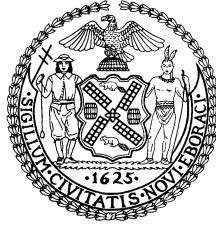


Alida Camp
Chair

Will Brightbill
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The City of New York
Community Board 8 Manhattan
Transportation Committee Meeting
Wednesday November 4, 2020 - 6:30PM
This meeting was conducted remotely via Zoom

Minutes

Present: Elizabeth Ashby, Michele Birnbaum, Lori Bores, Alida Camp, Rebecca Dangoor, Felice Farber, Billy Freeland, Craig Lader, Rebecca Lamorte, May Malik, Rita Popper, Barbara Rudder, Barry Schneider, Tricia Shimamura, Cos Spagnoletti, Russell Squire, Marco Tamayo, Elaine Walsh, Charles Warren, Shari Weiner, Peter Borock (public member)

Absent (Excused): Valerie Mason, Jordan Wouk (public member)

The meeting was called to order at 6:32 PM.

Item 1: Open Storefronts Program*

Item 2: Updates and discussion on the Open Restaurants and Open Street Programs*

* Joint Items with Small Business, Street Life, and Zoning & Development Committees

NYCDOT Deputy Borough Commissioner Jennifer Sta. Ines, NYCDOT Director of Public Space Emily Weidenhof, and DSNY Community Coordinator Marissa Yanni provided an overview of the Open Storefronts Program and answered questions regarding the Open Restaurants and Open Streets Programs.

Open Storefronts is a Covid-19 recovery program allowing ground floor storefront businesses to temporarily conduct retail activity on sidewalks. Open Storefronts also allows activity to take place on the curbsides of streets participating in the Open Streets Restaurants Program (which currently is not in place within Community District 8). Businesses may use up to 5' of sidewalk, as long as an 8' clear path is maintained. The hours of Open Storefronts emulate those of open restaurants. NYCDOT is working in tandem with the NYC's Small Business Services, Department of Sanitation, Department of Buildings, the Economic Development Corporation, and the Mayor's Office of Nightlife. The program is currently slated to be in place through December 31st. NYCDOT is administering the program application process, which is available on their website. Businesses can self-certify that they are meeting the requirements of the program.

On a citywide basis, NYCDOT reports that Open Restaurants has been received very positively by NYC residents. Over 10,000 restaurants are currently participating; relatively few complaints regarding how the program was implemented and feedback has been received requesting expansion of the program. It has recently been announced, that the Open Restaurants program will become permanent. City agencies are currently working to establish guidelines and policies that will account for lessons learned and community concerns. Details have yet to be developed, and there is the expectation that the permanent program will

look different from the program that is currently operating. Open Restaurant policies and guidelines will be developed for the permanent program to account for other factors that impact street life and street operations (i.e. bike lanes, parking, deliveries, loading/unloading, and other critical uses) and maintaining an appropriate balance among street uses. NYCDOT will be returning to Community Boards once permanent program details are being established; a member requested that Community Boards be able to provide feedback during the development stage to inform the process.

Multiple members expressed concern regarding zoning regulations being superseded. The expectation is that the suspension of zoning to support Open Restaurants will be temporary; the Department of City Planning has been a partner in designing the Open Restaurants program and will be involved in any discussions related to zoning as the permanent program's guidelines are developed. A request was made to include the Zoning and Development Committee in future discussions of the program as it relates to zoning impacts.

In addition to the discussion regarding the permanency of Open Restaurants, the following information and responses were provided by the participating agencies to address other comments and concerns raised by meeting participants:

- Heating guidelines have been announced for the Open Restaurants program as colder weather arrives. Electric heaters are permitted; propane heaters are only permitted on sidewalk spaces, not on streets.
- NYCEDC has been working to connect designers with restaurants to build out Open Restaurant structures and amenities.
- Health and safety policies of the Open Restaurants program follow New York State guidelines, including the definition of open-air structures; In order to be considered "outdoor dining", the seating area must have 50% or two sides unenclosed. If this standard is not met, the space is considered "indoor dining" and must adhere to the 25% seating capacity limits applicable to indoor dining.
- The Office of Nightlife will assist with mediation in any instance where both retail and restaurant businesses wish to use their shared sidewalk space.
- NYCDOT reserves the right to remove temporary restaurant infrastructure to accommodate roadwork, utility repairs, inclement weather, and other needs.
- As per the Mayor's Executive Order, pre-pandemic sidewalk café rules and previously agreed-upon hours of operation have been suspended. The Executive order requires outdoor seating to end no later than 11PM (Note: As of 11/13, closing time for all restaurants is 10PM in accordance with Covid-19 stop the spread measures).
- DSNY has received some complaints regarding accumulation of garbage near open restaurants; DSNY doesn't pick up commercial waste, and thus it is incumbent on the businesses to address garbage issues promptly and to try to bring garbage slated for collection by commercial carters as close to their scheduled pick-up times as possible.
- Open restaurants and Open Storefronts can be suspended in Covid-19 "hot zones". Since any participating business must register with NYCDOT, they have contact information to inform restaurants if any rollbacks are necessary.
- In response to a comment regarding the prevalence of scaffoldings and their impacts on the ability for certain restaurants to benefit from Open Restaurants and Storefronts, NYCDOT noted that they are aware of the issue and sensitive to the matter.
- There is no fee assessed for restaurants to apply to participate in the Open Restaurants program. A member noted that there are many restaurants that have had to pay fees to operate sidewalk cafes, and requested such restaurants be reimbursed for those fees. NYSDOT said they would look into this matter.

- NYCDOT has worked with the New York State Liquor Authority regarding rules pertaining to the serving of alcohol for restaurants operating on sidewalks or in the street under the Open Restaurants program.
- NYCDOT has inspectors who ensure that guidelines and siting requirements are being followed.
- Any restaurant that goes out of business is responsible for removing their open restaurant furniture; NYCDOT should be informed of specific businesses that fail to do so.
- DSNY, the Department of Buildings and NYCDOT are coordinating to issue updates regarding winter operations during times where snow removal is necessary; maintaining safety and preventing snowbanks that may impact visibility of pedestrians is paramount. If there is a snowstorm, restaurants will be asked to assist and remove their outdoor dining furniture and structures if a snow alert is issued and to be vigilant about shoveling snow. DSNY is assessing whether snow removal routes need to be adjusted to account for the presence of open restaurants.

Item 3: Updates from the New York City Department of Transportation

There were no updates provided other than those related to Open Restaurants and Open Storefronts.

Item 4: Old Business

A group of residents living in the lower 60s expressed their frustrations and issues with the new temporary bike lanes installed on East 61st and 62nd Streets. They described increased traffic congestion along the corridors and especially near the Queensboro Bridge, along with parking challenges, reduced access to buildings for passenger pick-ups and drop-offs, safety concerns and overall deterioration of quality of life. The minimal amount of advance notice of implementation and lack of engagement with local stakeholders was also noted, with the exception of the July 2020 presentation to CB8M. NYCDOT recognizes the existence of these issues, and are considering modifications to the bike lanes near the Queensboro Bridge as further planning occurs in anticipation for permanent crosstown bike lanes in the lower East 60s. The Committee indicated it would look further at this issue and work with the Community to see that their concerns are taken into account.

Item 5: New Business

In response to a community request, the Transportation Committee will be discussing improvements to the Roosevelt Island Bridge to improve safety for cyclists that face slippery surface conditions.

There being no further business, the meeting was adjourned at 9:00PM.

Respectfully submitted, Charles Warren & Craig Lader, Co-Chairs.