



April 5, 2012

Hon. Robert LiMandri
Commissioner
Department of Buildings
280 Broadway, 7th Floor
New York, NY 10007

RE: Chelsea Hotel, 222 West 23rd Street, New York, NY 10011

Dear Commissioner LiMandri:

Thank you for auditing the permits associated with the Chelsea Hotel. Such oversight is essential to ensure that the work conducted at this building complies with all regulations and is safe for the building's remaining tenants. As the New York City Department of Buildings (DOB) conducts this audit, we wish to call attention to a number of issues related to permits associated with job numbers 120853754, 129073642, 120801123, 120929406 and 120972297. These include: a possible inaccurate characterization of the zoned Floor Area Ratio (FAR), changes in egress, asbestos abatement requirements which may not be met, and inadequate maintenance of gas lines in the unoccupied units.

Job Number 120853754, which is pending/disapproved by DOB, requests a change in the means of egress, changes the number of dwelling units in a rent stabilized building, and requests a change in use. The Chelsea Hotel Tenants' Association states that the PW1 form, dated October 12, 2011, indicates that the additional FAR could exceed the zoned FAR for this building. According to the tenants, the drawings filed with DOB show that previously unoccupied space will now be used when the landlord completes the interior work. This PW1 also provides that the altered building would be a transient hotel even though the landlord recognizes in section 26 of the aforementioned form that there are rent stabilized tenants in the building. The tenants' attorney claims that the building must be categorized as an Apartment Hotel because the tenants residing at the hotel are not transitory. Furthermore, the filed PW1 mentions that the scope of work requires an asbestos abatement.

The second PW1, dated October 25, 2011, lists the same job number as the first PW1 but has a different job description. The job description claims that the applicant will "[i]nstall structural work as shown in drawings," but nothing is listed in changes for zoning characteristics, asbestos abatement compliance, whether there are tenants living in the building and whether the building is rent stabilized.

Job Number 129073642, a subsequent permit filed with the DOB, is a professionally certified application and is filed in conjunction with an alteration type 1 permit listed under Job Number 120853754. Significantly, Job Number 120853754 was disapproved by DOB.

Job Number 129073642 seeks to replace the existing staircase with new structural framing and install a new structural framing for an elevator shaft as well as a new elevator. The job description states that

there will be no change in use, egress, or occupancy. The tenants' attorney believes that there is a change of egress since the owner is modifying an existing staircase by altering its orientation from east to west and from north to south in addition to expanding its size. Furthermore, there are concerns that in order for the new staircase and elevator work to be completed, the applicant may have to encroach on both transient and permanent living space. In addition, the PW1 for this job number improperly indicates that no asbestos abatement is needed.

Job Number 120929406 seeks to renovate existing rooms as shown in its drawings. It was filed with DOB on December 23, 2011 and was disapproved on January 13, 2012. The tenants' attorney claims that this permit appears to be almost identical to Job Number 120972297 (which was self-certified and approved) and submitted copies of paperwork to substantiate that claim. In addition, the PW1 form for Job Number 120972297 improperly indicates that no asbestos abatement needed.

Our offices have received complaints by tenants concerning asbestos. In January 2012, inspection reports from the New York City Department of Environmental Protection (DEP) revealed unsafe levels of asbestos in an airshaft. It is our understanding that the airshaft provides ventilation to a number of dwelling units. In addition, on November 14, 2011, DEP issued a stop work order and a number of notices of violation were issued for improper asbestos removal on the fifth floor of the premises.

The tenants' attorney also expressed a concern about Job Number 120801123 because the work performed under this permit included removal of gas stoves, and tenants are concerned that gas pipes were improperly capped, which could lead to a gas leak. It is our understanding that the removal, alteration, or capping of gas lines requires a plumbing permit. We do not believe that a plumbing permit for alteration of gas lines has been issued.

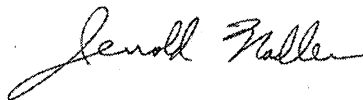
There are far too many questions about the permits filed with the DOB for work at this location. The safety of the tenants during the ongoing renovations is of the utmost concern. As such, we are requesting that as your agency audits the above mentioned plans and associated job numbers, it keeps the issues that we raised in mind.

Thank you for taking the time to review this important matter. We ask DOB to notify us of any changes to the permits after the audit. Should you have any questions, please contact Jose Conde at Speaker Quinn's District Office at 212-564-7757.

Sincerely,



Christine C. Quinn
NYC Council Speaker



Jerrold Nadler
Member of Congress



Scott M. Stringer
Manhattan Borough President



Thomas K. Duane
State Senator



Richard N. Gottfried
Assembly Member