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**The City of New York**  
**Community Board 8 Manhattan**  
**Transportation Committee**  
Wednesday June 5, 2024 6:30 PM  
*Conducted Remotely on Zoom*

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

**Resolutions for Approval:**

**Item 1: Approval of ADA Upgrade Project at 86<sup>th</sup> Street 4/5/6 Subway Station (unanimous)**

**Item 2: Approval of 96<sup>th</sup> Street Bus Lane Project**

**Item 4: Approval of Revocable Consent Application – 40 East 66<sup>th</sup> Street**

**Minutes**

*Present:* Gayle Baron, Michele Birnbaum, Lori Bores, Alida Camp, Sebastian Hallum Clarke, Paul Krikler, Craig Lader, Valerie Mason, John McClement, Rita Popper, Barbara Rudder, Charles Warren

*Absent (Excused):* Judy Schneider, Juno Chowla-Song, Stephanie Reckler (public member)

*Absent (Unexcused):* Rebecca Lamorte, John Philips

*Number of Attendees from the Public: Approximately 20*

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

**Item 1: Public Presentation: MTA Presentation - ADA Upgrade Project at 86<sup>th</sup> Street 4/5/6 Subway Station (6:33PM)**

Representatives from New York City Transit and MTA Construction & Development (MTA C&D) presented their to upgrade the 86<sup>th</sup> Street Subway Station on the 4/5/6 Subway Lines. The presentation was performed by Kana Ervin from MTA C&D. The project will result in the station being fully accessible and meeting Americans with Disability Act (ADA) guidelines.

This project follows the prior work done that was completed in 2020 to install a street level elevator at the northeast corner of 86<sup>th</sup> Street and Lexington Ave. connecting only to upper-level northbound local train platform. Community Board 8 had requested when the original project was presented in 2016 that the elevators be constructed to connect all platforms to the street level in both directions.

The key elements of the proposal include the following:

- A new elevator located on 86<sup>th</sup> Street on the northwest corner of Lexington Avenue connecting to the upper level downtown train platform
- 1 new elevator connecting the downtown upper level local platforms to the lower level express platform
- 1 new elevator connecting the uptown upper level local platforms to the lower level express platform
- Station artwork relocation and preservation, and preservation of mosaic artwork and historic features, including materials, color and finish matching; some artwork will need to be relocated because of the

elevator placement. Any art that is disturbed will be removed, stored, and reinstalled elsewhere in the station. There may be also be opportunities for new art to be installed.

- New ADA Raised Boarding Areas
- Reconstruction of staircases. The staircase leading from the downtown local platform level to the street level at the northwest corner of 86<sup>th</sup> and Lexington Ave. will have to be reconstructed and shifted slightly due to the placement of the new elevator. Relocation of 1 stairwell in each direction adjacent to the turnstiles connecting the uptown and downtown platforms will also need to be performed. Station entrances in both directions will also be upgraded to meet ADA requirements.
- New curb ramps at street level, to be installed towards the completion of the project
- New ADA raised boarding areas, platform edge tactile strips for the full length of all platforms
- New communications for rail operations and CCTV, improved lighting, and a new fire alarm system

Related track improvements to accommodate ADA improvements, to equalize the height of the train to the new platforms to reduce the gap between the train and platform, which will help prevent wheelchairs and strollers from getting stuck when entering and exit trains.

The timeline presented indicates a mid-June 2024 start date at earliest, and a current anticipated completion date of 4<sup>th</sup> Quarter 2026. Construction will include heavy utility, excavation, and demolition which will necessitate installation of barriers and maintenance and protection of traffic (MPT phase 1) installation at street level. The stairwell at the northwest corner of 86<sup>th</sup> Street and Lexington Ave. (both entrances on the 86<sup>th</sup> Street and Lexington Avenue sides) will need to be closed during the project to accommodate the elevator installation, and the staircases that are being relocated between the local and express platforms in both directions will also need to be closed. The phasing of the project will include:

- MPT Phase 1 will include street level work zones and staging to support utility work and relocation, along with station modifications. The 2 general travel lanes and the bus lane on Southbound Lexington Avenue approaching 86<sup>th</sup> Street will be maintained, with the right-turn lane being used as a staging area. Due to the need to shift traffic lanes on 86<sup>th</sup> street slightly to accommodate the work zone, the taxi stand on the south side of 86<sup>th</sup> Street will be temporarily closed. Although the westbound M86 SBS ticket machines may need to be relocated, the bus stops serving the station area will otherwise be unaffected, along with pedestrian ramps and walkways.
- MPT Phase 2 will include street level work zones and staging to support station modification, northbound elevator construction and platform extensions. This will require a temporary sidewalk installation to allow pedestrians to get around the work zone, and will require some temporary parking removal on westbound 86<sup>th</sup> Street approaching Lexington Ave., along with an associated loss of 1 travel lane around the work zone during this time on westbound 86<sup>th</sup> Street. During this phase, the Phase 1 staging area on Lexington Avenue and the associated impacts will remain, but the shifting of traffic lanes will no longer be needed. Bus stops and pedestrian ramps will all be unaffected, and the taxi stand will be restored.

Most construction will occur between 7AM and 4PM, with some evening work to minimize impacts on rush-hour traffic (with shifts from 7AM to 3PM and 3PM to 11PM). The community will be advised in advance of evening work, and noise monitoring and mitigation methods such as sound blankets will be used to limit disturbances to the public. All demolition work will be scheduled during daytime work hours. When elevator construction and ADA improvements are being undertaken, subway platforms will require limited closures and there will be times when weekend work will occur (between 10PM Friday and 5AM Monday), and overnight weekday periods (between 10PM and 5AM). Only one direction will be shut down each time, and only one platform at a time so that either local or express subway service will be maintained. Based on an extensive pre-bid survey, it was determined that the painted surfaces don't contain asbestos but do contain lead paint, so proper lead containment practices will be in place.

This project is one of multiple projects included within the previously awarded MTA's design-build Package 5, which includes 13 stations, and is not impacted by the pause of Congestion Pricing. Design-build allows the contractor to be brought into the process earlier in the project and to be involved in the design process, which is a

more efficient process than the traditional design-bid-build process and helps the MTA deliver projects faster and cheaper by allowing design and build to occur in tandem. The project is currently at 60% design, and the 90% drawings are expected by the end of June 2024.

Both public attendees and Committee members were extremely pleased with the proposal. There were requests to have any completed elevator be operational as soon as possible rather than waiting until all elevators are complete. A question was asked about the speeds of the elevator, and MTA will provide further details. One person suggested upgrading the tiling to a less slippery material. A request was made for markings to be added to the platforms to indicate where train doors open. There were concerns raised about pedestrian flow during construction, especially on the southbound side when the entrance on the southwest corner will be the only one open; there is a pedestrian and safety management plan in place. A concern was also raised regarding the staging area on Lexington Ave. and whether lack of daylighting would pose a danger to pedestrians; MTA said that the design of the area will ensure that visibility will be minimally affected. A question was also raised about the possibility of restricting the right turn from Lexington Ave. to 86<sup>th</sup> Street while the staging area is present and ensuring that the bus lane won't be compromised; NYCDOT will need to finalize the intersection configuration. There were numerous questions about other opportunities to improve and modernize other aspects of the station, but it was indicated that such improvements aren't included in the existing contract and the Congestion Pricing pause makes opportunities for further improvements unlikely.

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

**WHEREAS;** MTA Construction and Development has presented a plan to perform ADA Accessibility Upgrades to the 86<sup>th</sup> Street 4/5/6 Subway Station; and

**WHEREAS;** The 86<sup>th</sup> Street 4/5/6 Subway Station is currently only partially ADA accessible following completion in 2020 of installation of an elevator connecting only to the uptown local platform; and

**WHEREAS;** Community Board 8 Manhattan approved a 2016 resolution calling for full ADA Accessibility at the 86<sup>th</sup> Street 4/5/6 Subway Station and that partial accessibility was insufficient; and

**WHEREAS;** the proposed plan would bring the entire station into conformity with ADA requirements, including elevators providing connectivity to all 4 platforms and to street level in both directions, wider staircases, handrails, raised boarding areas and platform edge tactile strips;

**WHEREAS;** The proposed project is one of 13 stations to be improved that is included in the previously awarded under the MTA's design-build Package 5; and

**WHEREAS;** the design/build process is providing more value than traditional design/bid/construction methods; and

**WHEREAS;** The proposed project will take proper measures to protect and preserve mosaic artwork and other station features; and

**WHEREAS;** A detailed phasing plan provides clear guidance for expected street-level impacts and staircase closures; and

**WHEREAS;** New York City Transit bus stops and operations will not be impacted by street-level construction; and

**WHEREAS;** There is strong support and an urgent need for the MTA to make the entire New York City Subway system fully accessible;

**THEREFORE, BE IT RESOLVED,** that Community Board 8 Manhattan supports the plan, as presented by MTA Construction and Development, to construct ADA Accessibility Upgrades at the 86<sup>th</sup> Street 4/5/6 Subway Station to bring it into ADA compliance.

*Yes (12):* Baron, Birnbaum, Bores, Camp, Hallum Clarke, Krikler, Lader, Mason, McClement, Popper, Rudder, Warren

*No (0):* None

*Abstain (0):* None

## Item 2: Continued Discussion: Proposed 96th Street Bus Lane - (7:45PM)

In May 2024, staff from NYCDOT and NYCT presented a proposal to introduce a bus lane along 96<sup>th</sup> Street where NYCT's M96 bus operates. Following that meeting, NYCDOT reached out to CB8M Staff and Transportation Committee chairs to request a board resolution.

One of the Committee co-chairs provided a brief review of the key details of the proposal, which can be found in full at [https://www.cb8m.com/wp-content/uploads/2024/01/96th-Street-Bus-Lanes\\_5\\_1\\_2024.pdf](https://www.cb8m.com/wp-content/uploads/2024/01/96th-Street-Bus-Lanes_5_1_2024.pdf) and was summarized in the [May 2024 meeting minutes](#).

Following a brief discussion, the following resolution was put forward by Community Board 8:

**WHEREAS;** A plan has been presented by NYCDOT and NYCT to install dedicated bus lanes on East 96<sup>th</sup> Street to be used by M96 buses to increase bus speeds, improve reliability and enhance safety; and  
**WHEREAS;** the M96 is has the third highest ridership of any crosstown bus route in Manhattan; and  
**WHEREAS;** combined with the M106 that also travels across Central Park, the 96<sup>th</sup> Street bus corridor provides critical connectivity between the East Side and West Side, serving a combined 15,000 weekday passengers and 6,000 daily passengers who travel through Central Park; and  
**WHEREAS;** the M96 is among the most frequent routes operated by New York City Transit, with headways as frequent as every 3 minutes during peak periods; and  
**WHEREAS;** M96 bus operations are severely impacted by congestion on East 96<sup>th</sup> Street, with average bus speeds averaging as low as 4 miles per hour between Third Avenue and Fifth Avenue; and  
**WHEREAS;** East 96<sup>th</sup> Street is dangerous for pedestrians and inhabitants of vehicles, as safety data for East 96<sup>th</sup> Street indicates it is among the top 10 streets in New York City in terms of people killed or severely injured per mile; and  
**WHEREAS;** the proposed East 96<sup>th</sup> Street bus lanes would prioritize bus service between Second Avenue and Madison Avenue, with 24/7 offset bus lanes on all blocks except for curbside lanes eastbound between Third Avenue and Lexington Avenue to be in effect every day between 6AM and 8PM and westbound between Park Avenue and Madison Avenue to be in effect 24/7; and  
**WHEREAS;** Dedicated bus lanes, along with proposed queue jumps that would provide a bus-only signal allowing it to get a head start at an intersection, will benefit bus speeds and reliability and promote more evenly spaced buses; and  
**WHEREAS;** Left turn bays being considered at various intersections, including at Park Avenue in both directions, Lexington Avenue and Third Avenue, would promote improved traffic flow; and  
**WHEREAS;** installation of leading pedestrian intervals, alongside traffic calming measures including a hardened center line and rubber speed bumps and the overall traffic calming that the presence of bus lanes provides, will have beneficial impacts to pedestrian safety; and  
**WHEREAS;** the proposal will not result in any loss of any overnight on-street parking; the only changes to alternate side on-street parking regulations would be during daytime hours in the Eastbound direction between Third Avenue and Lexington Avenue; and  
**WHEREAS;** bus service and reliability are central to the quality of life for residents and visitors to the 96<sup>th</sup> Street Corridor; and  
**WHEREAS;** the expected safety enhancements are critical given the poor safety record for East 96<sup>th</sup> Street;

**THEREFORE, BE IT RESOLVED,** that Community Board 8 Manhattan supports the plan, as presented by the MTA and New York City Transit to install Bus Lanes and associated infrastructure to East 96<sup>th</sup> Street between Second Avenue and Madison Avenue.

*Yes (8):* Bores, Hallum Clarke, Krikler, Lader, McClement, Popper, Rudder, Warren

*No (2):* Baron, Birnbaum

*Abstain (1):* Mason

*Note – During the brief discussion, NYCDOT had characterized CB7’s position in regards to the proposed M96 Bus lanes within their district as not in opposition and then being supportive of it. Following the meeting, CB8M received a letter from the Chair of Community Board 7 that made clear that they have not approved or are necessarily supportive of the 96<sup>th</sup> Bus Lane proposal for the West Side; the letter highlighted the concerns they raised regarding the plan for their district, which included numerous elements that weren’t in the plan for East 96<sup>th</sup> Streets, including new prohibitions on certain turning movements for private vehicles and impacts to parking inventory.*

**Item 3: Public Hearing: 177 East 64th Street - Revocable Consent Application to Construct, Maintain and Use a Fenced-In Area with Steps (8:00PM)**

Joseph Cornacchia, the architect representing the property owner at 177 East 64<sup>th</sup> Street presented a proposed modification to an existing revocable consent issued in April 2017, which allowed for a fence to be installed that would extend 1’2” beyond the property line. The revised revocable consent request is to increase the height of the proposed fence to 5’10” from the previously approved 4’ height, to be in line with the adjacent properties that have 6’5” and 5’6” fences.

The original Revocable Consent approval was for the fence to go straight across the property line; this proposal would have the fence in front of a stairwell be set back from the rest of the fence, as the original proposal resulted in an open stairwell that would present a hazardous condition for people entering the gate. It was also pointed out that the 4’ proposed fence is easily scalable, as it is only slightly higher than the existing 2’9” fence, which has been the target for potential crime and vandalism.

The revised application maintains the previously approved 1’2” extension beyond the property line, which Mr. Cornacchia says is needed to maintaining continuity with the fences elsewhere on that block. The revised plans would not result in any further extension beyond the property line compared to what was previously approved. Mr. Cornacchia noted that the fence design was also changed so it was more appropriate in regards to the façade of the buildings, which is contemporary and no longer traditional.

There were two CB8M members who stated opposition on the grounds that the fence would encroach on the public right of way, even though the approval to do so already exists; one of those members objected to fences in front of homes as being unwelcoming. There were also questions regarding whether the original revocable consent is still enforceable after 7 years, if the fence was in compliance with any height restrictions that may exist, and how the proposed fence looked compared to the streetscape since no renderings were provided. CB8M District’s Manager indicated that the revocable consent would still be valid as long as the applicant has been paying the NYCDOT fee, which Mr. Cornacchia confirmed has occurred; he also indicated that NYCDOT would not refer a revocable consent request to a Community Board if it wasn’t in conformity to regulations such as maximum fence heights.

Ultimately, it was agreed upon with Mr. Cornacchia that the item would be laid over until the July Transportation Committee meeting, when he would return with more information in response to the open questions.

**Item 4: Public Hearing: 40 East 66th Street - Revocable Consent Application to Continue to Use and Maintain an Existing Vault (8:30PM)**

Christina Redmond, the architect representing 40 East 66<sup>th</sup> Street, presented a revocable consent application to repair and then continue to use and maintain an existing below grade vault that partially projects beyond the property line. It is part of a storage space for the ground level retail stores. The proposal would result in the asphalt being ripped up to allow for application of a waterproofing membrane to be added to the existing vault structure, and then for the asphalt to be replaced. The vault extends past the curb line by 1’ on East 66<sup>th</sup> Street, and 5’ 5.5” on Madison Ave.

The structure was built in 1928; the tenants are experiencing leaking due to a failing waterproofing membrane. Sidewalk replacement work within the limits of the curb line will also occur, but are not subject to the revocable consent; it will be a standard concrete replacement that conforms to NYCDOT and LPC requirements. The

project will be phased so the entrances will be maintained, along with pedestrian traffic and based on the need for partial roadway closures for which the timeframe will need to be worked out with NYCDOT, and based on the season when all final approvals are provided and the weather at that time of year.

There were no objections raised from the members who were present. The following resolution was then put forward by Community Board 8:

**WHEREAS;** the owners of 40 East 66<sup>th</sup> Street are requesting a revocable consent to allow repair work for an existing vault; and

**WHEREAS;** the vault extends 1' past the property line along East 66<sup>th</sup> Street and 5'5.5" beyond the property line on Madison Ave.; and

**WHEREAS;** the existing vault is used by the ground level retail outlets and is experiencing leakage; and

**WHEREAS;** the revocable consent would allow the work to be performed to repair the leak, and would require construction involving the concrete being ripped up to allow a waterproofing membrane to be installed, followed by reconstruction of the sidewalk and street; and

**WHEREAS;** The project will be coordinated with NYCDOT to ensure that the phasing of the work is performed to best manage any necessary sidewalk and roadway closures and considers traffic concerns and needs;

**THEREFORE, BE IT RESOLVED,** that Community Board 8 Manhattan approves the revocable consent request for 40 East 66<sup>th</sup> Street to conduct repairs and continue to use an existing below-grade vault.

*Yes (11):* Baron, Birnbaum, Bores, Camp, Hallum Clarke, Krikler, Lader, Mason, McClement, Popper, Warren

*No (0):* None

*Abstain (0):* None

#### **Item 5: NYCDOT Updates (8:45PM)**

Colleen Chattergoon, NYCDOT Senior Borough Planner and Liaison to Community Board 8, stated that she didn't have any formal updates aside from the news that broke earlier in the day that the scheduled June 30<sup>th</sup> implementation of Congestion Pricing was being paused.

A member asked about signage that they saw posted in Queens on a bus shelter that asked bicyclists to pay attention to pedestrians and suggested that similar signage to be posted in a more widespread manner would be helpful.

A member asked about a wayfinding sign that was damaged.

A public attendee and member spoke in favor of two City Council bills that would require registration of e-bikes, and asked that the Committee consider discussing NYC Council Intro 0606 and NYS Assembly Bill 9092. It was noted that CB8M passed a resolution in July 2023 in support of much of what was proposed, but that the Committee would discuss these bills at an upcoming meeting.

#### **Item 6: Old and New Business**

There was no old or new business discussed.

There being no further business, the meeting was adjourned at 8:55PM.

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



# THE CITY OF NEW YORK

## MANHATTAN COMMUNITY BOARD 7

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June 16, 2024

Hon. Edward Pincar  
Manhattan Borough Commissioner  
New York City Department of Transportation  
59 Maiden Lane, 37<sup>th</sup> Floor  
New York, NY 10038-4643

Colleen Chattergoon  
NYC Department of Transportation  
59 Maiden Lane, 37<sup>th</sup> Floor  
New York, NY 10038-4643

Re: Community Concerns Relating to the M96 Bus Plan

Dear Commissioner Pincar and Ms. Chattergoon:

We write to follow up on our in-person meeting on May 22<sup>nd</sup>, and our most recent CB7 Transportation Committee meeting on June 11<sup>th</sup>, at each of which the proposed revisions to the M96 Bus route, and the associated changes in street geometry and traffic patterns (collectively, the “M96 Plan”), were discussed at some length.

We are informed that CB7 is being cited as being in favor of the M96 Plan. This is not the case, and to the extent DoT is in any way referring to CB7 as supporting the M96 Plan, we respectfully call on DoT to cease doing so. So that there is no confusion on this score, we are copying our Community Board colleagues at CB8, whose District includes the portion of the M96 route not in CB7.

Referring to CB7 as in support of the M96 Plan is a misstatement on both a practical and a technical basis. As a practical matter, the M96 Plan was presented to CB7’s Transportation Committee as a *fait-accompli* – we were not approached in the planning or design phase, and no resolution was requested or introduced. It is fair to say that there were so many issues with the M96 Plan voiced by Transportation Committee members, Board Members, and neighbors along the M96 route that the only prudent course was to pause and reflect on the proposal. In fairness, we note that the M96 Plan was not without its supporters around our table as well. Forging a consensus under those circumstances takes time and reflection. From our June 11<sup>th</sup> meeting, we now understand that we do not have that luxury of time.

Among the concerns that were voiced both at the May 22<sup>nd</sup> and June 11<sup>th</sup> Transportation meetings were those relating to:

- The banning of left-hand turns from eastbound 96<sup>th</sup> to northbound Amsterdam Avenue, which among other things would contravene safety provisions adopted in 2013 in response to the deaths of Ariel Russo, Cooper Stock, Samantha Lee and Jean Chambers at locations along the 95<sup>th</sup>-97<sup>th</sup> corridor – the M96 Plan would effectively reverse the effort to avoid turns at the always-dangerous Broadway/96<sup>th</sup> Street intersection, and would

threaten the safety of pedestrians using the crosswalk between the median on the north side of that intersection and the head house;

- Conflicts between the bus lane and access to the curb for car and taxi passengers as well as deliveries from online services and local restaurants – the assurance offered on June 11<sup>th</sup> that curb access would remain, without specifics, did not allay those concerns;
- The ban on private westbound vehicles turning left onto Central Park West from the Transverse, which both adds mightily to the congestion on West 97<sup>th</sup> Street downstream, and requires the residents of 96<sup>th</sup> between CPW and Columbus to circle one or another superblock to reach their homes;
- Compressing an already-congested two-lane flow of traffic on this truck route and principal access to the Highway onto a single lane – and its attendant impact on CB7's long-time call to explore opening a means to exit from southbound Henry Hudson to eastbound 96<sup>th</sup> in addition to the exit to 95<sup>th</sup>, a narrow street with a school entrance and other services (it was a reckless driver exiting onto 95<sup>th</sup> who claimed the life of Jean Chambers);
- Whether there is a need for a bus lane on the portion of the route between Central Park West and Amsterdam, given the testimony of residents along that stretch that traffic through-put and the speed of the bus are at an acceptable pace;
- The supply of Alternate Side Parking and non-metered parking.

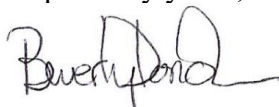
Community Boards speak through current and past resolutions. While we at times communicate advocacy positions through letters, those letters find support in a previous Full Board resolution. Given the complexity and moving parts of the M96 Plan, and the exclusion of CB7 and the Community in its formation, no prior resolution is a sufficient basis on which to state either support or opposition.

Those of us writing to you today are disappointed that, having heard the above as well as support from our Committee Members and the public at two meetings, the M96 Plan was not brought back to the drawing board, or at least paused for further dialogue and engagement with our Board and our community before going forward with implementation.

In sum, there is no basis on which to quote CB7 as having any position on the M96 Plan, and no reason to believe that if CB7 were to adopt a position on it that any such position would be one of support.

We trust this will clarify CB7's position – or absence of a position – on the M96 Plan. We remain available to you and your team for further dialogue aimed at addressing the concerns raised to date by our Board Members and community.

Respectfully yours,



Beverly Donohue  
Chair, Community Board 7/Manhattan



June 16, 2024

Page 3

*Andrew Albert and Mark Diller*

Andrew Albert and Mark Diller

Co-Chairs, CB7 Transportation Committee

Copy: Valerie Mason, Chair, Community Board 8/Manhattan

Craig Lader and Charles Warren, Co-Chairs, CB8/M Transportation Committee