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The City of New York
Community Board 8 Manhattan
Transportation Committee
Wednesday, September 7, 2022 6:30 PM
Conducted Remotely on Zoom

Minutes

Present: Mohit Aggerwal, Lori Bores, Michele Birnbaum, Alida Camp, Billy Freeland, Paul Krikler, Craig Lader, Rebecca Lamorte, John McClement, Rita Popper, Barbara Rudder, Russell Squire, Marco Tamayo, Charles Warren, Peter Borock (public member)

Absent (Excused): Rebecca Dangoor, John Phillips, Valerie Mason, Stephanie Reckler (public member)

Resolutions for Approval:

Item 1: Protected Bike Lanes

Item 2: Improper use of Open Street by Allen Stevenson School on 78th Street (unanimous)

Item 3: Revocable Consent – 34-36 East 70th St.

Item 4: Revocable Consent – 165 East 70th St.

Item 5: Parking Regulation Change by former St. Elizabeth Church – 211 East 83rd Street (unanimous)

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

Item 1: Discussion of Gaps in the Bike Lane Network within CB8 and Potential Upgrades of Painted Crosstown Bike Lanes to Protected Bike Lanes

The bike network within Community Board 8 consists of parking protected bike lanes on 1st Avenue and 2nd Avenue, varying styles of protected lanes along most of 61st and 62nd Streets, and painted bike lanes on 70th, 71st, 77th, 78th, 90th and 91st Streets. Following the tragic death of neighborhood resident Carling Mott in July 2022 while riding her bike on East 85th Street where a bike lane was once proposed but never built, the Committee sought to address existing gaps in the bike network and discuss where opportunities to provide protected bike lanes may exist and upgrade painted bike lanes that don't provide an optimal level of safety for cyclists.

In introducing the topic, one of the Committee Co-Chairs expressed condolences to the family of Carling Mott, and emphasized the priority the Transportation Committee places on making our transportation network safer for everyone who travels within our community, including those on bikes, on foot, and in vehicles. He noted the stark safety statistics based on Crashmapper data over the past 5 years, which denoted nearly 500 cyclist injuries within CB8's street network, including 4 fatalities; in the same timeframe, motor vehicle injuries totaled just over 1,000, but there were only 2 fatalities. He also provided some history regarding recent bike lane initiatives voted on at CB8:

- In November 2015, CB8 passed a resolution by a vote of 32 for, 6 against and 8 abstentions asking DOT to “propose a network of painted crosstown bicycle lanes on the Upper East Side, to be implemented in the short-term, and to propose for longer-term implementation a network of crosstown bicycle routes on the Upper East Side, using the safest appropriate design”.
- After DOT came back with 3 pairs of painted crosstown lanes in 2016, the Transportation Committee voted 9-2 in support of three proposed pairs of painted bike lanes on 70th/71st, 77th/78th and 84th/85th Streets; the full board did not approve this resolution, and an attempt to allow a vote on each pair of lanes

individually was tabled; NYCDOT subsequently implemented painted bike lanes on 70th/71st and 77th/78th Streets, but did not do so on 84th/85th Streets due to the opposition that was voiced at that time.

- CB8 approved protected bike lanes on the East 61st/62nd Street corridor in April 2021 by a vote of 34 in favor, 9 opposed, and 5 abstentions.

Council Members Keith Powers and Julie Menin both spoke in support of acting with urgency to address unsafe conditions for cyclists and honoring the legacy of Carling Mott following her passing. They referenced a letter dated September 6, 2022 they sent to NYCDOT's Manhattan Borough Commissioner requesting a fresh look at implementing the proposed bike lane on East 85th Street, evaluating how trucks improperly utilize East 85th Street, and installing other safety infrastructure and improvements to prevent another death. They both emphasized in their remarks to the Transportation Committee that the current network of bike infrastructure within the Community District is insufficient, and that protected bike lanes are essential along with bike lanes on more crosstown streets than are currently in place.

The vast majority of public speakers and board members who spoke on the topic called for action to improve bike safety, and emphasized the need for more streets with bike lanes and that all lanes should be protected as paint is not adequate protection. Speakers highlighted the East 80s, 5th Avenue and 3rd Avenue and the lack of direct connections through Central Park as major gaps. They stressed the importance of expeditious action, with numerous speakers providing personal anecdotes of the challenges and fears they face when biking on streets with no bike lanes or just painted lanes. In addition to protected lanes similar to those in place along 61st and 62nd Streets, some other ideas mentioned included center-running bike lanes and raised bike lanes. It was also discussed how the main challenge with getting additional bike infrastructure in Central Park was due to the fact that the Central Park Conservancy has jurisdiction of roadways in Central Park.

There were a few speakers who voiced their frustration with a lack of enforcement with regard to cyclists and their concerns as pedestrians when encountering bikes when crossing streets, and some who suggested that not every street may be feasible for bike lanes due to traffic levels or land uses that exist. One member spoke of the ongoing issue of trucks operating illegally on certain streets such as 84th and 85th Streets, where bike lanes had previously been proposed.

In response to a comment that the Committee should not take action until after NYCDOT makes a proposal, it was noted by one of the Co-Chairs that NYCDOT advised that they were supportive of Community Boards making requests for upgraded bike infrastructure, and that they would follow up on any requests that would arise and were open to any resolutions that would be provided to them.

The following resolution was then put forward by Community Board 8:

WHEREAS; Community Board 8 prioritizes safety for everyone who travels within our community, including those on bikes, on foot, using public transportation and in cars and trucks; and

WHEREAS; biking has seen a large increase in popularity in recent years throughout New York City, including within Community District 8; and

WHEREAS; the presence of bike lanes provides benefits for those on foot and in cars, as interactions with cyclists are more predictable where bike lanes exist; and

WHEREAS; protected bike lanes provide significantly more safety for cyclists than the painted bike lanes; and

WHEREAS; Community Board 8 Manhattan has expressed past support for implementation of a network of crosstown bicycle routes using the safest appropriate design on the Upper East Side; and

WHEREAS; the current bike network within Community District 8 includes painted bike lanes on 70th, 71st, 77th, 78th, 90th and 91st Streets that provide a minimal level of protection to cyclists; and

WHEREAS; protected crosstown bike lanes are located on East 61st and 62nd Streets, but are very inconvenient to persons traveling east/west further north in Community District 8;

WHEREAS; there is a gap in crosstown bike lanes in the East 80s, forcing cyclists to bike without the benefit of a bike lane; and

WHEREAS; there is also a major gap in northbound/southbound bike lanes within Community District 8, as no bike lanes are present between Central Park and 2nd Avenue; and

WHEREAS; there are major gaps in the bike network within Central Park, impacting many cyclists wishing to travel directly between the East and West Sides; and

WHEREAS; as a result of the lack of direct and protected bike routes to and through Central Park, cycling on streets with minimal or no bike infrastructure and on the Central Park Transverses is dangerous and crashes are an all too common occurrence; and

WHEREAS; the deaths of cyclists Carling Mott on East 85th Street in July 2022 and Dr. Daniel Cammerman on the 96th Street Transverse in December 2019 may have been preventable had protected bike lanes been in place;

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan requests that NYCDOT provide fully protected crosstown bike lanes approximately every 10 blocks between 60th and 110th Streets (the whole length of Central Park) on both sides of the park, and a 2-way protected bikeway around Central Park, and present such plans to Community Board 8 as soon as possible.

Yes (11+1): Aggerwal, Bores, Freeland, Krikler, Lader, Lamorte, McClement, Popper, Rudder, Squire, Warren, Borock (public member)

No (2): Birnbaum, Tamayo

Abstain (1): Camp

Item 2: Update on Open Streets within Community District 8 (see below for a list of street closures approved by NYCDOT & their Community Partners)

During the late spring and summer months of 2022, NYCDOT notified CB8M that they had approved applications to NYCDOT’s “Open streets” program for the coming year. Aside from a request from the Church of the Heavenly Rest, the requests were all made by neighborhood schools for the blocks on which they are located. There were two new requests from St. David’s School and Hunter College Campus Schools; all other requests were in place during the prior year. Since these applications were not presented to CB8 prior to NYCDOT approving them, it was determined that they would be shared to allow neighbors the ability to provide any comments and concerns they had.

The list of open streets that were approved by NYCDOT were as follows:

| Street Segment | Hours of Closure | Days of Closure | Community Partner |
|---|-------------------------|------------------------|------------------------------|
| East 73rd Street between Lexington Ave. and Park Ave. | 9:00AM to 2:00PM | Mon - Fri | The Buckley School |
| East 78th Street between Park Ave. and Lexington Ave. | 7:00AM to 4:00PM | Mon - Fri | Allen-Stevenson School |
| East 81st Street between Park Ave. and Madison Ave. | 8:00AM to 3:00PM | Mon - Fri | PS 6 |
| East 82nd Street between 5th Ave. and Madison Ave. | 8:00AM to 4:30PM | Mon - Fri | Marymount School of New York |

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|--|-------------------|-----------|--------------------------------|
| East 82nd Street between 2nd Ave. and 1st Ave. | 8:00AM to 3:00PM | Mon - Fri | PS 290 |
| East 89th Street between Madison Ave. and 5th Ave. | 10:00AM to 2:00PM | Mon - Fri | St. David's School |
| East 90 th Street between 5 th Ave. and Madison Ave. | 2:00PM to 6:00PM | Wed | Church of the Heavenly Rest |
| East 90 th Street between 5 th Ave. and Madison Ave. | 12:00PM to 2:00PM | Sun | Church of the Heavenly Rest |
| East 91st Street between Park Ave. and Madison Ave. | 10:30AM to 2:00PM | Mon - Fri | Dalton School |
| East 91st Street between Madison Ave. and 5th Ave. | 8:00AM to 3:00PM | Mon - Fri | The Spence School |
| East 92nd Street between 5th Ave. and Madison Ave. | 9:00AM to 2:30PM | Mon - Fri | The Nightingale Bamford School |
| East 93rd Street between Park Ave. and Madison Ave. | 8:00AM to 3:00PM | Mon - Fri | The Spence School |
| East 95th Street between Park Ave. and Madison Ave. | 10:30AM to 1:00PM | Mon - Fri | Hunter College Campus Schools |

The only open street which generated discussion was East 78th Street, sponsored by Allen-Stevenson School. There were complaints raised about the duration the time the street is closed to traffic, congestion that results from it, noise generated from the use of the street, and diminished and delayed emergency response times. There was a particular focus on the disruption that it causes to the numerous medical offices on the block, with numerous doctors speaking of the inconveniences it causes to staff and patients trying to access their entrances, especially to those who have mobility challenges and elderly patients who can't get a taxi or for hire vehicle on that block. There were also complaints that the open street was being used for activities that were not for the benefit of students rather than for student activities or to facilitate arrival and dismissals as is the intent of the "Open Streets" program for schools. It was noted by the District Manager that the Board office has received similar complaints about East 78th Street, but has not received complaints about any other school-sponsored open streets in the district.

Collen Chattergoon, NYCDOT Senior Planner and Liaison to CB8M, indicated that NYCDOT has received complaints regarding this open street and has worked with Allen-Stevenson school to try to address them, but acknowledged that the speakers have made clear that the school is not using the open street as per the rules of the program. She indicated that she would forward the complaints and comments to the agency's lead staff overseeing the program, and encouraged CB8 to pass a resolution in regards to the issue. She also requested that all doctors that spoke against the Allen-Stevenson School open street provided their addresses and names to the CB8M board office so they can be provided to NYCDOT to help their efforts to address the issue.

The Transportation Committee will invite Allen-Stevenson School to a future meeting to respond to these issues and to allow the Committee members to consider whether they want to request this street no longer be included as an "Open Street".

The following resolution was then put forward by Community Board 8:

WHEREAS; NYCDOT has granted approved applications to the Open Streets program from 11 schools in Community District 8 Manhattan, including on East 78th Street between Park Avenue and Lexington Avenue for Allen-Stevenson School; and

WHEREAS; there have been a series of complaints about misuse of the East 78th Street "Open Street" by Allen-Stevenson School for non-student purposes; and

WHEREAS; the "Open Street" on East 78th Street has interfered with the ability for patients and office staff to conveniently and safely access the many medical offices located on the block; and

WHEREAS; the “Open Street” on East 78th Street has generated noise and congestion complaints, with residents and businesses concerned that the open street will interfere with the ability for emergency response times to be swift; and

WHEREAS; no other schools operating “Open Streets” in Community District 8 have generated significant complaints; and

WHEREAS; NYCDOT has not sought Community Board 8 Manhattan approval for school “Open Street” applications, which it believes it should have been able to review; and

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan requests that NYCDOT look into concerns raised by the residents and businesses on 78th Street, and work with the residents and the Allen Stevenson school to make changes to the open streets program that is currently in place;

BE IT FURTHER RESOLVED, that Community Board 8 Manhattan requests that NYCDOT going forward should come to CB8 with all open street requests before they get approved.

Yes (10+1): Aggerwal, Birnbaum, Bores, Camp, Freeland, Krikler, Lader, Lamorte, McClement, Popper, Rudder, Squire, Tamayo, Warren, Borock (public member)

No (0): None

Item 3: PUBLIC HEARING: Application for a new revocable consent to construct, maintain and use a fenced in areaway and snowmelt system at 34-36 East 70th Street

Justin Paraiso, project architect for 34-36 East 70th Street presented an application for a revocable consent to construct, maintain and use a fenced in areaway and snowmelt system. This is related to a renovation project received approvals from CB8M’s Landmarks Committee in 2020, and since received LPC and DOB approvals.

The proposed fenced in area will extend to match the neighboring stoops/areaways at 38 and 32 East 70th Street that are already projecting into the right of way. There is currently roughly 3’11 between the property line and building façade; the proposal calls for an extension of a sunken areaway that will utilize the currently unused private area and further extend into the public sidewalk by 3’8”, in line with the neighboring stoops/areaways. This will result in 9’8” of public sidewalk remaining. The sunken areaway will result in an areaway that in total is 7’7” deep with a 15½ inch grade change between the sunken areaway and the public sidewalk. There will be 2 steps at each of the two gates that are 3’4” wide to accommodate the grade change, and are necessary due to the presence of the second floor balcony that is landmarked. The resulting clearance will be 6 feet; it was explained that the amount of space being requested was in part due to concerns regarding headroom to the 2nd floor from the step, a point first noted by CB8M’s Landmarks Committee.

The hydronic snow melt system will be located under the sidewalk in the public right-of-way. The equipment will be housed in the basement, where the system can be accessed to turn it on and off and for maintenance; major repairs would require the street to be torn up.

There were no speakers from the public commenting on the application. Reaction among board members was mixed; there were some members who don’t support snowmelt systems, while others had concerns about the extent of the fenced-in area. One member expressed concerns about its energy consumption, and received a commitment that the applicant would follow all energy codes.

The following resolution was then put forward by CB8:

WHEREAS; a revocable consent is requested by 34-36 East 70th Street to construct, maintain and use a fenced in areaway and snowmelt system; and

WHEREAS; 34-36 East 70th Street obtained prior approvals from CB8M’s Landmarks Committee, LPC and DOB for renovation work on this property; and

WHEREAS; there will be aa sunken areaway that will extend past the property line by 3’8”, in line with the stoop and areaway of the neighboring buildings, which will result in 9’8” of public sidewalk remaining; and

WHEREAS; the sunken areaway will result in an areaway that in total is 7’7” deep, with a 15½ inch grade change between the sunken areaway and the public sidewalk and a 6-foot clearance from the balcony; and

WHEREAS; the fenced-in area will be aligned with neighboring stoops and areaways to provide continuity; and

WHEREAS; the applicant will commit to complying with energy code r400-309, and file an application with DOB as a standard application rather than as professional certification;

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan approves, as presented, the request by 34-36 East 70th Street for a revocable consent to construct, maintain and use a fenced in areaway and snowmelt system.

Yes (6): Bores, Lader, Lamorte, Popper, Tamayo, Warren

No (3): Birnbaum, Rudder, Squire

Abstain (2): Aggerwal, Freeland

Item 4: PUBLIC HEARING: Application for a new revocable consent to construct, maintain and use a snowmelt system at 165 E 70th Street (for MKAP, LLC).

Edgar Canas presented an application for a revocable consent to construct, maintain and use a fenced in areaway and snowmelt system at 165 East 70th Street. This application is only for an electric snowmelt system under the public sidewalk that will have sensors to allow it to only operate when needed; it doesn’t include any other modifications to the property. The controls for the system will be in the basement. The snowmelt is built in 3 pieces, so any maintenance would require only a portion of sidewalk to be torn up. It will encompass a total area of 492 square feet, and take up to two weeks to construct.

WHEREAS; a revocable consent is requested by 165 East 70th Street to construct, maintain and use a snowmelt system; and

WHEREAS; the electric snowmelt system will be 492 square feet; and

WHEREAS; the applicant will commit to complying with energy code r400-309, and file an application with DOB as a standard application rather than as professional certification;

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan approves, as presented, the request by 165 East 70th Street for a revocable consent to construct, maintain and use a snowmelt system.

Yes (9): Aggerwal, Birnbaum, Bores, Freeland, Lader, Lamorte, Popper, Squire, Tamayo

No (1): Rudder

Abstain (0): None

Not Voting For Cause (1): Warren

Item 5: PUBLIC HEARING: Converting former no parking in front of the Church of St. Elizabeth of Hungary, located at 211 East 83rd Street, to Alternate Side parking

Neighborhood resident Andrew Fine made a request to convert parking regulations in front of 211 East 83rd Street from “no parking” to alternate side parking. These four spaces are in front of the former Church of St. Elizabeth of Hungary, which closed its doors in or around 2016; and thus are no longer necessary to remain as no parking. There were no objections raised, and NYCDOT has indicated they would support this request.

The following resolution was then put forward by CB8:

WHEREAS; a request to change parking regulations in front of 211 East 83rd Street from No Parking Anytime to alternate side parking; and

WHEREAS; this location is the site of the former Church of St. Elizabeth of Hungary, which closed in or around 2016;

WHEREAS; four parking spaces would be returned for general use by the community; and

WHEREAS; no parking regulations are no longer needed as a security measure; and

WHEREAS; alternate side parking is appropriate for this block of 83rd Street that is nearly entirely residential;

THEREFORE BE IT RESOLVED, that Community Board 8 Manhattan requests that NYCDOT convert four spaces in front of 211 East 83rd Street from “no parking” to alternate side parking.

Yes (10): Aggerwal, Birnbaum, Bores, Freeland, Lader, Lamorte, Popper, Rudder, Squire, Tamayo

No (0): None

Abstain (0): None

Item 6: Discussion Regarding How to Address Parking Placard Abuse

This item was postponed, and will be discussed at the October Transportation Committee meeting.

Item 7: NYCDOT Updates

Collen Chattergoon, NYCDOT Senior Planner and Liaison to CB8, provided the following updates and responses to inquiries regarding old and new business:

- There were no updates to report regarding the permanent open restaurants program, and it is not yet known when NYCDOT and its partner agencies will be coming back to community boards for a presentation;
- Summer Streets, which was held on three consecutive Saturdays in August along Park Avenue, was extended northward to 109th Street and was considered to be a successful event; one member criticized NYCDOT for extending the event without approval from CB8M, and asked that it be done in the future.

Item 8: Old and New Business

One member of the public requested assistance from CB8 to obtain various sets of data related to parking spaces and garages and the total number of registered vehicles in Community District 8.

One member inquired about a recent ceremonial street naming that was requested by an elected official and bypassed the standard process of obtaining NYCDOT review and Community Board approval; a letter will be written to our elected officials to remind them of the process that has been practiced.

There being no further business, the meeting was adjourned at 9:34PM.

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