

Russell Squire
Chair

Will Brightbill
District Manager



505 Park Avenue, Suite 620
New York, N.Y. 10022-1106
(212) 758-4340
(212) 758-4616 (Fax)
www.cb8m.com – Website
info@cb8m.com – E-Mail

The City of New York
Community Board 8 Manhattan
Transportation Committee
Wednesday May 5, 2021, 6:30 PM
Conducted Remotely on Zoom

Minutes

Present: Gayle Baron, Alida Camp, Lowell Barton, Michele Birnbaum, Lori Bores, Rebecca Dangoor, Felice Farber, Billy Freeland, Craig Lader, Rebecca Lamorte, Valerie Mason, Barbara Rudder, Barry Schneider, Cos Spagnoletti, Tricia Shimamura, Marco Tamayo, Charles Warren, Peter Borock (public member), Jordan Wouk (public member)

Absent (Excused): None

The meeting was called to order at 6:33 PM.

Item 1: NYCDOT Presentation - Proposed South Outer Roadway Pedestrian-Only Path (North Outer Roadway to serve 2-way Bike Traffic)

In January 2021, it was announced that New York City Department of Transportation was planning to convert the south outer roadway of the Queensboro Bridge into a dedicated pedestrian path and making the north outer roadway a dedicated 2-way bike path, which was a concept that Community Board 8 Manhattan supported studying in a January 2020 resolution.

Ted Wright, Director of Bicycle and Greenway Programs for NYCDOT, presented an update on the design and process for this project to be implemented. He briefly described the history of the bridge and the recent trends related to increased biking and citywide initiatives to build out a network of bike lanes that have created a need for this project, along with the safety hazards that pedestrians currently encounter with the existing shared bike/pedestrian path on the north outer roadway. The project coincides with recent bike lane additions on roadways linking to the Queensboro Bridge, including East 61st and 62nd Streets and Northern Blvd. in Queens.

The proposal would create a dedicated 2-way bike lane on the south outer roadway, and allow the north outer roadway to become a pedestrian-only facility. Fencing would be added on the south outer roadway to keep cyclists safe, and pavement markings would be added to signify the bike lanes on the south outer roadway and the pedestrian pathway on the north outer roadway. The jersey barrier will be removed and gates will be installed on both sides of the bridge to allow access for maintenance vehicles but otherwise prevent general use traffic. There will be improved pedestrian connections to the new path featuring better and updated wayfinding, new crosswalks and other safety improvements.

A traffic study will be conducted to determine additional supportive changes to traffic patterns on the bridge and on approaches as needed to minimize congestion and traffic impacts, and will be coordinated with the ongoing Congestion Pricing initiative. This project will have to be incorporated into the ongoing maintenance and fire safety projects to extend the useful life of the bridge by an additional 50-75 years, and will necessitate at least one upper roadway lane being closed during the south outer roadway bike lane conversion project, and two lanes closed off-peak during certain stages of construction.

The project is expected to obtain LPC approval in June 2021, and the traffic study is to be completed in summer 2021. Construction will also begin 2021 with the installation of fencing and gates in coordination with the

ongoing maintenance project, and is expected to be completed in 2022 and opened to bikes on the south outer roadway.

Feedback on the presentation was largely positive, with speakers expressing enthusiasm towards new and improved facilities for cyclists and pedestrians and the safety improvements that will result upon implementation.

Item 2: Open Restaurants - Feedback on the first year of the program and needed rules/regulations/oversight for the permanent program under development by NYCDOT (Joint item with Small Business and Street Life Committees)

In June 2020, in conjunction with New York City entering Phase 2 of its Covid-19 reopening process, the Open Restaurants program was announced. The program, administered by NYCDOT, allows restaurants to offer new and expanded seating on sidewalks and along curbsides, and has been widely viewed as integral to the survival of many restaurants that faced financial uncertainty as a result of the pandemic. In September 2020, citing the success of the program, Mayor Bill de Blasio announced that the program would be made permanent, though this will require City Council action that has yet to occur.

Although the program has been widely lauded for saving many restaurants, there is less agreement as to which aspects of the program should continue and for how long, and there have been various issues raised over the past year in regards to policies and regulations that may be needed to protect safety and quality of life. This discussion provided an opportunity for CB8M members and the public to provide feedback on the first year of the Open Restaurants Program that NYCDOT can consider as it develops its permanent program. Kimberly Rancourt, NYCDOT Director of Special Projects, was present to hear feedback from CB8M.

District 4 Council Member Keith Powers began the discussion by providing an update on the Open Restaurants program. He explained how the City Council initially passed legislation to create a legal framework for the program, and then acted again to extend the program through September 2021 and to have NYCDOT develop a permanent program that would be implemented upon the City Council extending the program beyond its current expiration date. He indicated that there has yet to be a bill proposed to make the program permanent, but that he was supportive of such action given how the program has proved to be popular with his constituents and has helped many restaurants survive through the Covid-19 pandemic. Councilmember Powers did acknowledge that there have been some issues that have arisen that a permanent program would ideally address, but noted that his office has received few complaints.

There was a mixture of comments ranging from strong support of Open Restaurants by some constituents and stakeholders for the program to continue permanently, to those who believe the program is no longer needed as the post-pandemic recovery continues and restaurants are able to operate at full indoor capacity.

Among those who had questions and concerns or expressed opposition to making the program permanent, the following is a list of issues brought forward:

- The structures that have been built are excessive, and are often built with 3 sides; many seem to be in violation of the rules of the program, and significantly more enforcement is needed;
- The program is not equitable, as restaurants located adjacent to bus lanes, bike lanes and fire hydrants are more limited or unable to take advantage of the program due to no fault of their own;
- The streetscape has been adversely impacted, as lack of consistency among the outdoor dining spaces has created visual blight;
- The program has been implemented without regard to existing zoning or historic district regulations, and has resulted in outdoor dining in locations where they are not permitted and where residents never expected to have restaurants with outdoor spaces;
- The presence of outdoor seating has created sidewalk congestion and has inhibited the ability of pedestrians to walk unimpeded, especially those in wheelchairs or pushing strollers, and more space is needed in a permanent program (note: NYCDOT requires 8' clearance in the temporary program)
- The outdoor dining spaces are often not ADA compliant, as many lack ramps or sufficient space between tables;

- The outdoor seating areas in the street have prevented street cleaning from taking place, resulting in increased litter and reports of vermin;
- “Sidewalk creep”, has become more common, where restaurants have expanded their outdoor seating beyond the adjacent property as currently permitted;
- Open Restaurants is a land grab, as properties with restaurants which are able to expand their seating through the program could appreciate or result in increased rents for restaurants;
- Curbside dining has reduced the amount of parking spaces available for residents, deliveries and retail customers;
- A director of the public realm position should be created to review spaces including outdoor dining locations
- There should be a mechanism for NYC to generate funding, either through value capture or taxation
- Inspectors should have the ability to do spot inspections along corridors rather than just responding to complaints filed;
- Extensive outreach with communities, business groups and restaurant owners should occur in advance of a permanent program.

As a result of the discussion, it was decided that a letter would be written to NYCDOT requesting additional enforcement of outdoor dining structures, including inspectors being directed to walk along broader areas of groups of blocks rather than specific locations that occur regularly.

Item 3: Fairway Market 86th St. - Follow-Up Discussion with Store Representatives Regarding Curb and Sidewalk Conditions and Truck Loading Regulations

In February 2021, CB8M passed a resolution to reduce the duration of the truck loading zone hours in front of Fairway Market on East 86th Street from 5AM to Midnight to 7:30AM to 9PM. This action was taken in response to complaints regarding obstructions of the sidewalk and curbside in front of Fairway Market caused by delivery trucks and the transfer of goods from trucks onto palates and into the retail space, which have caused visual blight and unsafe conditions for pedestrians and drivers. In addition, despite repeated requests from the Committee, Fairway’s management was unresponsive.

In response to the February 2021 resolution, representatives from Village Supermarket, Inc., the company that now owns Fairway Market 86th Street, joined the meeting to discuss the issues and to respond to the concerns raised by CB8M. Dan McCarthy – General Counsel and Tom Santacroce – Director of New York Operations provided extensive background about the company and the manner in which deliveries and transfers of goods occurs at the 86th Street location.

Mr. McCarthy and Mr. Santacroce indicated that Village Supermarket, Inc. took over the store in May 2020, and only recently learned of the feedback from CB8M, which encompassed many years of operations prior to their ownership. They noted how they were disturbed to hear of the issues, and will be working to improve conditions and address the concerns expeditiously as best as possible, and asked for some patience as they implement some changes in response to CB8M. They did emphasize that they face challenges with “vertical transportation”, as there was limited indoor storage space and there was only one way to get merchandise upstairs and downstairs.

Mr. McCarthy and Mr. Santacroce highlighted some measures that have been taken or are being planned to mitigate the issues outside their store. They made a recent significant investment to improve the vertical transportation, allowing them to transfer goods from trucks and palates to inside the store more quickly. In addition, deliveries that had not spread out and largely arrived in the earlier part of the day that resulted in inventory remaining outside the store were rescheduled to a large extent, with groceries to now arrive in the evening. They also have rescheduled some deliveries that they can control coming from their central distribution center, and are looking to further reschedule other delivery of goods. They are implementing a gatekeeper system for their shopping carts that will prevent them from exiting the store. They said they would work to reduce the presence of forklifts outside and to clear the sidewalk of inventory, but could not commit to reducing the number of forklifts as was requested by one member without further studying whether it would be feasible for their operations. They also will investigate whether they need to assign an additional attendant to monitor incoming trucks.

NYCDOT indicated that they ordered the signage with the new loading zone hours, and that it would be ready for installation by July 31, 2021. There was discussion of having NYCDOT hold off installing the new signage while Fairway addressed CB8M concerns, but ultimately it was decided that Village Supermarkets, Inc. would return to CB8M in June for a follow-up discussion.

Item 4: NYCDOT Updates

There were no updates from NYCDOT unrelated to 61st/62nd Street bike lanes.

Item 5: New Business

There was no new business.

Item 6: Old Business

There was no old business.

There being no further business, the meeting was adjourned at 9:08 PM.

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

Sincerely,

Russell Squire

Russell Squire
Chair

Craig Lader and Charles Warren

Craig Lader and Charles Warren
Co-Chairs, Transportation Committee

cc: Honorable Bill de Blasio, Mayor of the City of New York
Honorable Carolyn Maloney, 12th Congressional District Representative
Honorable Gale Brewer, Manhattan Borough President
Honorable Liz Krueger, NYS Senator, 28th Senatorial District
Honorable José M. Serrano, NYS Senator, 29th Senatorial District
Honorable Dan Quart, NYS Assembly Member, 73rd Assembly District
Honorable Rebecca Seawright, NYS Assembly Member 76th Assembly District
Honorable Robert J. Rodriguez, NYS Assembly Member 68th Assembly District
Honorable Ben Kallos, NYC Council Member, 5th Council District
Honorable Keith Powers, NYC Council Member, 4th Council District