



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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CHRISTINE BERTHET
Chair

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

Hon. Meenakshi Srinivasan, Chair
Board of Standards and Appeals
40 Rector Street New York, NY 10006

Re: BSA No. 271-07-BZ
Special Permit at 215 West 23rd Street

Dear Ms. Srinivasan,

On the recommendation of its Chelsea Land Use Committee, and after a duly noticed public hearing at the regular Board meeting on February 5, 2014, Manhattan Community Board No. 4 (CB4), by a vote of 32 in favor, 0 opposed, 0 abstaining and 0 present but not eligible, voted to recommend, with the conditions set out below, approval of an application to amend a previous grant by the Board of Standards and Appeals (BSA) for a physical culture establishment (PCE) at 215 West 23rd Street. The application seeks an amendment to allow a change in the operator of the PCE, from the David Barton Gym to Crunch, to extend the term of the previous grant and to extend the time to obtain a Certificate of Occupancy.

In January 2008, after reviewing plans and visiting the site, CB4 recommended approval of a special permit for a PCE in the former McBurney YMCA building on West 23rd Street. The building occupies a through-lot block from West 23rd Street to West 24th Street. The lot is split between a C2-7A district on the West 23rd Street side and an R-8A district on the West 24th Street side. The entrance to, and the bulk of, the facility are located on West 23rd Street in the C2-7A district. On each of the three floors one room extends 22'3" north into the R-8A district, where a PCE is not permitted. The Board recommended approval of a variance that would permit the David Barton Gym to operate in the R8A portion of the site. BSA approved the special permit and the variance on September 16, 2008.

The siting of a PCE in a residential building raises compatibility issues. The David Barton Gym has operated successfully in its space since 2008 without generating complaints from residents or from the community. Based on this and on positive experiences with other Crunch facilities, CB4 believes that Crunch is likely to operate in this space without disturbing residents or the local community. We therefore recommend approval of the application with the following conditions:

- Crunch personnel will conduct a tour of the facility for designated CLU/CB4 members who will conclude that the proposed programming is located so as to minimize the possibility of disturbing building residents and that planned noise mitigation efforts are appropriate;

- Programming will not include potentially disruptive activities such as Olympic style weight lifting, where the weights are permitted to fall from overhead; and
- *[Suggested Alternative: Programming will either not include potentially disruptive activities such as Olympic style weight lifting, where the weights are permitted to fall from overhead, or demonstrate conclusively that they will not disturb building residents; and]*
- If operation of the facility leads to complaints from residents or from the community, Crunch will attend meetings set up by the Board and quickly take any steps necessary to correct the problems leading to the complaints.

Sincerely,



Christine Berthet
Chair



J. Lee Compton
Co-Chair
Chelsea Land Use Committee



Betty Mackintosh
Co-Chair
Chelsea Land Use Committee