

**SUSAN PETERS**

Consulting Party for: New Yorkers For Wired Tech

<https://newyorkers4wiredtech.com/>

**Commenting on Sites within Manhattan Community Board 7 (mCB7)**

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December 26, 2023

Alexis Green  
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**Re: Comments submitted for consideration in the matter of a Section 106 Review for  
Wireless Telecommunications Facility at 715 Columbus Avenue, New York, NY. Site  
name: MN-07-134709\_A (EBI reference #6123007682)**

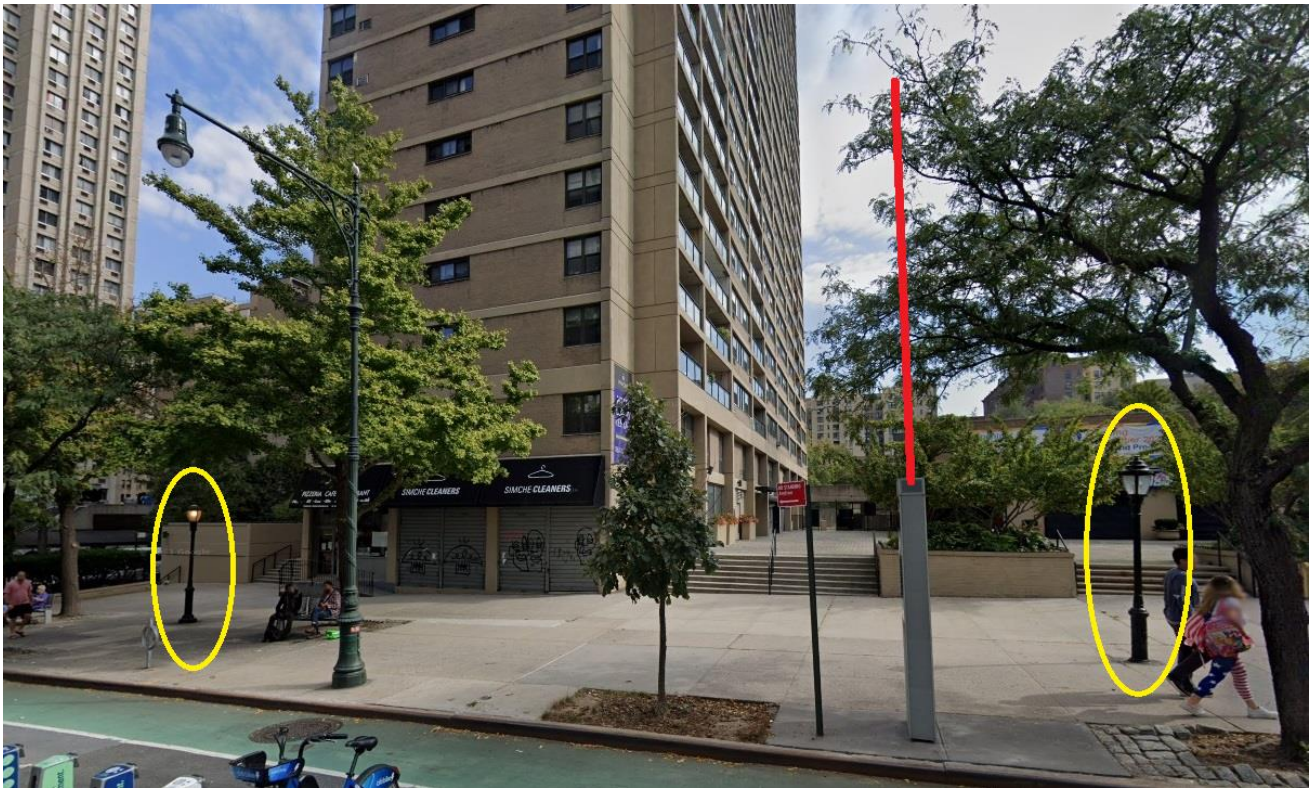
In accordance with instructions contained in your email, I am uploading to the Consulting Document Portal the following comments for the matter referenced above.

**Summary:** The proposed Link5G wireless facility (replacing an existing LinkNYC kiosk) at this site will introduce a massively oversized tower with an ultra-modernistic design that will create “visual adverse effects.” The 32’3” tower will diminish and alter the “setting” (including the landscape) in the “area of potential effects.” As discussed herein, the setting is clearly a character-defining feature of the nearby Upper West Side/Central Park West Historic District (UWS/CPWHD) that makes it eligible for listing on the Federal Register.

These comments will address the following aspects of the applicant’s assessment presented in the Form 620:

1. The applicant inaccurately asserts as sole criteria for determination of “no adverse effect” that Link5G tower must be visible from nearest resource.
2. The applicant disregards the “setting” along Columbus Avenue as a character-defining feature of the adjacent UWS/CPWHD that will be diminished by the Link5G tower.
  - Ornamental streetlight poles were a key element of the setting during period of historical significance - when the 9th Avenue El ran along Columbus Avenue.
3. The Applicant presents a misleading characterization of the current setting and streetscape by omitting any mention of multiple historically accurate reproduction streetlights and lamp posts in the “area of potential effects” (APE).

Each of these points are discussed in detail below.



**Image 1** – Looking east on Columbus Avenue between West 94<sup>th</sup> and West 95<sup>th</sup> Streets. Note the historically accurate Type M reproduction streetlight pole positioned just to the left (north) of existing LinkNYC kiosk (which is the Project Site). The red line indicates the approximate comparative height of the proposed Link5G tower. Also note historically accurate reproduction Type B pedestrian poles just to left of Type M pole and to the right of the kiosk. The proposed tower shaft will be taller than and have greater diameter of both the tree trunks and the existing 27’7” tall Type M pole. (Source: Google Maps, July 2022 when scaffolding not present.)

**1. The Applicant Inaccurately Asserts that Installation Must be Visible from Nearest Resource as Sole Criteria for determination of “No Adverse Effect.”**

Applicant offers as conclusory “Explanation for Effect Determination” on page 49 of the Form 620 (citing photos 9, 10 and 14):

“Due to the intervening development, the Project Site is not visible from this resource. Therefore, the proposed installation will have No Effect.”

But this simplistic – and erroneous – declaration by the applicant completely ignores the language of both the National Programmatic Agreement (NPA) and 36 CFR §805.5 that clearly anticipates “indirect” adverse visual effects.

Specifically, II. Definitions A.3 of the NPA states: (underlining and italics added)

“Area of Potential Effects (“APE”). The geographic area or areas within which an Undertaking may directly or indirectly cause alterations in the character or use of Historic Properties, if any such properties exist.”

There is nothing in the expansive language of NPA VI.C. Area of Potential Effects that limits adverse effects to “line of sight” visibility from the project and the historic resource. In fact, NPA VI.C.3 states: (*Italics and underlining added*)

“3. The APE for visual effects is the geographic area in which the Undertaking has the potential to introduce visual elements that diminish or alter the setting, including the landscape, where the setting is a character-defining feature of a Historic Property that makes it eligible for listing on the National Register.”

### **In high-density urban environments the Streetscape is the Landscape.**

In dense urban areas like central Manhattan the “setting, including the landscape” is the streets, roadways, and sidewalks – and the buildings that line those spaces - within and between eligible resources including individual properties and entire districts.<sup>1 2</sup> Thus, the setting, including the landscape on the Upper West Side of Manhattan *is* the streetscape.<sup>3</sup>

Furthermore, 36 CFR §800.5 (a)(1) specifically requires that the applicant research and apply the “Criteria of Adverse Effect.” These criteria include consideration of **any** diminished integrity of qualifying characteristics around an eligible resource within the radius of potential effects that may be altered directly or indirectly. Those characteristics include location, design, setting, materials, workmanship, feeling, or association.<sup>4</sup>

Unfortunately, the applicant has not presented an analysis that adequately investigates these criteria. And the applicant omits any consideration of the cumulative effects of multiple Link5G towers including the tower proposed 2 blocks north at 741 Columbus Avenue. (MN-07-120527\_A)

The applicant’s determination of “no effect” completely misinterprets the linkages and interrelationships between the Columbus Avenue and the overall setting of the UWS/CPWHD – as an essential component of eligibility for historic designation.

### **2. The applicant disregards setting along Columbus Avenue as a character-defining element of the adjacent Historic District:**

Columbus Avenue, particularly the block between West 94<sup>th</sup> and West 95<sup>th</sup> Streets adjacent to the project site, is easily within the APE of .5 miles for the Upper West Side/Central Park West Historic District. The Landmarks Preservation Commission (LPC) identified the vital and mutually beneficial

<sup>1</sup> Cambridge Dictionary defines setting as “the position of a house or other building” and offers as illustrative example “*their house is in an idyllic country setting*.” Synonyms would include place and surroundings.

<sup>2</sup> Cambridge Dictionary defines the noun landscape as “a large area of land, especially in relation to its appearance”.

<sup>3</sup> Cambridge Dictionary defines the noun streetscape as “the appearance or the design of the streets in a town or city.”

<sup>4</sup> Section 36 Code of Federal Regulations (CFR) § 800.5 “Assessment of adverse effects. (a) (1) **Criteria of adverse effect.** An adverse effect is found when an undertaking may alter, directly or indirectly, any of the characteristics of a historic property that qualify the property for inclusion in the National Register in a manner that would diminish the integrity of the property's location, design, setting, materials, workmanship, feeling, or association. Consideration shall be given to all qualifying characteristics of a historic property, including those that may have been identified subsequent to the original evaluation of the property's eligibility for the National Register. Adverse effects may include reasonably foreseeable effects caused by the undertaking that may occur later in time, be farther removed in distance or be cumulative.”

interconnections between the side streets and the avenues (most specifically Broadway, **Columbus**, and Amsterdam) as character defining elements of the setting (“complex urban area”) of the Upper West Side/Central Park West Historic District.

Page 22 of LPC’s Historic District Designation Report says it best: (italics and underlining added)

“Thus, Central Park West, Broadway, and Columbus and Amsterdam Avenues are linked by side street blocks and several cross streets. All have a rich variety of interrelated buildings which produce a complex urban area constituting a distinct section of the city.”<sup>5</sup>

Page 19 of the LPC Designation Report identifies the essential role of Columbus Avenue to the characteristics of the Historic District, first as a transportation route (the former Elevated Rail Line ran up and down Columbus Avenue - formerly known as Ninth Avenue) and subsequently as a commercial hub: (italics and underlining added)

“The district evokes the distinctive qualities of the Upper West Side, from its powerful iconography of twin towers along Central Park West to its active commerce along Columbus Avenue to its residential side streets. The initial development of the neighborhood reflects a concentrated boom in the city's expansion, supported by transportation improvements on the avenues. Although later construction, particularly in the 1920s and 1930s, replaced some of the original buildings, it has enhanced the vibrant quality of the Upper West Side both socially and architecturally.”<sup>6</sup>

And page 21 of the Designation Report continues with this specific context relating to Columbus Avenue as the distinctive “spine of the district”: (italics and underlining added)

“Columbus Avenue retains a character which reflects its historic nature as a transportation route. It was largely built up with flats and tenements which incorporated commercial storefronts at street level during the same years that rowhouses were being constructed on the side streets. This commercial role has survived to the present, making the avenue a strong spine in the district. Little original storefront fabric survives but stretches of facades of relatively uniform height and scale give the avenue its distinctive character. In some cases, the flats and tenements have been interrupted by twentieth-century apartment buildings, but these buildings also have storefronts at street level which reinforce the avenue’s commercial character.”

### **The Applicant Failed to Provide Context Regarding the Setting**

On page 49 of Form 620, the applicant obliquely identifies “nearest resource” eligible for designation on the Federal Historic Register as the Upper West Side/Central Park West Historic District (LP1647) and refers to Photos 9 and 10 on page 38 and Photo 14 on page 40.

The applicant has provided no contextual explanations of these photos.

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<sup>5</sup>New York City Landmarks Preservation Commission, Upper West Side/Central Park West Designation Report, Vol. 1 Essays and Architects’ Appendix, April 24, 1990, p.22

<sup>6</sup> Vol. 1 Essays and Appendix, April 2, 1990. p.19

Photo 9 is looking east toward Central Park – and the photographer is standing on sidewalk in front of 59 West 94<sup>th</sup> Street, but sadly this building is out of frame. The first fully visible address in Photo 9 is the stone archway of the entrance of 55 West 94<sup>th</sup>. In actuality 59 West 94<sup>th</sup> which is farther west towards the project site is the first contributing building on the north side of that block - as better illustrated in Image 2 below.

Note the presence of brick roadway pavers and the Type B Pedestrian pole marked with a red circle in Image 2 below in front of 53 West 94<sup>th</sup> Street. There are **four** Type B pedestrian poles on West 94<sup>th</sup> Street between Columbus and Central Park West - each nearly identical to the Type B directly adjacent to the Project Site. (As we discuss in detail below, none of the historically accurate streetlights or lampposts that form an important part of the setting are mentioned in the narrative provided by the applicant.)



**Image 2** - Looking east on West 94th Street between Columbus and Central Park West. Note the Type B Pedestrian pole (indicated by red oval) on sidewalk and the brick road pavers in front of 53 West 94th street.

In Photo 10 on page 38 of the Form 620 the photographer has walked across (to the south side of) the street and is standing near 54 West 94<sup>th</sup> Street and is looking westward towards Columbus Avenue. Here, again, an important feature of the overall setting has been cropped from the picture – another decorative lamppost very similar to the one mentioned above in front of 53 West 94<sup>th</sup> Street. This Type B can be seen in Image 3 below where the frame is turned just to the left (westward) from angle shown in Photo 10 as provided by applicant in Form 620.



**Image 3-** Looking south at another Type B Pedestrian pole, this one in front of 54 West 94th Street. There are a total of four Type B poles on the West 94<sup>th</sup> Street between Central Park West and Columbus Avenue. Type B poles are also in front of 24 West 94<sup>th</sup>, 25 West 94<sup>th</sup>, 53 West 94<sup>th</sup> and 54 West 94<sup>th</sup>. All four of these poles are INSIDE the UWS/CPWHD. These Type B poles are all similar to poles next to Project Site - just around the corner on Columbus Avenue. (Source: Google Maps)

It is also worth mentioning that 54 West 94<sup>th</sup> is the nearest eligible property in the Historic District to the Project Site on the southside of West 94<sup>th</sup> Street.

Regrettably, the applicant has not bothered to show photos of West 95<sup>th</sup> Street, which is also within the APE. Image 4 is looking eastward toward 46 West 95<sup>th</sup> Street, an apartment building completed in 1923. It is the nearest eligible property on this block to the Project Site. And once again the applicant neglected to mention the presence of a historically accurate reproduction Bishops Crook streetlight within the APE on this adjacent side street. That Bishops Crook ornamental pole makes a very important contribution to the streetscape setting. In this case, this is one of **two** “Bishops Crook” (Type 6-BC) poles on West 95<sup>th</sup> St. between Columbus and Central Park West. (The second Bishops Crook is in front of 22 West 95<sup>th</sup>. The importance of the Bishops Crook (like the Type M and Type B poles) to the Upper West Side is explained below.



**Image 4** – Looking east at 46 West 95th Street between Central Park West and Columbus Avenue showing one of two Bishops Crook poles on this block.

Thus, insertion of a 32'3" ultra-modern design, stainless steel wireless tower on Columbus Avenue will dramatically diminish the setting as a character defining feature of the area adjacent to the nearby (and interconnected) Upper West Side/Central Park West Historic District and individual historic resources. It is essential to take a brief look at the evolution of the setting around the Project Site.

## The Legacy of the 9<sup>th</sup> Avenue Elevated Railway Line:



**Image 5** - Looking east towards 9th Avenue Elevated Station at West 93rd Street circa 1939. The El covered the entire width of the roadway along Columbus Avenue. The photo was taken shortly before El was demolished. Trees of Central Park are somewhat visible (under tracks) in distance. (Source: NYPL Collections)

Christopher Gray in the Spring 1996 issue of LandmarkWest! Newsletter, explained that without Columbus Avenue, there would have been no Upper West Side:<sup>7</sup> (italics and underlining added)

“...historically, Columbus is the West Side’s most important street. The completion of Central Park in 1871 sparked very little construction on the west side – it was the completion of the clanking Elevated line up Columbus in the late 1870s that sparked the first serious development, from the Dakota on up. Today the towers on Central Park West have all but obscured Columbus’ position as the *essential spine of the west side* – how much more fitting if the great landmark area which encompasses it could have been titled the Columbus Avenue Historic District.”<sup>8</sup>

The Ninth Avenue Elevated (or simply “The El”) was a dual track rail line built along overhead steel cross girders that ran directly above what is now known as Columbus Avenue from West 59<sup>th</sup> Street to

<sup>7</sup> Christopher Gray’s article is included in entirety as part of Attachment 1

<sup>8</sup> Christopher Gray, LandmarkWest! Newsletter, Committee to Preserve the Upper West Side, Spring 1996, p.9



West 110<sup>th</sup> Street from 1879 until 1940.<sup>9</sup> The line was electrified in 1903 replacing steam powered engines. The nearest station along Columbus Avenue was at West 93<sup>rd</sup> Street. (See Image 5 above.)

**Ornamental Streetlight Poles were Installed along 9th Avenue (now Columbus Avenue) Elevated Railroad (“The El”) during the period of historical significance:**

While the El was dismantled in 1940, many Bishops Crook streetlights remained in operation along Columbus Avenue for another 25+ years until the mid-1960’s, when they were replaced by “modern” standard street lighting. Those Bishops Crook streetlights were a very important element of the historic streetscape.

Bishops Crook streetlights (Design Type 6-BC) were installed on Columbus between West 59th and West 110th Streets because the entire center of the roadway was filled with elevated railway structure. The narrower Bishops Crook streetlights were principally installed at intersections along Columbus to illuminate sidewalks and store fronts.

The narrow Bishops Crook design was installed throughout Manhattan beginning in the early 1900’s and typically mounted on a tubular steel shaft with ornamental base. (See Image 6 below.) The Type 6-BC streetlights were particularly well suited to situations where width of sidewalks is restricted and with a special bracket under Elevated Structures.<sup>10</sup>

Those unimpressive “modern” standard streetlights were fortunately only temporary and stood on Upper West Side sections of Columbus Avenue for a span of 30+ years until the mid to late 1990s...

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<sup>9</sup> The elevated line was dismantled and much of the steel was sold to Japan. Bloomingdale Neighborhood History Group: <https://www.upperwestsidehistory.org/blogs/the-ninth-avenue-el>

<sup>10</sup> HISTORIC STREET LAMPPOSTS, Boroughs of the Bronx, Brooklyn, Manhattan, and Queens. Designation List 282, LP-1961, Landmarks Preservation Commission, June 17, 1997; page 31



**Image 6** – Looking north up Columbus Avenue at W. 83rd Street circa mid-1940s. Two Bishop's Crook poles on opposite sides of intersection are highlighted with red circles. (Source: NYPL Archives)

### **The Reconstruction of Columbus Avenue:**

Then, beginning in 1994, the City undertook a massive reconstruction of Columbus Avenue between West 59th to West 110<sup>th</sup> Streets including both infrastructure and vegetation that *continues to have* a huge positive impact upon the setting, association and feeling of the adjacent UWS/CPWHD.

The \$75 million project involved the total reconstruction of 2.4 miles of roadway and adjoining sidewalks including much needed repairs to underground sewers, some sections of which dated to 1830. Most significant the Columbia Avenue reconstruction element - in regard to the comments presented here – were the planting of 375 new trees and “*reintroduction* of historic, early twentieth century cast iron lampposts.”<sup>11</sup> (Also see the entire article in Attachment 1)

### **The Historical Significance of Reproduction Type-M Poles:**

In 1997, the Landmarks Preservation Commission published a detailed study as part of the designation of multiple original and surviving lamp posts throughout the five boroughs.

<sup>11</sup> John C.H. Lee, “**Columbus Avenue: Spine of the West Side,**” LandmarkWest! Newsletter, Committee to Preserve the Upper West Side, Spring 1996, p.8

The Type 24M (now known simply as the Type M) was described as follows:

“A simplified descendant of the mast arm post first used as part of the "Boulevard" lighting system (fig. 21). The base and shaft match the 24A bishop's crook. Two designs of scrollwork between the arm and shaft were used. This is the closest old model of mast arm post to those now being reproduced. The reproductions incorporate the garland on the shaft and the newer style of scrollwork.”<sup>12</sup>

According to the New York City Street Design Manual:

“The Type M pole, originally known as the Mast-Arm post, was introduced in 1908 for wide streets at corners on Broadway north of Columbus Circle and on Seventh Avenue north of Central Park. Bracket versions of the Mast-Arm were also attached to the facades of buildings. The reproduction of the Mast-Arm was introduced in the late twentieth century as the Type M pole.”<sup>13</sup>

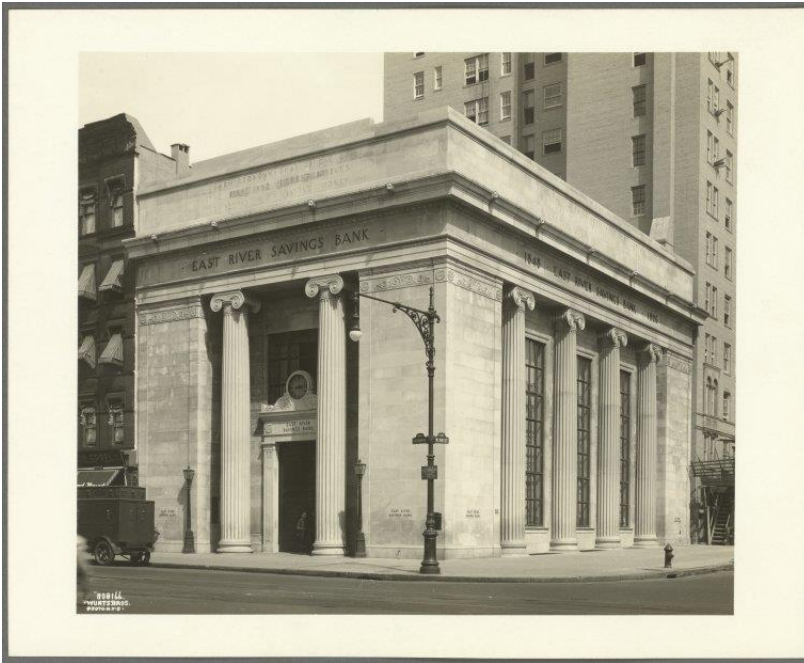


Also, according to the NYCDOT, Type M poles are found on streets with roadway width of 36 feet or more but could **not** be placed on Columbus Avenue in the early 1900s because of the Elevated railway!

So, the fact is that both NYC DOT and the Public Design Commission as part of the reconstruction of Columbus Avenue took special measures to recreate a unique setting and feeling by the re-introduction of Type-M ornamental pole infrastructure along Columbus Avenue from West 59<sup>th</sup> to West 110<sup>th</sup> Streets. (While the standard paint color for the Type-M iron pole is black, the poles along Broadway are painted deep green.)

<sup>12</sup> HISTORIC STREET LAMPPOSTS, Boroughs of the Bronx, Brooklyn, Manhattan, and Queens. Designation List 282, LP-1961, Landmarks Preservation Commission, June 17, 1997; page 7 (That Lampposts designation report also specifically mentions on page 6 “Type 24-M posts are also being reproduced and have been installed...on **Columbus Avenue**...”)

<sup>13</sup>Street Design Manual, New York City Department of Transportation 2020 Third Edition, page 165



**Image 7** - Intersection of 96th St and Amsterdam Ave. circa 1920, looking east toward East River Savings Bank building. (Approx 1000' from project site.) Note the Type – M pole which, regrettably, was subsequently removed and replaced with “modern” standard streetlight. (Source: Wurts Bros. Negative #808166. NYPL.)

**3. The Applicant Presents a Misleading Characterization of the Setting and the Streetscape by omitting mention of historically accurate reproduction streetlights and lampposts in the APE:**

The narrative description in the Form 620 “Site Information” as submitted by the applicant makes no mention of historically accurate streetlights and lamppost, which states on page 47:

“The project site, located at 715 Columbus Avenue, New York, New York County, NY, is situated within a mixed-use commercial and residential urban neighborhood. Development within the visual APE largely consists of mid-20<sup>th</sup> century residential high rises lining Columbus Avenue, with neighborhoods of late 19<sup>th</sup> century row houses and tenements on the side streets to the east and the west. Commercial tenants occupy many ground floor spaces along Columbus Avenue. Streets are arranged in a grid, topography is gently hilly, and mature trees are located at intervals along the streets.

The project site consists of an approximately 5-foot by 5-foot area of concrete on concrete sidewalk on the east side of Columbus Avenue within the right of way. A sidewalk kiosk with electronic screens currently exists at the Project Site.”

But this bland characterization fails to paint a complete and realistic picture of the actual setting.

Photo 1 on page 34 of the Form 620 is the **only** photo provided by applicant of Type M poles on Columbus Avenue between West 94<sup>th</sup> and West 95<sup>th</sup> Streets. The almost total omission of Type M poles in the applicants submission is a remarkable feat of selective photo curation. Because there is a total of **five** Type M poles on Columbus Avenue between the intersections of West 94<sup>th</sup> and West 95<sup>th</sup> Streets south and north of the Project Site. (The applicant’s Photo 1 is looking north on the east side

of Columbus Avenue with a red arrow marking Project Site, but there is no explanation regarding the ornamental streetlight and luminaire hanging over the roadway.)

Image 8 below better illustrates the significance of these Type M poles to the setting.



**Image 8** – Looking south on Columbus Avenue towards intersection of West 94th Street. Two of the five Type M poles on the block between West 94<sup>th</sup> and West 95<sup>th</sup> are indicated by green arrows. The existing LinkNYC kiosk at the project site is shown with a red arrow. An additional green painted Type M is inside tree line at southeast corner near center of frame. (Source Google Maps: May 2019, when scaffolding was not present.)

The applicant’s apparent lack of intellectual curiosity regarding the presence of these unique and distinctive streetlights (and how they came to be on Columbus Avenue between West 59<sup>th</sup> and 110<sup>th</sup> Streets) is perplexing, to say the least. Evidence of this is the complete omission of any narrative mentions of historically accurate utility architecture contained in the Form 620 submission to the NYSHPO.

As explained above, the City, since the late 1990’s, has made significant investments in designing an integrated and attractive streetscape with high quality, historically accurate “boulevard” lighting and lush vegetation that associates Columbus Avenue as the principal commercial gateway to the Upper West Side/Central Park West Historic District.

A walking survey of Columbus Avenue between West 88<sup>th</sup> and West 110<sup>th</sup> Streets identified no fewer than 70 Type M poles as indicated on the map (Image 9) below. Clearly, both the DOT and PDC have sought to create a parklike streetscape/setting in this area with historically accurate lighting elements and ample vegetation to better connect with designated and eligible historic district and resources within the APE.<sup>14</sup>

<sup>14</sup> Additional archival information has been requested from the NYC Public Design Commission regarding the Columbus Avenue Reconstruction project and may be submitted to NYSHPO as an addendum, when available.

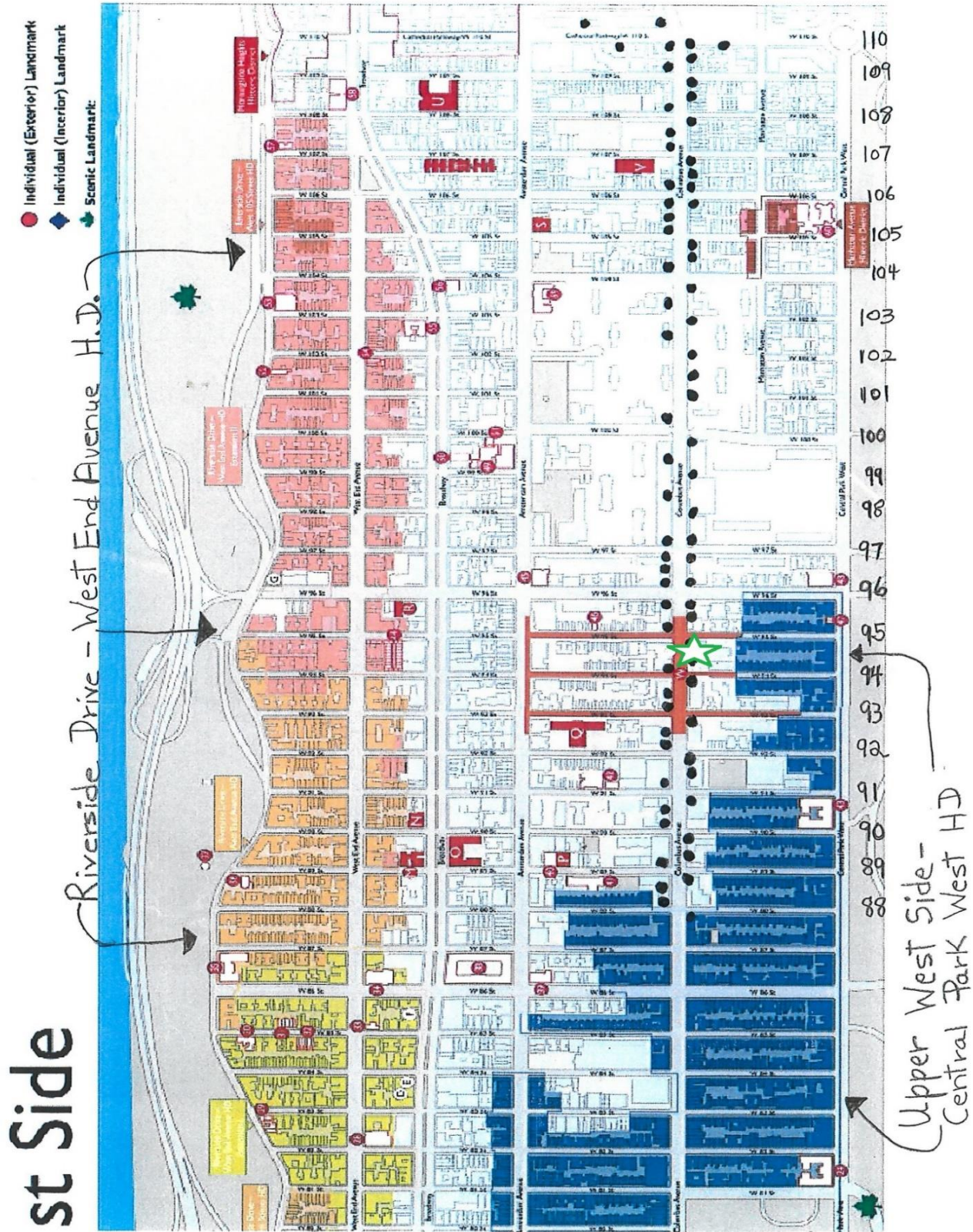


Image 9 – Map of Upper West Side showing 70 Type M streetlight poles along Columbus Avenue between West 88<sup>th</sup> and West 110<sup>th</sup>. The green star indicates the approximate location of the Project Site.

**Historical Significance of Type B Pedestrian Pole:**

As mentioned above, NYC DOT apparently took additional steps as part of the reconstruction of Columbus Avenue by also installing historically accurate reproduction pedestrian lighting. As mentioned above, there are two distinctive Type B Pedestrian poles sited mid-block just a few yards from the proposed Project Site as shown in Image 1 above. (Two more Type B poles are located across the street in front of the Walgreens and the Post Office store fronts at 700 Columbus Avenue.) As the map shows in Image 10 below, these four lampposts are part of more than 15 such Type B lampposts placed on Columbus Avenue sidewalks between West 90<sup>th</sup> and West 97<sup>th</sup> Streets. Once again, these Type B poles, like the Type M's, represent major undertakings by NYC DOT to improve the feeling and association of the setting within the APE of the Upper West Side/Central Park West Historic District.

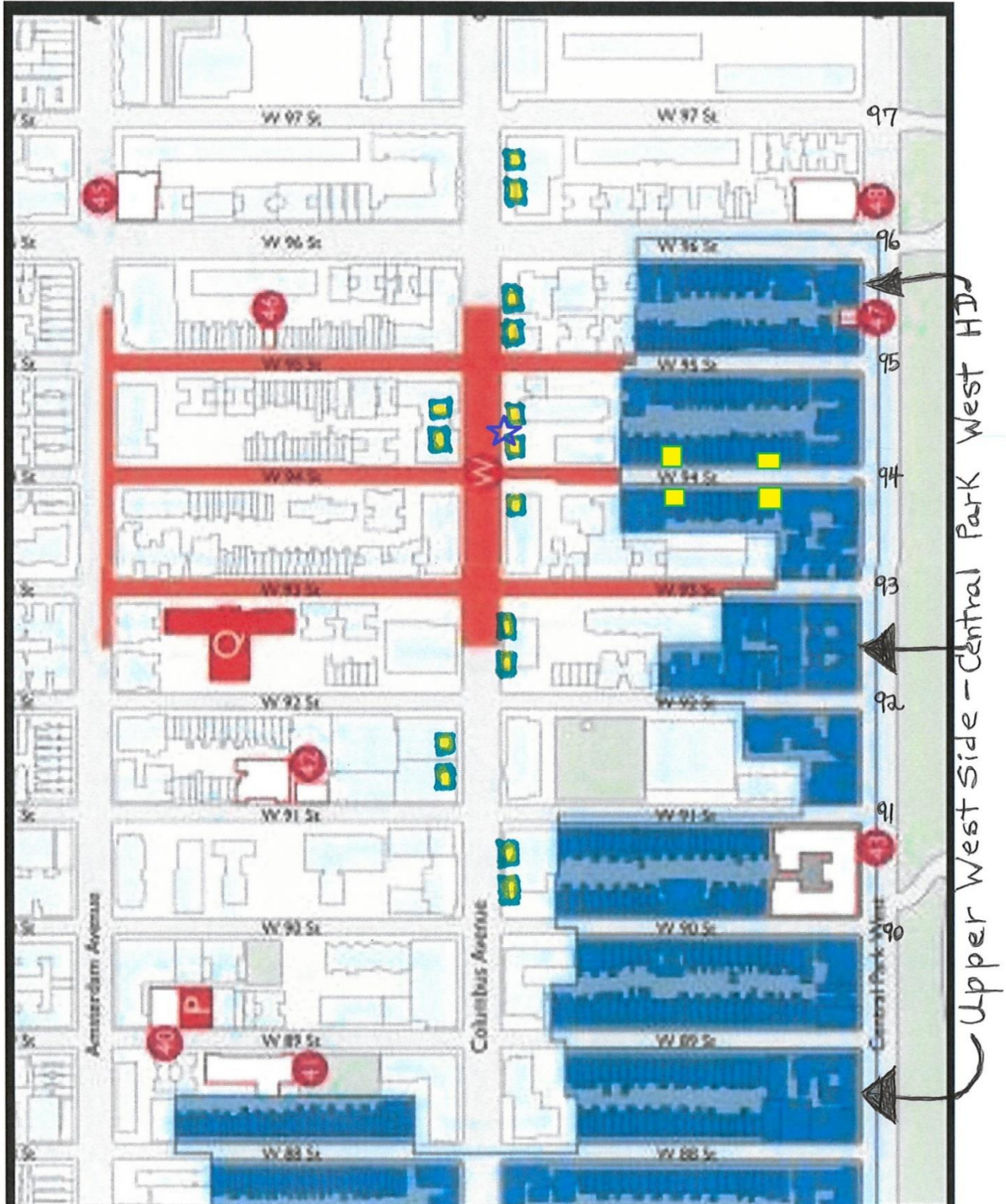
According to the New York City Street Design Manual:

“The Type B pedestrian light was originally introduced in 1911 by designer Henry Bacon for the Central Park Mall and later installed in other city parks. The current version of the Type B pole was developed in the late twentieth century and offers a more traditional design for pedestrian areas such as parks and plazas.”<sup>15</sup>

The applicant shows a photo of the historically accurate reproduction Type B (Pedestrian) pole in Photo 5 on page 36 of Form 620. But inexplicably the applicant offers no narrative to identify this Type B luminaire, pole, and base. (Photo 6 in the Form 620 also shows the Type B but the entire lamppost is almost totally obscured by scaffolding.)

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<sup>15</sup> Street Design Manual, New York City Department of Transportation 2020 Third Edition  
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**Image 10** – Map of Type B Pedestrian poles (marked as blue and yellow squares) on sidewalks of Columbus Avenue between West 90<sup>th</sup> and West 97<sup>th</sup> Street. The approximate location of Project Site is marked with green star. Note that four additional existing Type B lampposts are located on West 94<sup>th</sup> Street between West 94<sup>th</sup> Street INSIDE the UWS/CPWHD - just around the corner from the Project Site.



### The Applicant may NOT unilaterally reduce the area of potential effects (APE):

As a final note, the applicant refers to supposed “consultations” with the FCC that have determined “a 500-foot radius around the project site is an appropriate APE-VE for the *vast majority* of the CityBridge Link5G sites.” (italics and underlining added)

However, the applicant conveniently omits any supporting documentation to explain when and with whom at the FCC those consultations might have occurred. Nor does the applicant provide verification as to whether the individuals supposedly consulted at the FCC have any authorization or credentials to offer such guidance.

In language that appears to be standard boilerplate and has been submitted on multiple Form 620s for various CityBridge/Boldin Networks undertakings, the applicant (see Describe the APE commentary “b.” on page 48) paraphrases Section VI.C.1-5 from Appendix C to Part 1 — *Nationwide Programmatic Agreement Regarding the Section 106 National Historic Preservation Act Review Process* as published in September 2004.<sup>16</sup>

Most specifically, the applicant also references this excerpt from VI.C.5: (bold and italics added)

...“in the event that the Applicant determines, or the SHPO/THPO recommends, that an alternative APE for visual effects is necessary, the Applicant **and** the SHPO/THPO **may** mutually agree to an alternative APE.”

It is appropriate to remind the New York State Historic Preservation Office that VI.C.4. of the NPA grants exclusive authority to NYSHPO (not the FCC) for consultations about any changes to the APE, and VI.C.5 obligates NYSHPO to mutually agree to any changes in the dimensions of the APE prior to such reduction in the APE taking effect. Neither determinations by the FCC nor unilateral APE boundary adjustments by the applicant is allowed by the NPA as amended.

It is entirely unknown if such reductions of the APE for this or any other CityBridge/Boldin Networks undertakings in NYC have been agreed to and announced by NYSHPO. So, in the case of this undertaking at least, the .5-mile APE radius stands.

### Conclusions

Accordingly, as a consulting party, I strongly disagree with and object to the mostly unsupported assertions and findings of the applicant, which have failed to consider **all** the direct and indirect effects that the proposed tower will have upon the setting **within entirety of the APE**, but most particularly including Columbus Avenue between West 94<sup>th</sup> and West 95<sup>th</sup> Streets.

This proposed Link5G tower will introduce dominant, out of context and ultra-modernistic streetscape architecture that creates “visual adverse effects” by altering and diminishing the feeling and association of a carefully reconstructed setting in the APE. That setting includes historically accurate

<sup>16</sup> <https://www.ecfr.gov/current/title-47/part-1/appendix-Appendix%20C%20to%20Part%201>

streetlamps, pedestrian lampposts, and extra vegetation, where the setting contributes to the significance of the adjacent Upper West Side/Central Park West Historic District.

I urge NYSHPO to conclude that this proposed undertaking will result in an “**adverse visual effect**”.

In closing, I greatly appreciate the opportunity to submit comments. I sincerely appreciate the consideration of NYSHPO and all consulting parties in this matter and extend my thanks to EBI for coordination of this process. I welcome comments or questions.

Respectfully submitted,

Susan Peters

Consulting Party for: New Yorkers For Wired Tech

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**Commenting on Sites within Manhattan Community Board 7 (mCB7)**

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## Attachment 1



## Columbus Avenue: Spine of the West Side

by John C. H. Lee

Colorful Columbus Avenue, once the site of the noisy Ninth Avenue El (1879-1940), is preparing for the largest reconstruction project to be undertaken to date by New York City's Department of Transportation (DOT). Beginning late this summer, the \$75 million project will consist of the total reconstruction of the roadway and sidewalks of Columbus between 59th and 110th Streets (2.4 miles). It is anticipated that the project will take approximately two years to complete. When the reconstruction begins in earnest (either September or October), traffic flow will be diverted to Broadway.

The project will also include work on the sewers and most of the three water mains located beneath the avenue. No major work has been done on Columbus Avenue since the 1950s, though the avenue has one of the oldest water lines in New York (some sections dating back to 1830).

The question on the minds of most Upper West Side residents already bracing themselves for the worst is: How long is it really going to take? Will Columbus Avenue experience the delays of the DOT's Avenue of the Americas job which lagged more than two years behind schedule?

Fortunately, one of the most positive, enduring results of the project will be the replacement of the street lights and street signs lining Columbus Avenue. Where appropriate, the street signs will indicate the Upper West Side/Central Park West Historic District, and will be colored a distinctive terra cotta, black, and white. 375 new trees will also be planted along

Columbus. When the project nears completion, the avenue will see the arrival of granite curbing, tinted concrete sidewalks in a "cool gray" color in landmarked areas, and the reintroduction of historic, early twentieth-century cast iron lampposts (see illustration).

*John C. H. Lee is attending Columbia University's Historic Preservation program and is a member of the LANDMARK WEST! Certificate of Appropriateness Committee.*

### Christopher on Columbus:

"Despite the burp of flashy stores that swept over Columbus Avenue in the 1980s, it is still an afterthought avenue, without the weight of Central Park West, West End, Riverside or even funky Broadway. This is all backwards because, historically, Columbus is the West Side's most important street. The completion of Central Park in 1871 sparked very little construction on the west side – it was the completion of the clanking Elevated line up Columbus in the late 1870s that sparked the first serious development, from the Dakota on up. Today the towers on Central Park West have all but obscured Columbus' position as the essential spine of the west side – how much more fitting if the great landmark area which encompasses it could have been titled the Columbus Avenue Historic District."

*Christopher Gray was once a West Sider.*