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**The City of New York
Community Board 8 Manhattan
Transportation Committee
Wednesday July 7, 2021, 6:30 PM
This meeting was conducted via Zoom**

Please note: The resolutions contained in the committee minutes are recommendations submitted by the committee chair to the Community Board. At the monthly full board meeting, the resolutions are discussed and voted upon by all members of Community Board 8 Manhattan.

Minutes

Present: Elizabeth Ashby, Michele Birnbaum, Lori Bores, Yvette Brown, Rebecca Dangoor, Felice Farber, Billy Freeland, Craig Lader, Valerie Mason, Rita Popper, Yma Rodriguez-Thoma, Barbara Rudder, Barry Schneider, Tricia Shimamura, Rami Sigal, Cos Spagnoletti, Russell Squire, Marco Tamayo, Charles Warren, Peter Borock (public member)

Absent (Excused): Lowell Barton, Rebecca Lamorte

Unanimous Resolutions for Approval:

Item 4: Parking Regulation Change by Morton Williams Supermarket at 1066 Third Avenue

Item 6: Revocable Consent Request - 1228 Madison Avenue

Item 7: Revocable Consent Request - 172 East 73rd Street

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

Item 1: Fairway Market 86th Street - Sidewalk and Truck Loading Updates

Village Supermarket, Inc. General Counsel Dan McCarthy and Director of New York Operations Tom Santacroce provided an update on their continuing effort to keep the sidewalk and curbsides clear in front of Fairway Market 86th Street. There were no major updates regarding forklift reductions and changes in how deliveries are handled; the gatekeeper system has been ordered but is not yet installed, as supply chain issues have slowed the implementation process. In response to an email from a board member containing photos depicting Fairway's sidewalk conditions and comparing it with conditions in front of nearby C-Town and Key Food stores, Mr. Santacroce responded that they are not fair comparisons given that the other stores receive only about 16% of the volume of goods that Fairway receives, and that the photos were taken at a time when there was an elevator outage at Fairway that slowed the intake of deliveries and has since been repaired. Mr. Santacroce did emphasize that they continue to work to improve their processes and to keep products and pallets off the sidewalk,

but even in a best case scenario can't commit to having the sidewalk entirely clear at all times while delivery activity is occurring. In response to a question regarding plantings in the flower beds and tree pits in front of Fairway, Mr. Santacroce will look into the possibility of doing the plantings.

Item 2: NYPD 19th Precinct/Traffic Enforcement Unit - Bike Enforcement Discussion

Sgt. Palaguachi of the 19th Precinct's traffic enforcement unit addressed ongoing concerns raised by Community Board 8 members and constituents regarding enforcement of illegal or reckless behavior on bikes. The unit is comprised of 6 officers, providing coverage during the majority of each day but not during some overnight hours and covers enforcement of cars, bikes and other types of vehicles. He acknowledged that there have been recent increases in complaints regarding bike activity, including bike riding in the wrong direction on streets, ignoring traffic signals, illegally riding on sidewalks and riding recklessly. There has been an increase in the number of bike collisions in 2021 compared to last year, but that is due to the comparatively lesser amount of bike activity in 2020. There have been increases in enforcement, including targeted efforts over the last year on 1st and 2nd Avenues and 61st and 62nd Streets.

Sgt. Palaguachi discussed specific issues regarding electric bikes, scooters and mopeds, some of which are being used illegally due to being unregistered. The precinct has recently begun an education initiative to educate users of e-bikes, mopeds and scooters of their appropriate and legal uses and registration requirements; about 500 pamphlets were distributed over the first 10 days of the program and warnings were given; since that time, six illegal motorized scooters/e-bikes were seized. He explained how there are specific New York State requirements based on the presence of a vehicle identification number, weight and maximum speed that trigger the need for registration, but acknowledged that a major problem is retailers selling these vehicles as if they don't require registration.

The following questions/comments were also raised/addressed:

- Anyone who fails to pay prior tickets for illegal/reckless e-bike or moped use and is stopped a second time will be subject to losing their license. If someone on a standard bike fails to pay a ticket, they will be subject to a much larger fine if ticketed in the future. It is not uncommon for judges to throw out tickets assessed to cyclists, as it can be hard to prove when laws are broken.
- There is frequent illegal use of e-bikes/scooters/mopeds on the Esplanade, especially on weekends near 84th Street where there is easy access to the street network; the Traffic Enforcement unit will investigate.
- There are dangerous conditions for cyclists and all users on 72nd Street east of York Avenue due to excessive double parking. 72nd Street at 2nd Avenue was also noted as a location that is unsafe for pedestrians due to cyclist behavior.
- There have been reports of illegal e-bike use in Central Park; the issue will be reported to the Central Park precinct.

- There are often packs of dirt bikes and ATVs that perform dangerous stunts and maneuvers, which can threaten pedestrians. It was explained that the problem is recognized by NYPD, but it is very difficult to prevent since these vehicles generally lack identification and NYPD policies prohibit actively chase or pursue the operators due to safety protocols, and thus the bikers disperse. The only way to address the issue effectively is to confiscate the illegal vehicles, but Traffic Enforcement indicated that they are generally stored in areas outside the 19th Precinct. They urged anyone with information about the whereabouts of where these illegal vehicles are stored to report it to the 19th Precinct, which will share the information with other precincts.
- Multiple comments in support of requiring all bikes have lights were made.
- In response to questions regarding whether there were more opportunities expand the traffic unit enforcement, the likelihood was viewed as low since there are other units that also have the need for additional officers.
- There was interest among some members to pursue policies that would require all bikes to be registered and have license plates, and some support for a recently introduced packaged of State legislation that would impose such requirements. Similar requests were made for Citi Bikes, which already include a vehicle ID number on the frame that isn't front facing. This issue will be discussed at a future Transportation Committee meeting.

Item 3: DOT Presentation: NYC Streets Master Plan

Colleen Chattergoon, NYCDOT Senior Planner and Liaison to CB8, described the NYC Streets Master Plan, which is a 5-year plan to improve the safety, accessibility, and quality of New York City's streets that being developed by NYCDOT, involving an in-depth analysis of planning initiatives and will set equitable goals for NYC Streets. She advised that there would be a virtual public workshop focusing on the Manhattan Core, including Community District 8, on July 13th at 6PM. She also noted that there is a virtual project platform that includes interactive engagement tools that will allow constituents to provide feedback and takes about 10 minutes to complete. More information is available at www.nyc.gov/streetsplan.

Item 4: Request for a 1 Hour Commercial Loading Zone regulation in front of Morton Williams Supermarket at 1066 Third Avenue

Avi Kaner, an owner of the Morton Williams Supermarket Chain, presented a request to change the parking regulation in front of the 1066 3rd Avenue Morton Williams store location. The parking regulation is currently truck loading between 7AM and 7PM (except Sundays), in which a truck may park for an unlimited amount of time; the request is to add a 1-hour time limit to the regulation.

Mr. Kaner described how trucks from e-commerce companies have been using commercial truck loading zones for “warehousing”, in which a truck acts as a distribution center and delivery workers use it as a base to make deliveries on foot to nearby locations. These trucks will remain in the truck loading zone for hours on end, inhibiting other trucks from using the loading zones and making deliveries to local brick and mortar retailers. This has been

occurring regularly in front of the 1066 3rd Avenue Morton Williams store, with Amazon often being the company engaging in this practice. Mr. Kaner explained that the store typically receives about 40-50 deliveries on an average day both from small and large trucks, with vendors now often having to double park to make deliveries. This results in vendors either being unable to make deliveries, being fined for illegal double parking and causing traffic congestion, or deciding to no longer perform deliveries to the store as some vendors have done recently. Mr. Kaner believes that a 1-hour time limit would provide a sufficient amount of time for even the large trucks making deliveries to Morton Williams to be able to unload goods, and be a deterrent to companies that use the space to perform warehousing functions.

Mr. Kaner requested a letter from NYCDOT stating that the truck loading zone in question was meant for expeditious loading activities, but Ms. Chattergoon said that NYCDOT would not be able to do so. Without such a letter, Mr. Kaner believed that a 1-hour limit was the best remedy. Ms. Chattergoon acknowledged that the situation faced by Morton Williams is occurring across Manhattan, and that these warehousing activities are very difficult to prevent and that a lack of enforcement is a major factor. She advised that the existing loading zone is not meter parking, which encourages longer-duration parking, and that there are regulations that are used in some commercial meter parking locations across NYC that limit delivery to 2 hours. She also indicated that NYCDOT is moving away from any free commercial loading zones that currently exist across NYC. She noted that expeditious loading and unloading for no more than 15 minutes is permitted in no parking or no standing zones, and the city is in the process of expanding neighborhood loading zones that allow for similar expeditious activity.

There was strong support to make accommodations to assist Morton Williams, though there was debate as to how a 1-hour limit would be able to be enforced and whether it would be a successful deterrent to trucks performing warehousing.

The following resolution was put forward by CB8:

WHEREAS; there is an existing “Truck Loading, 7AM to 7PM (Except Sundays) parking regulation in front of the Morton Williams store at 1066 3rd Avenue; and

WHEREAS; Morton Williams typically receives about 40-50 deliveries from vendors daily from vendors arriving in small and large trucks that require no more than one hour to unload their goods;

WHEREAS; Morton Williams has reported that its vendors have been unable to utilize the truck loading zone due to e-commerce companies using the curbside to conduct warehousing activities; and

WHEREAS; Trucks delivering product to Morton Williams have to double park when the truck loading zone is used for warehousing, causing disruption to their business and traffic congestion impacting quality of life and vendors to cease delivery operations to Morton Williams; and

WHEREAS; Morton Williams is viewed as a valued member of the Community as a family-owned and locally owned business that should be provided relief from practices of large e-commerce companies that have been abusing parking regulations;

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan requests that NYCDOT change the sign in front of the Morton Williams store at 1066 3rd Avenue to “1 hour Truck Loading, 7AM to 7PM (Except Sundays).

Yes (17+1): Birnbaum, Bores, Brown, Dangoor, Farber, Freeland, Lader, Mason, Popper, Rudder, Schneider, Shimamura, Sigal, Spagnoletti, Squire, Tamayo, Warren, Borock (public member)

No (0): None

Item 5: Discussion regarding e-commerce truck unloading (Amazon/Fresh Direct)

Expanding on the discussion regarding Morton Williams, there was great frustration expressed among meeting participants with Amazon and other e-commerce companies that have converted many curbsides and sidewalks across Community District 8 into warehouses, as it has become a serious quality of life issue. Numerous meeting participants also highlighted these activities taking place, with some noting that Fresh Direct has been engaging in similar practices, often in front of fire hydrants. One participant suggested that there should be specific parking regulations for “warehousing” purposes. There was also some interest in the concept of vacant storefronts being used for warehousing, which could help take the activity off the streets and reduce the need for trucks to double park or remain for long timeframes in truck loading zones.

Ms. Chattergoon noted that this issue is one of the items being looked at within the NYC Streets Plan effort, and that NYCDOT has an Office of Freight and Mobility that has also been working on the issue. Amazon and Fresh Direct will be invited to a future Transportation Committee meeting to further address this issue and to hear their perspective and what they view are their needs, along with the Office of Freight and Mobility

Item 6: Revocable Consent Request - Snowmelt system under the sidewalk of 1228 Madison Avenue

Mark Sullivan, Architect, presented a proposal for a snow melt system under the sidewalk of a new building at 1228 Madison Ave. It is an embedded system with ¼ inch electrical cables buried in the sidewalk which will only be turned on during snow events. The system is 16½ by 11 feet in size.

Although the sidewalk would need to be torn up and replaced in order to make a repair, it is an electronic system that doesn’t require repairs unless the cable is damaged, which would only happen if a crew were either digging up or installing something in the sidewalk. It was suggested that signage be installed to alert anyone possibly doing work in the area to avoid damaging the snow melt system that says something to the effect of “heated sidewalk – no digging”.

The following resolution was put forward by CB8:

WHEREAS; the owners of 1228 Madison Ave. are requesting a revocable consent for an electric snow melt system; and

WHEREAS; the proposed snow melt system is approximately 16½ by 11 feet in size under the sidewalk; and

WHEREAS; the system will only be operated when there is a snow event; and

WHEREAS; the owner will be asked to install a sign indicating the presence of the snow melt system under the sidewalk and that digging should not occur; and

WHEREAS; the snow melt system benefits the public when operating as intended;

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan supports the revocable consent request for a snow melt system in front of 1228 Madison Ave.

Yes (17+1): Birnbaum, Bores, Brown, Dangoor, Farber, Freeland, Lader, Mason, Popper, Rudder, Schneider, Shimamura, Sigal, Spagnoletti, Squire, Tamayo, Warren, Borock (public member)

No (0): None

Item 7: Revocable Consent Request - Snowmelt system under the sidewalk of 172 East 73rd Street

Sonia Wright, representing the owners of 172/174 East 73rd Street, presented a proposal for a snow melt system. It is an embedded hydronic system, 15 by 25 feet in size that would be in front of the house. The system would be accessed from the basement of the home for maintenance or repair purposes. The system has a controller that automatically would turn it on when it snows. The owners will also be asked to install signage to alert anyone possibly doing work in the area to avoid damaging the snow melt system that says something to the effect of “heated sidewalk – no digging”.

The following resolution was put forward by CB8:

WHEREAS; the owners of 172 East 73rd Street are requesting a revocable consent for an electric snow melt system; and

WHEREAS; the proposed snow melt system is approximately 15 by 25 feet in size under the sidewalk; and

WHEREAS; the system will only be operated when there is a snow event; and

WHEREAS; the system can be accessed from the basement of the home for any needed maintenance and repairs;

WHEREAS; the owner will be asked to install a sign indicating the presence of the snow melt system under the sidewalk and that digging should not occur; and

WHEREAS; the snow melt system benefits the public when operating as intended;

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan supports the revocable consent request for a snow melt system in front of 172 East 73rd Street.

Yes (17+1): Birnbaum, Bores, Brown, Dangoor, Farber, Freeland, Lader, Mason, Popper, Rudder, Schneider, Shimamura, Sigal, Spagnoletti, Squire, Tamayo, Warren, Borock (public member)

No (0): None

Item 8: NYCDOT Updates

There were no additional NYCDOT updates.

Item 9: New Business

A member commented that NYCDOT should have provided more advance notice for their Streets Plan Public Workshop.

Item 10: Old Business

A member asked for NYCDOT to provide an update on the status of implementing the outer roadway bike lane on the Queensboro Bridge. NYCDOT will be contacted by the District Office to provide the update.

An update on the status of the 68th Street Subway Station accessibility project and a general New York City Transit update was requested. NYCT will be invited to the September meeting.

A member inquired about how cities elsewhere in the world that are ahead of New York in addressing bike issues have adapted to increased bike activity, and suggested the committee invite transportation officials involved in efforts in European cities known for their bike culture.

There being no further business, the meeting was adjourned at 9:56PM.

Charles Warren & Craig Lader, Co-Chairs