A	\$12.0000	APPOINTED	YES	12/20/08
WILLIAMS	TYRELL	A	9140A	\$12.0000	APPOINTED	YES	12/20/08
WILSON	ANTHONY	J	9140A	\$12.0000	APPOINTED	YES	12/20/08
WINBUSH	VAN	O	9140A	\$12.0000	APPOINTED	YES	12/20/08
WONEY	X-ZAVIAN	A	9140A	\$12.0000	APPOINTED	YES	12/20/08
WRIGHT	ROBERTO	J	9140A	\$12.0000	APPOINTED	YES	12/20/08
YEBOAH	JOSEPH	K	9140A	\$12.0000	APPOINTED	YES	12/20/08
YORBOROUGH	JUANITA	A	9140A	\$12.0000	APPOINTED	YES	12/20/08
ZIMMERMAN	JAY	N	9140A	\$12.0000	APPOINTED	YES	12/20/08

DEPARTMENT OF FINANCE
FOR PERIOD ENDING 01/23/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ALVAREZ	FERNANDO	L	10050	\$130000.0000	INCREASE	YES	01/04/09
CARROLL	RONALD	J	10050	\$135000.0000	APPOINTED	YES	01/04/09
CHELNIS	LANA	A	10050	\$105000.0000	APPOINTED	YES	01/04/09
CHICHARA	JITENDRA	G	20919	\$67161.0000	RETIRED	NO	01/13/09
CHOW	MEI LING	A	40523	\$50300.0000	INCREASE	NO	01/04/09
CHUKWUJIORAH	OKAFOR	O	40523	\$50300.0000	INCREASE	NO	01/04/09
DHAVLE	AMEY	K	10050	\$132000.0000	APPOINTED	YES	01/04/09
FALCONE	CHRISTOP	N	10209	\$10.2600	APPOINTED	YES	01/13/09
GOMEZ	ROBERT	E	10209	\$9.3100	APPOINTED	YES	12/28/08
GORMAN	DAVID	A	10250	\$32012.0000	APPOINTED	YES	01/04/09
HOWARD	KEITH	C	10124	\$53000.0000	INCREASE	YES	01/04/09
HYMAN	ALLYSON	G	10050	\$130000.0000	INCREASE	YES	01/04/09
IRODI	JONATHAN	U	40523	\$50300.0000	INCREASE	NO	01/04/09
JOHNSON	MAEZZELLE	A	10124	\$42600.0000	INCREASE	YES	01/04/09
JONES	JEAN	A	82994	\$81000.0000	INCREASE	YES	01/04/09
KHEYFETS	YURY	A	40523	\$50300.0000	INCREASE	NO	01/04/09
LEE	KARL	L	40523	\$52726.0000	RETIRED	NO	01/15/09
LEMON	CHARLES	A	10124	\$42510.0000	RESIGNED	YES	01/04/09
MANNEPALLI	SHASHI	B	10050	\$105000.0000	APPOINTED	YES	01/04/09
MCCLURE	DOUGLAS	A	20210	\$66764.0000	RETIRED	NO	01/10/09
MCCRAY	NAEMA	A	10209	\$9.3100	APPOINTED	YES	01/11/09
MORRISON-GERALD	SANDRA	A	10251	\$29449.0000	DISMISSED	NO	01/13/09
OGUNMOLA	BEATRICE	T	40523	\$50300.0000	INCREASE	NO	01/04/09
PRINCE	MAUREEN	C	11702	\$26431.0000	RESIGNED	NO	12/28/08
RICHARDSON	BRENDA	L	10124	\$42610.0000	DISMISSED	NO	01/13/09
SOURIAL	HANAN	R	40523	\$50300.0000	INCREASE	NO	01/04/09
SPIER	DAVID	M	10050	\$135000.0000	APPOINTED	YES	01/04/09
WOLBERG-GUSSIN	DEBRA	A	40523	\$50300.0000	INCREASE	NO	01/04/09

DEPARTMENT OF TRANSPORTATION
FOR PERIOD ENDING 01/23/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ALLEN	DAVID	H	90904	\$51251.0000	PROMOTED	NO	12/15/08
BERMUDEZ	JESUS	A	90904	\$51251.0000	PROMOTED	NO	12/15/08
BHAKTA	SITAL	J	20210	\$64571.0000	APPOINTED	YES	01/04/09
CACERES	FRANK	W	90910	\$37788.0000	APPOINTED	NO	01/04/09
CAMPO	NICOLE	A	22122	\$58458.0000	APPOINTED	YES	01/04/09
COFFEY JR	JOHN	H	90904	\$51251.0000	PROMOTED	NO	12/15/08
DENHART	SHANE	A	33765	\$32622.0000	APPOINTED	YES	01/04/09
DIAZ	ELSIE	J	10251	\$14.4800	DISMISSED	NO	01/11/09
DONES	JUAN	A	91529	\$40032.0000	APPOINTED	YES	01/11/09
DYVNSKY	OLEG	A	90904	\$51251.0000	PROMOTED	NO	12/15/08
FLAMM	CRAIG	M	20618	\$69000.0000	APPOINTED	YES	01/11/09
GAVIN	TIERNEY	A	92005	\$274.7500	APPOINTED	NO	01/04/09
GJELAJ	KOL	M	22427	\$78500.0000	APPOINTED	YES	01/11/09
GRANT	NATALIE	J	90910	\$51251.0000	PROMOTED	NO	12/15/08
GRISWOLD	KYLE	A	91529	\$40032.0000	APPOINTED	YES	01/11/09
GRODSKY	MADELINE	A	31626	\$50649.0000	RETIRED	NO	01/13/09
GUEYE	IBRAHIMA	A	12627	\$65301.0000	APPOINTED	YES	01/11/09
HAGEN	GLENN	A	90904	\$51251.0000	PROMOTED	NO	12/15/08
KENNEY	CHARLES	F	90910	\$51251.0000	PROMOTED	NO	12/15/08
KOZYREV	SERGEY	A	90904	\$51251.0000	PROMOTED	NO	12/15/08
LLEWELLYN	ALVIN	A	90904	\$51251.0000	PROMOTED	NO	12/15/08
MILES	TANJIER	N	10251	\$34450.0000	APPOINTED	YES	01/04/09
MINELLI	JOSEPH	J	90904	\$51251.0000	PROMOTED	NO	12/15/08
PARADISO	LEONARD	A	92406	\$291.8400	DISMISSED	NO	01/13/09
PAZZINI	ANTHONY	R	91529	\$40032.0000	APPOINTED	YES	01/11/09
PENTANGELO	ROY	J	10039	\$102000.0000	INCREASE	YES	01/11/09
PERSAUD	RAVI	A	31715	\$35243.0000	APPOINTED	YES	01/11/09
RICARDO	DIANA	A	10124	\$42510.0000	APPOINTED	YES	01/04/09
RINALDI	SALVATOR	A	56057	\$22.5200	INCREASE	YES	01/04/09
ROBINSON	LELAND	A	90904	\$51251.0000	PROMOTED	NO	12/15/08
ROUSSEAU	PIERRE	E	91529	\$40032.0000	APPOINTED	YES	01/11/09
SALEH	NASHAAT	H	20210	\$44495.0000	APPOINTED	YES	01/04/09
SCHMID	ROBERT	H	91350	\$65733.0000	DECEASED	YES	01/12/09
SCHMID	ROBERT	H	90904	\$55195.0000	DECEASED	NO	01/12/09
SCHRAFT	FRED	A	90904	\$51251.0000	PROMOTED	NO	12/15/08
SHENDLER	MATTHEW	J	90910	\$37788.0000	APPOINTED	NO	01/04/09
SINGH	KHEMRAJ	R	10025	\$100376.0000	DECEASED	YES	01/09/09
SINGH	KHEMRAJ	R	90698	\$35496.0000	DECEASED	NO	01/09/09
SUDJONO	YOKIE	A	91529	\$40032.0000	APPOINTED	YES	01/11/09
TALISIC JR	BRICCIO	H	20202	\$40078.0000	APPOINTED	YES	01/04/09
TOMPKINS	GEORGE	A	90904	\$51251.0000	PROMOTED	NO	12/15/08
ZHANG	GUANGMIN	A	90910	\$42720.0000	RESIGNED	NO	01/11/09

DEPT OF PARKS & RECREATION
FOR PERIOD ENDING 01/23/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
ALBAN	PILAR	P	22426	\$51169.0000	APPOINTED	NO	05/12/08
AMODEO	DANIEL	A	91925	\$45.1500	APPOINTED	YES	12/30/08
ANDERSON	LAKEISHA	A	80633	\$8.5200	APPOINTED	YES	01/08/09
BABIKOV	KIRILL	A	10124	\$48000.0000	APPOINTED	YES	01/04/09
BARBIERI	JEFFREY	S	92210	\$261.8000	APPOINTED	YES	01/14/09
BARTHELEMY	MARVADA	A	80633	\$8.5200	RESIGNED	YES	10/11/08
BRADEN	JESSICA	M	12627	\$60000.0000	INCREASE	YES	11/09/08
BRITTON	KIANNA	A	56057	\$30000.0000	APPOINTED	YES	12/07/08
BRYANT	TASHA	A	80633	\$8.5200	APPOINTED	YES	01/09/09
BURGOS	JOSE	A	90641	\$31122.0000	APPOINTED	YES	01/11/09
CAPOZELLO	CHARLES	J	60421	\$30475.0000	RESIGNED	YES	01/04/09
CARDONA CRUZ	JACQUELI	A	80633	\$8.5200	APPOINTED	YES	01/12/09
CASANOVA	DOMINGO	E	80633	\$8.5200	APPOINTED	YES	01/12/09
CASTILLO	KRISTIE	T	60421	\$30475.0000	RESIGNED	YES	12/07/08
CATTOUSE	DANIELLE	A	80633	\$8.5200	APPOINTED	YES	01/09/09
CEDRES	PENNY	J	90641	\$31122.0000	APPOINTED	YES	01/11/09
CROKE	RAYMOND	B	91915	\$296.8700	APPOINTED	NO	01/11/09
CRUMELL	TAMEKA	A	80633	\$8.5200	APPOINTED	YES	01/09/09
CUSUMANO	ANDREA	P	60421	\$35047.0000	RESIGNED	YES	12/27/08
D'AGOSTINO	WILLIAM	T	91915	\$296.8700	APPOINTED	NO	01/11/09
DAVILA	JOSE	M	60421	\$30475.0000	RESIGNED	YES	01/04/09
DAVILA	KATLIN	A	06070	\$16.8300	APPOINTED	YES	01/05/09
DAVIS	SHAMEEKA	A	91406	\$10.2400	APPOINTED	YES	04/28/08
DELANEY	WILLIAM	M	90641	\$27063.0000	APPOINTED	YES	01/11/09
DEROSA	MICHAEL	E	92510	\$232.0000	APPOINTED	NO	01/11/09
DORE	GREGORY	A	06664	\$13.7800	APPOINTED	YES	01/12/09
DRAGO	STEVEN	L	81106	\$40728.0000	INCREASE	YES	01/04/09
DRAGO	STEVEN	L	90641	\$31132.0000	APPOINTED	YES	01/04/09
EDUSEI	JEFFREY	B	60422	\$46717.0000	INCREASE	YES	01/07/09
ESPINAL	LUIS	M	90641	\$27063.0000	APPOINTED	YES	01/04/09
GALLAGHER	DANIEL	A	91644	\$45.4900	APPOINTED	YES	09/02/08
GARCIA	JACQUELI	A	90641	\$27063.0000	APPOINTED	YES	01/11/09
GARCIA	LUIS	E	92306	\$266.7200	DECREASE	YES	12/14/08
GARCIA	LUIS	E	90641	\$31171.0000	APPOINTED	YES	12/15/08
GEBHARD	LUKE	G	12627	\$77000.0000	RESIGNED	YES	01/09/09
GOLDSTONE	DAVID	A	34202	\$74498.0000	RETIRED	NO	01/04/09
GREEN	SHANTEE	D	80633	\$8.5200	APPOINTED	YES	01/12/09
KAVANAGH	EDWARD	A	91915	\$296.8700	APPOINTED	NO	01/11/09
KENDRY	PATRICIA	A	10124	\$46426.0000	APPOINTED	NO	12/28/08
KONRAD	GLEN	A	90698	\$193.2800	DECREASE	YES	01/11/09
LAMBERT	EDWINA	J	06664	\$13.7800	APPOINTED	YES	12/18/08
LEE	CHARLES	E	90641	\$27063.0000	APPOINTED	YES	01/04/09

LEE	KATHLEEN	W	10124	\$48500.0000	APPOINTED	YES	01/11/09
MARTINEZ	ALDONSA	A	80633	\$8.5200	RESIGNED	YES	10/24/08
MELLON	JONATHAN	B	92237	\$57000.0000	APPOINTED	YES	01/04/09
MENCHER	JASON	S	22121	\$42000.0000	APPOINTED	YES	01/04/09
MENOCAL	GUSTAVE	M	91915	\$296.8700	APPOINTED	NO	01/11/09
MERCED	DANIEL	A	80633	\$8.5200	APPOINTED	YES	01/12/09
MORANT	THEODORA	T	80633	\$8.5200	APPOINTED	YES	01/12/09
NOTO	DAVID	A	81303	\$50029.0000	APPOINTED	YES	01/04/09
OBANDO	YESENIA	A	60421	\$30475.0000	APPOINTED	YES	01/04/09
OFORI	OLIVIA	A	60421	\$30475.0000	RESIGNED	YES	10/12/08
PARSON	STEFON	S	90641	\$27063.0000	APPOINTED	YES	01/04/09
PIERETTI	ROBERT	R	91915	\$296.8700	APPOINTED	NO	01/11/09
PINK	SAMANTHA	A	10124	\$48000.0000	INCREASE	YES	01/11/09
PRISE	KAREN	A	56057	\$32000.0000	APPOINTED	YES	01/04/09
RANDAZZO	DOMINICK	F	91915	\$296.8700	APPOINTED	NO	01/11/09
ROWLAND	MARTIN	A	22427	\$85000.0000	APPOINTED	YES	01/11/09
SAMUELS	VANESSA	A	80633	\$8.5200	APPOINTED	YES	01/12/09
SCHMITT	JAMES	P	91915	\$296.8700	APPOINTED	NO	01/11/09
SERRANT	CRYSTAL	A	10251	\$12.5800	APPOINTED	YES	12/28/08
SMITH	ANTHONY	A	91915	\$296.8700	RESIGNED	YES	01/11/09
SMITH	CRYSTAL	E	80633	\$8.5200	RESIGNED	YES	12/06/08
SUSCO	NICHOLAS	F	91915	\$296.8700	APPOINTED	NO	01/11/09
VENCIER	RAY	A	06664	\$13.7800	APPOINTED	YES	01/15/09
VINCENT	MICHAEL	A	60421	\$30475.0000	INCREASE	YES	01/04/09
WILLIAMS	SHIRLENE	A	80633	\$8.5200	APPOINTED	YES	01/12/09
WITHERS	SCOTT	A	91925	\$316.0500	INCREASE	YES	01/11/09

DEPT. OF DESIGN & CONSTRUCTION
FOR PERIOD ENDING 01/23/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF DATE	
KANHAI	CHRISTOP	A	10209	\$10.2600	APPOINTED	YES	01/11/09
LAPP	AVROHOM	A	10209	\$10.2600	APPOINTED	YES	01/11/09
MCKENZIE	MIRLYN	A	12626	\$55056.0000	DECEASED	NO	01/07/09
SHAGAN	JOHN	J	34202	\$64602.0000	DECEASED		

COTTER	THEODORE	A	30114	\$50000.0000	APPOINTED	YES	01/04/09
DOZIER	CRYSTAL	E	30114	\$50000.0000	APPOINTED	YES	01/04/09
DRUYAN	LAUREN	A	30114	\$50000.0000	APPOINTED	YES	01/04/09
GARBER	DIANA	E	30114	\$50000.0000	APPOINTED	YES	01/04/09
GUNSBURG	SHLOMO	Z	30114	\$50000.0000	APPOINTED	YES	01/04/09
GUTIERREZ JR	GERARDO		30114	\$50000.0000	APPOINTED	YES	01/04/09
HENDRICK	MICHAEL	P	30114	\$50000.0000	APPOINTED	YES	01/04/09
HSIUNG	MARA		30114	\$50000.0000	APPOINTED	YES	01/04/09
INTERIANO	JOSE	A	30114	\$50000.0000	APPOINTED	YES	01/04/09
JOSEPH	VELMA		40517	\$43664.0000	APPOINTED	NO	09/29/08
JUNIOR	NICOLE	S	30114	\$50000.0000	APPOINTED	YES	01/04/09
LODISPOTO	JOSEPH	J	40517	\$50214.0000	APPOINTED	NO	09/29/08
NUNEZ	VICTORIA	A	30114	\$58000.0000	APPOINTED	YES	01/04/09
OLANIYAN	OLATOKUN	B	30114	\$50000.0000	APPOINTED	YES	01/04/09
PARK	SUSAN	E	30114	\$54200.0000	APPOINTED	YES	01/04/09
PIERCE	GAREY	A	30114	\$58500.0000	APPOINTED	YES	01/04/09
POWERS	KENNETH	T	30114	\$51575.0000	RESIGNED	YES	01/11/09
REDMAN	COURTNEY	W	30114	\$50000.0000	APPOINTED	YES	01/04/09
REINER	JONATHAN	S	30114	\$50000.0000	APPOINTED	YES	01/04/09
SCHAUF	CATHERIN	J	10025	\$45000.0000	APPOINTED	YES	01/13/09
SCHNEIDER	EILEEN	F	30114	\$50000.0000	APPOINTED	YES	01/04/09
SCHWARZ	GREGORY	R	30114	\$50000.0000	APPOINTED	YES	01/04/09
SHOCK	COREY	S	30114	\$50000.0000	APPOINTED	YES	01/04/09
SMITH	BRANDON	C	30114	\$50000.0000	APPOINTED	YES	01/04/09
SPITZER	SHARRON		56056	\$29155.0000	INCREASE	YES	06/24/07

VITALE	PAUL	W	30114	\$50000.0000	APPOINTED	YES	01/04/09
WALTON	FRANK	M	30114	\$50000.0000	APPOINTED	YES	01/04/09
YANCHENKO	SVETLANA		40517	\$50967.0000	APPOINTED	NO	09/29/08
ZUCKERMAN	SETH	J	30114	\$50000.0000	APPOINTED	YES	01/04/09
ZUFLACHT	LINDSAY	A	30114	\$50000.0000	APPOINTED	YES	01/04/09

DISTRICT ATTORNEY QNS COUNTY
FOR PERIOD ENDING 01/23/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF_DATE	
FRANK	MATTHEW	L	52406	\$22888.0000	INCREASE	YES	01/06/08
MCENERY-MORIART	EMILY	S	30114	\$55500.0000	RESIGNED	YES	01/09/09

DISTRICT ATTORNEY-SPECIAL NARC
FOR PERIOD ENDING 01/23/09

NAME	TITLE	NUM	SALARY	ACTION	PROV	EFF_DATE	
DIAZ	IRINA	Y	56057	\$30000.0000	APPOINTED	YES	01/11/09
MARTIN	LUCILLE	M	52406	\$42381.0000	RETIRED	YES	01/15/09
MEADOWS	JAMES	B	30114	\$85000.0000	RESIGNED	YES	01/04/09

LATE NOTICES

FRANCHISE AND CONCESSION REVIEW COMMITTEE

JOINT PUBLIC HEARING

NOTICE OF A JOINT PUBLIC HEARING

PUBLIC NOTICE IS HEREBY GIVEN THAT A JOINT PUBLIC HEARING of the Franchise and Concession Review Committee and the New York City Department of Homeless Services to be held on Monday, March 9, 2009 at 22 Reade Street, Borough of Manhattan, commencing at 2:30 p.m. relative to:

INTENT TO AWARD as a concession the operation, management and maintenance of the Park Slope Armory Indoor Athletic Facility and Community Center in Brooklyn, New York for a license term of ten (10) years, to the YMCA of Greater New York, whose address is 5 West 63rd Street, Sixth Floor, New York, NY. Compensation to the City will be as follows: in each operating year of the License Agreement, licensee shall reinvest in the Licensed Premises the greater of (a) \$20,000 compounded annually at five percent (5%) or 20% of the total annual operating net revenue.

LOCATION: A draft copy of the agreement may be reviewed or obtained at no cost, commencing Monday, March 2, 2009 through Monday, March 9, 2009, between the hours of 9:00 a.m. and 5:00 p.m., excluding weekends and holidays at the NYC Department of Homeless Services, located at 33 Beaver Street, New York, NY 10004.

NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor's Office of Contracts Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, NY 10007 (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC MEETING. TDD users should call Verizon relay service at 212-504-4115

AGENCY PUBLIC HEARINGS ON CONTRACT AWARDS

“These Hearings may be cablecast on NYC TV Channel 74 on Sundays, from 5:00 p.m. to 7:00 p.m. For more information, visit: www.nyc.gov/tv” NOTE: Individuals requesting Sign Language Interpreters should contact the Mayor’s Office of Contract Services, Public Hearings Unit, 253 Broadway, 9th Floor, New York, N.Y. 10007, (212) 788-7490, no later than SEVEN (7) BUSINESS DAYS PRIOR TO THE PUBLIC HEARING. TDD users should call Verizon relay services.

CRIMINAL JUSTICE COORDINATOR

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 5, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Criminal Justice Coordinator's Office and Safe Horizon, 2 Lafayette St., New York, NY 10007, for the provision of comprehensive services through Child Advocacy Centers to children who are victims of sexual and/or physical abuse. The contract shall be in an amount not to exceed \$500,000. The contract term shall be from July 1, 2008 to June 30, 2009 with no option to renew. PIN#: 00209DMPS261.

The proposed contractor is being funded through City Council Discretionary Funds Appropriation, pursuant to Section 1-02 (e) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Office of the Criminal Justice Coordinator, One Centre Street, 10th Floor North, New York, NY 10007, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 12:00 P.M. and from 2:00 P.M. to 4:00 P.M.

DESIGN AND CONSTRUCTION

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 5, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Design and Construction of the City of New York and Swanke, Hayden, Connell Architects, 295 Lafayette Street, New York, NY 10012, for RQ_A&E, Requirements Contract for Historic Preservation Design, Architecture, Engineering and Construction Related Services, Citywide. The contract amount shall be \$3,000,000. The contract term shall be 1,095 Consecutive Calendar Days from the date of written notice to proceed with one option to renew for 365 Consecutive Calendar Days for up to \$1,500,000. PIN#: 8502008RQ0034P.

The proposed consultant has been selected by means of the Competitive Sealed Proposal Method, pursuant to Section 3-03 of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Design and Construction, Professional Contracts Section, 30-30 Thomson Avenue, Fourth Floor, Long Island City, New York 11101, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 4:00 P.M. Contact Belkis Palacios at (718) 391-1866.

HEALTH AND MENTAL HYGIENE

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 5, 2009, in the Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Health and Mental Hygiene and the Contractor listed below, to assist the Department's PCIP in medical record chart abstraction to assess the quality of healthy care in a sample of NYC practices that have adopted an electronic health record with a focus on improving opportunities for delivering preventive health services, Citywide. The contract term shall be from February 1, 2009 to December 31, 2010.

Contractor/Address	PIN #	Amount
Island Peer Review Organization, Inc. 1979 Marcus Avenue Lake Success, NY 11042	09CI072601R0X00	\$550,000

The proposed contractor has been selected by means of Required/Authorized Source, pursuant to Section 1-02 (d) (2) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the New York City Department of Health and Mental Hygiene, Office the Agency Chief Contracting Officer, 93 Worth Street, Room 812, New York, NY 10013, from February 20, 2009 to March 5, 2009, excluding Weekends and Holidays, from 10:00 A.M. to 4:00 P.M.

Anyone who wishes to speak at this public hearing should request to do so in writing. The written request must be received by the Agency within 5 business days after the publication of this notice. Written requests to speak should be sent to Celloy Williams, Associate Contract Specialist, 93 Worth Street, Room 812, New York, NY 10007, or cwillial@health.nyc.gov. If DOHMH does not receive any written requests to speak within the prescribed time, DOHMH reserve the right not to conduct the public hearing.

HOMELESS SERVICES

PUBLIC HEARINGS

NOTICE IS HEREBY GIVEN that a Contract Public Hearing will be held on Thursday, March 5, 2009, in Spector Hall, 22 Reade Street, Main Floor, Borough of Manhattan, commencing at 10:00 A.M. on the following:

IN THE MATTER of a proposed contract between the Department of Homeless Services and CAMBA Legal Services, Inc., 885 Flatbush Avenue 2nd Floor, Brooklyn, New York 11226, to provide Family Anti-Eviction Legal Services. The contract amount shall be \$290,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 071-09S-003-785.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Homeless Services and Eviction Intervention Services, Inc., 150 East 62nd Street, New York, New York 10021, to provide Family Anti-Eviction Legal Services. The contract amount shall be \$333,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 071-09S-003-787.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Homeless Services and The Legal Aid Society, Inc., 199 Water Street, New York, New York 10038, to provide Family Anti-Eviction Legal Services. The contract amount shall be \$3,000,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 071-09S-003-783.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Homeless Services and Legal Services for New York City, 350 Broadway, New York, New York 10013, to provide Family Anti-Eviction Legal Services. The contract amount shall be \$1,292,800. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 071-09S-003-784.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Homeless Services and Neighborhood Association for Intercultural Affairs, Inc., 1075 Grand Concourse, Bronx, New York 10452, to provide Family Anti-Eviction Legal Services at 1055 Grand Concourse, Bronx, New York 10452. The contract amount shall be \$417,000. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 071-09S-003-786.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Homeless Services and Northern Manhattan Improvement Corp., 76 Wadsworth, New York, New York 10003, to provide Family Anti-Eviction Legal Services. The contract amount shall be \$542,100. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 071-09S-003-788.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

IN THE MATTER of a proposed contract between the Department of Homeless Services and Ridgewood Bushwick Senior Citizens Council, 555 Bushwick Avenue, Brooklyn, New York 11206, to provide Family Anti-Eviction Legal Services at 217 Wyckoff Avenue, Brooklyn, New York 11237. The contract amount shall be \$125,100. The contract term shall be from July 1, 2009 to June 30, 2010. PIN#: 071-09S-003-789.

The proposed contractor has been selected by means of Negotiated Acquisition Extension, pursuant to Section 3-04 (b) (2) (iii) of the Procurement Policy Board Rules.

A draft copy of the proposed contract is available for public inspection at the Department of Homeless Services, 33 Beaver Street, NY, NY 10004, from February 20, 2009 to March 5, 2009, excluding Saturdays, Sundays and Holidays, from 9:00 A.M. to 5:00 P.M.

READER'S GUIDE

The City Record (CR) is, published each business day and includes notices of proposed New York City procurement actions, contract awards, and other procurement-related information. Solicitation notices for most procurements valued at or above \$100,000 for information technology and for construction and construction related services, above \$50,000 for other services, and above \$25,000 for other goods are published for at least one day. Other types of procurements, such as sole source, require notice in the City Record for five consecutive days. Unless otherwise specified, the agencies and offices listed are open for business Mondays thru Fridays from 9:00 A.M. to 5:00 P.M. except legal holidays.

NOTICE TO ALL NEW YORK CITY CONTRACTORS

The New York State Constitution ensures that all laborers, workers or mechanics employed by a contractor or subcontractor doing public work are to be paid the same wage rate that prevails in the trade where the public work is being done. Additionally, New York State Labor Law §§ 220 and 230 provide that a contractor or subcontractor doing public work in construction or building service must pay its employees no less than the prevailing wage. Section 6-109 (the Living Wage Law) of the New York City Administrative Code also provides for a "living wage", as well as prevailing wage, to be paid to workers employed by City contractors in certain occupations. The Comptroller of the City of New York is mandated to enforce prevailing wage. Contact the NYC Comptrollers Office at www.comptroller.nyc.gov, click on Labor Law Schedules to view rates.

New York City's "Burma Law" (Local Law No. 33 of 1997) No Longer to be Enforced. In light of the United States Supreme Court's decision in **Crosby v. National Foreign Trade Council**, 530 U.S. 363 (2000), the City has determined that New York City's Local Law No. 33 of 1997 (codified in Administrative Code Section 6-115 and Charter Section 1524), which restricts City business with banks and companies doing business in Burma, is unconstitutional. This is to advise, therefore, that the language relating to Burma contained in existing New York City contracts may not be enforced.

CONSTRUCTION/CONSTRUCTION SERVICES OR CONSTRUCTION RELATED SERVICES

The City of New York is committed to achieving excellence in the design and construction of its capital program, and building on the tradition of innovation in architecture and engineering that has contributed to the City's prestige as a global destination.

VENDOR ENROLLMENT APPLICATION

New York City procures approximately \$7 billion worth of goods, services, construction and construction-related services every year. The NYC Procurement Policy Board Rules require that agencies primarily solicit from established mailing lists called bidder/proposer lists. To register for these lists-free of charge-, prospective suppliers should fill out and submit the NYC-FMS Vendor Enrollment application.

- Online at NYC.gov/selltonyc
- To request a hardcopy application, call the Vendor Enrollment Center at (212) 857-1680.

Attention Existing Suppliers:

Even if you already do business with NYC agencies, be sure to fill out an application. We are switching over to citywide, centralized Bidders Lists instead of the agency-specific lists previously used to issue notices about upcoming contract opportunities. To continue receiving notices of New York City contract opportunities, you must fill out and submit a NYC-FMS Vendor Enrollment application. If you are uncertain whether you have already submitted an application, call us at (212) 857-1680.

SELLING TO GOVERNMENT TRAINING WORKSHOP

New and experienced vendors are encouraged to register for a free training course on how to do business with New York City. "Selling to Government" workshops are conducted by the Department of Small Business Services, 110 William Street, New York, NY 10038. Morning and afternoon sessions are convened on the first Tuesday of each month. For more information, and to register, call (212) 618-8845.

PRE-QUALIFIED LIST

New York City procurement policy permits agencies to develop and solicit from pre-qualified lists of vendors, under prescribed circumstance. When it is decided by an agency to develop a pre-qualified list, criteria for pre-qualification must be clearly explained in the solicitation and notice of the opportunity to pre-qualify for that solicitation must be published in at least five issues of the CR.

Information and qualification questionnaires for inclusion on such list may be obtained directly from the Agency Chief Contracting Officer at each agency, (see Vendor Information Manual). A completed qualification Questionnaire may be submitted to the Chief Contracting Officer at any time, unless otherwise indicated and action (approval or denial) shall be taken by the agency within 90 days from the date of submission. Any denial or revocation of pre-qualified status can be appealed to the Office of Administrative Trials and Hearings, (OATH), Section 3-11 of the Procurement Policy Board Rules describes the criteria for the general use of pre-qualified lists.

NON-MAYORAL ENTITIES

The following agencies are not subject to Procurement Policy Board rules and do not follow all of the above procedures: City University, Department of Education, Metropolitan Transportation Authority, Health & Hospitals Corporation, Housing Authority. Suppliers interested in applying for inclusion on bidders list should contact these entities directly (see Vendor Information Manual) at the addresses given.

PUBLIC ACCESS CENTER

The Public Access Center is available to suppliers and the public as a central source for supplier-related information through on-line computer access. The Center is located at 253 Broadway, 9th floor, in lower Manhattan, and is open Monday through Friday from 10:00 A.M to 3:00 P.M. For information, contact the Mayor's Office of Contract Services at (212) 788-0010.

ATTENTION: NEW YORK CITY MINORITY AND WOMEN OWNED BUSINESS ENTERPRISES

Join the growing number of Minority and Women Owned Business Enterprises (M/WBEs) that are competing for New York City's business. In order to become certified for the program, your company must substantiate that it: (1) is at least fifty-one percent (51%) owned, operated and controlled by a minority or woman and (2) is either located in New York City or has a significant tie to New York City's business community. To obtain a copy of the certification application and to learn more about the program, contact the New York City Department of Small Business Services, 110 William Street, 2nd Floor, New York, New York 10038 (212) 513-6311.

PROMPT PAYMENT

It is the policy of the City of New York to pay its bills promptly. The Procurement Policy Board Rules generally require that the City pay its bills within 30 days after the receipt of a proper invoice. The City now pays interest on all late invoices. The grace period that formerly existed was eliminated on July 1, 2000. However, there are certain types of payments that are not eligible for interest. These are listed in Section 4-06 of the Procurement Policy Board Rules. The Comptroller and OMB determine the interest rate on late payments twice a year, in January and in July.

PROCUREMENT POLICY BOARD RULES

The Rules may also be accessed on the City Website, <http://nyc.gov/selltonyc>

COMMON ABBREVIATIONS USED IN THE CR

The CR contains many abbreviations. Listed below are simple explanations of some of the most common ones appearing in the CR:

- AB Acceptable Brands List
- AC Accelerated Procurement
- AMT Amount of Contract
- BL Bidders List
- CSB Competitive Sealed Bidding (including multi-step)
- CB/PQ CB from Pre-qualified Vendor List
- CP Competitive Sealed Proposal (including multi-step)
- CP/PQ CP from Pre-qualified Vendor List
- CR The City Record newspaper
- DA Date bid/proposal documents available
- DUE Bid/Proposal due date; bid opening date
- EM Emergency Procurement
- IG Intergovernmental Purchasing
- LBE Locally Based Business Enterprise
- M/WBE Minority/Women's Business Enterprise
- NA Negotiated Acquisition
- NOTICE.... Date Intent to Negotiate Notice was published in CR
- OLB..... Award to Other Than Lowest Responsible & Responsive Bidder/Proposer
- PIN..... Procurement Identification Number
- PPB Procurement Policy Board
- PQ Pre-qualified Vendors List
- RS..... Source required by state/federal law or grant
- SCE Service Contract Short-Term Extension
- DP Demonstration Project
- SS Sole Source Procurement
- ST/FED Subject to State &/or Federal requirements

KEY TO METHODS OF SOURCE SELECTION

The Procurement Policy Board (PPB) of the City of New York has by rule defined the appropriate methods of source selection for City procurement and reasons justifying their use. The CR procurement notices of many agencies include an abbreviated reference to the source selection method utilized. The following is a list of those methods and the abbreviations used:

- CSB **Competitive Sealed Bidding** (including multi-step)
Special Case Solicitations / Summary of Circumstances:
- CP **Competitive Sealed Proposal** (including multi-step)
- CP/1 Specifications not sufficiently definite
- CP/2 Judgement required in best interest of City
- CP/3 Testing required to evaluate
- CB/PQ/4
- CP/PQ/4 **CB or CP from Pre-qualified Vendor List/** Advance qualification screening needed
- DP Demonstration Project
- SS **Sole Source Procurement/**only one source
- RS..... Procurement from a Required Source/ST/FED
- NA..... Negotiated Acquisition
For ongoing construction project only:
- NA/8 Compelling programmatic needs

- NA/9 New contractor needed for changed/additional work
- NA/10 Change in scope, essential to solicit one or limited number of contractors
- NA/11 Immediate successor contractor required due to termination/default
For Legal services only:
- NA/12 Specialized legal devices needed; CP not advantageous
- WA **Solicitation Based on Waiver/Summary of Circumstances** (Client Services/BSB or CP only)
- WA1 Prevent loss of sudden outside funding
- WA2 Existing contractor unavailable/immediate need
- WA3 Unsuccessful efforts to contract/need continues
- IG **Intergovernmental Purchasing** (award only)
- IG/F Federal
- IG/S State
- IG/O Other
- EM **Emergency Procurement** (award only) An unforeseen danger to:
- EM/A Life
- EM/B Safety
- EM/C Property
- EM/D A necessary service
- AC **Accelerated Procurement/**markets with significant short-term price fluctuations
- SCE **Service Contract Extension/**insufficient time; necessary service; fair price
Award to Other Than Lowest Responsible & Responsive Bidder or Proposer / Reason (award only)
- OLB/a anti-apartheid preference
- OLB/b local vendor preference
- OLB/c recycled preference
- OLB/d other: (specify)

HOW TO READ CR PROCUREMENT NOTICES

Procurement Notices in the CR are arranged by alphabetically listed Agencies, and within Agency, by Division if any. The notices for each Agency (or Division) are further divided into three subsections: Solicitations, Awards; and Lists & Miscellaneous notices. Each of these subsections separately lists notices pertaining to Goods, Services, or Construction.

Notices of Public Hearings on Contract Awards appear at the end of the Procurement Section. At the end of each Agency (or Division) listing is a paragraph giving the specific address to contact to secure, examine and/or to submit bid or proposal documents, forms, plans, specifications, and other information, as well as where bids will be publicly opened and read. This address should be used for the purpose specified UNLESS a different one is given in the individual notice. In that event, the directions in the individual notice should be followed. The following is a SAMPLE notice and an explanation of the notice format used by the CR.

SAMPLE NOTICE:

POLICE

DEPARTMENT OF YOUTH SERVICES

■ SOLICITATIONS

Services (Other Than Human Services)

BUS SERVICES FOR CITY YOUTH PROGRAM – Competitive Sealed Bids – PIN# 056020000293 – DUE 04-21-03 AT 11:00 A.M.

Use the following address unless otherwise specified in notice, to secure, examine or submit bid/proposal documents, vendor pre-qualification and other forms; specifications/blueprints; other information; and for opening and reading of bids at date and time specified above.
NYPD, Contract Administration Unit, 51 Chambers Street, Room 310, New York, NY 10007. Manuel Cruz (646) 610-5225.

☛ m27-30

ITEM	EXPLANATION
POLICE DEPARTMENT	Name of contracting agency
DEPARTMENT OF YOUTH SERVICES	Name of contracting division
■ SOLICITATIONS	Type of Procurement action
<i>Services (Other Than Human Services)</i>	Category of procurement
BUS SERVICES FOR CITY YOUTH PROGRAM	Short Title
CSB	Method of source selection
PIN # 056020000293	Procurement identification number
DUE 04-21-03 AT 11:00 am	Bid submission due 4-21-03 by 11:00 am; bid opening date/time is the same.
<i>Use the following address unless otherwise specified in notice, to secure, examine-submit bid/proposal documents; etc.</i>	Paragraph at the end of Agency Division listing giving contact information, or submit bid/information and Agency Contact address
	NYPD, Contract Administration Unit 51 Chambers Street, Room 310 New York, NY 10007. Manuel Cruz (646) 610-5225.
☛	Indicates New Ad
m27-30	Date that notice appears in City Record

NUMBERED NOTES

Numbered Notes are Footnotes. If a Numbered Note is referenced in a notice, the note so referenced must be read as part of the notice. **1.** All bid deposits must be by company certified check or money order made payable to Agency or Company.