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**The City of New York**  
**Community Board 8 Manhattan**  
**Transportation Committee**  
Tuesday July 9, 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: Revocable Consent Approval - 177 EAST 64th Street**

**Minutes**

*Present:* Michele Birnbaum, Lori Bores, Sebastian Hallum Clarke, Ed Hartzog, Paul Krikler, Craig Lader, Valerie Mason, John McClement, Rita Popper, Barbara Rudder, Judy Schneider, Robin Selligan, TJ Stein, Charles Warren

*Absent (Unexcused):* Juno Chowla-Song, Rebecca Lamorte, John Philips, Stephanie Reckler (public member)

*Number of Attendees from the Public: Approximately 29*

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

**Item 1: Public Hearing: 177 EAST 64th Street - Revocable Consent Application to Construct, Maintain and Use a Fenced-In Area with Steps (6:38PM)**

Joseph Cornacchia, the architect representing the property owner at 177 East 64th Street presented a proposed modification to an existing revocable consent issued in April 2017, which allowed for a continuous 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 revised fence design extends beyond the property line only in front of the front door and the stairwell entrance; it will be recessed to only extend to the property line in the center portion. The extension beyond the property line is 1'2", the same distance as the approved revocable consent.

Mr. Cornacchia originally presented the request in June 2024 to the Transportation Committee, but it was requested that he come back with additional visuals pertaining to the proposed fence's aesthetics and the fences of the neighboring properties. A new graphic was provided that depicted the proposed design compared to the original design that was previously approved in 2017. He explained that the aesthetics were compatible with the more contemporary design of the property as compared to the neighboring fences. No changes to the proposed to the actual design or dimensions, nor was the revocable consent request modified since the June 2024 presentation.

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

**WHEREAS;** the owners of 177 East 64<sup>th</sup> Street are requesting a revocable consent to construct, maintain and use a fenced-in area with steps; and

**WHEREAS;** a revocable consent for an earlier design for this project was approved by Community Board 8 in 2017, which allowed for a continuous fence to extend 1'2" beyond the property line; and

**WHEREAS;** the applicant is seeking a new revocable consent for a modified design with aesthetics that are in keeping with the design of the townhouse; and

**WHEREAS;** the revised revocable consent increases the height of the fence to 5'10" from the previously approved 4' fence; and

**WHEREAS;** a higher fence than previously proposed is needed to discourage vandalism; and

**WHEREAS;** the portions of the fence in front of the front entrance and the stairwell will extend 1'2" beyond the property line, in conformity with the previously approved revocable consent and in keeping with the fences at neighboring properties on the block; and

**WHEREAS;** revised design includes a center portion of the fence that is set back to be in line with the property line; and

**THEREFORE, BE IT RESOLVED,** that Community Board 8 Manhattan approves the revocable consent request for 177 East 64th Street to construct a fence extending 1'2" beyond the property line that is 5'10" in height.

*Yes (12):* Bores, Hallum Clarke, Hartzog, Krikler, Lader, McClement, Popper, Rudder, Schneider, Seligson, TJ Stein, Charles Warren

*No (1):* Valerie Mason

*Abstain (1):* Michele Birnbaum

**Item 2: Presentation/Public Outreach by the New York Metropolitan Transportation Council (NYMTC) for Plan 2055 (the federally mandated Long Range Transportation Plan for the region) - (7:00PM)**

New York Metropolitan Transportation Council (NYMTC) staff, represented by Rossana Weitekamp, Public Information Officer, and Gerry Bogacz, Assistant Director - Planning and Program Management, provided a presentation highlighting the role of NYMTC and the ongoing process to develop the next version of the federally mandated Long Range Transportation Plan for the region, which is known as Moving Forward 2055.

NYMTC is the federally mandated Metropolitan Planning Organization (MPO) for the New York City region, which is comprised of 9 voting members - NYC Department of Planning, NYCDOT, the MTA, New York State DOT, and 5 suburban counties including Nassau, Suffolk, Westchester, Rockland and Putnam. Their agency staff are employees of NYSDOT.

As per federal statute, MPOs such as NYMTC are responsible for carrying out the federal multimodal and performance-based transportation planning process in order for its members to be able to receive federal transportation funds. MPOs are required to develop a long-range transportation plan with at least a 20-year planning horizon that is updated at least every 4 years, a transportation improvement program (TIP) that contains any project receiving federal transportation funding, and a unified planning work program (UPWP) that defines the planning priorities and describes all federally funded activities including discretionary planning studies and other required work to be completed by NYMTC and its member agencies in the current year. NYMTC also provides technical expertise to its members to position them to be able to capture the maximum amount of federal funds, facilitates partnership and decision-making between members to achieve required unanimous voting outcomes, and conducts transportation modeling. They also conduct the region's congestion management process and regional emission analysis.

Moving Forward 2055 describes 9 guiding principles as part of NYMTC's Shared Vision – consider the needs of all users, make the best use of federal resources, consider all modes of transportation, plan for modal shifts, connections, accessibility & operability, support multi-agency approaches, collaborate with other government entities, engage the public and stakeholders, invest in the collection and sharing of data, and be open to innovation and technological advances. Moving Forward 2055 is organized around 6 goals – Safety & Security, Infrastructure, Resiliency, Congestion, Land Use, and Equity & Accessibility. It also takes into account drivers of transformative changes over recent years including Covid and the evolution of shared/personal mobility and e-commerce, along with large-scale disrupters such as climate change, energy transformation and changing demographics and land use patterns.

NYMTC prioritizes public outreach as integral to development of Moving Forward 2055, and has held in-person and virtual events that has yielded significant levels of feedback and input, including through moderated public forums, surveys and online focus groups. Further information, tools and resources are available at [movingforward2055.org](http://movingforward2055.org). Through these efforts, Moving Forward 2055's recommendations and actions are developed, which include planning & research initiatives, data collection/forecasting/performance assessment, planning process recommendations and program recommendations. Recommended projects include those that are programmed with sufficiently developed and estimated costs, and are included within the fiscally constrained element of the Plan, and vision projects that are relatively undefined and generally don't have funding sources identified.

Projects included in Moving Forward that NYMTC identified as being located within the Community District 8 Boundaries include:

- Second Avenue Subway Additional Phases (extending north above 96<sup>th</sup> Street and south below 63<sup>rd</sup> Street)
- NYC Subway Systemwide Signal Modernization (includes 6<sup>th</sup> Avenue and 63<sup>rd</sup> Street "F" Train)
- York Avenue Traffic Study (to be conducted by NYCDOT)
- East River Bridges 30-Year Capital Program Development (to be conducted by NYCDOT)
- NYCT Phase 2 Subway Capacity Study (includes the "F" Train)

There were numerous questions from meeting participants, most seeking clarification on NYMTC's role in the federal transportation planning process, how they help facilitate federal funding for projects, and how projects such as the York Avenue Traffic Study were incorporated into the Plan. It was explained how CB8M's Transportation Committee has been championing the study for many years, which NYCDOT is now finally able to move forward with after receiving federal funding assistance through NYMTC's UPWP and the planning funds available for discretionary projects. There were also questions about the relationship between projects included in Moving Forward 2055, such as accessibility initiatives, and the loss of funding resulting from the Congestion Pricing pause.

### **Item 3: Discussion of the Potential Impacts of the Pause of Congestion Pricing on Planned MTA Capital Projects impacting Community District 8 Residents (Joint with Congestion Pricing Task Force) (8:00PM)**

Transportation Committee Co-Chair Craig Lader, who also is Co-Chair of CB8M's Congestion Pricing Task Force, provided an overview of the potential impacts of the pause of Congestion Pricing on planned MTA capital projects impacting Community District 8 residents.

Mr. Lader gave a brief review of the Congestion Pricing Law passed as part of the 2019 New York State Budget, and the MTA's \$54.8 Billion 2020-2024 Capital Plan approved in October 2019. Much of the foundation of the 2020-2024 Capital Plan was the MTA's Fast Forward Plan, which was developed in response to the 2017 "Summer of Hell" when bus and subway system breakdowns and reliability hit a breaking point; Fast Forward was presented to the Transportation Committee in April 2019, days after the Congestion Pricing law was signed.

The Congestion Pricing law, which included legislative findings stating the need to provide a long-term and sustainable funding source of stable and reliable funding for the MTA and the need to protect the health and safety of the public resulting from extreme traffic congestion, is required to generate sufficient revenues to fund \$15 billion in capital spending. Funding is to go into a lockbox for projects included in the MTA's 2020-2024 Capital Plan, with any additional revenues to be available for successor MTA Capital programs; 80% of such funds are required to fund New York City Transit Projects; the remaining 20% is divided among Long Island Railroad and Metro-North. It was expected that \$1 billion in congestion pricing revenues would be needed to generate \$15 billion in bonding.

The pause of the Congestion Pricing program announced by Governor Hochul on June 5<sup>th</sup> meant that the largest source of funding of the MTA's 2020-2024 Capital Plan would no longer be available, and resulted in the MTA presenting an approach to reprioritize and resequence the projects that were initially included within it, as there

were \$27 billion in unobligated projects remaining with now only \$12 billion available. The MTA's strategy was to focus on the projects that were the most critical and timely to keep the system running and safe, while proposing deferring other less time-sensitive projects. A deferred project meant that it could be included in the upcoming 2025-2029 Capital Plan, delayed further, or possibly cancelled if funding doesn't become available.

The projects proposed for deferral are as follows. Additional deferrals may be announced at upcoming MTA meetings.

- ADA accessibility upgrades at 23 stations (\$2 billion), including 59th Street 4/5/6 and 59th/Lexington N/R/W in Community District 8
- Signal Modernization projects (\$3 billion) on various subway lines, including 63rd St. tunnel in Community District 8 on the "F" line, the 6<sup>th</sup> Avenue line (B/D/F/M), and the Fulton St. A/C Line
- Upgrades to Infrastructure & Technology (\$1.5 billion): includes track intrusion improvements and Public Address upgrades at 70 stations including the 63<sup>rd</sup>/Lexington Ave. and Roosevelt Island stations in Community District 8
- Rolling Stock (\$1.5 billion): includes replacement of "A" Division Subway Cars (used on some "6" train subway cars serving Community District 8), compressed natural gas buses, passenger/maintenance locomotives
- System Expansion - Second Avenue Subway Phase 2 (\$5 billion), extending north from Community District 8
- Zero Emission Buses 250 vehicles and depot charging infrastructure (\$500 million); buses such as these are already deployed in Community District 8;
- State of Good Repair Projects (\$3 billion) - station renewals & "back of house" projects including shops/yards/depots/non-revenue equipment that impact the ability of the entire subway and bus system to be maintained.

It was noted that operating and capital budgets are entirely independent from each other, and thus actions such as raising fares and reducing fare evasion, would not have any bearing on funding available for MTA. In terms of how to replace the \$15 billion resulting from the pause, options include lifting the pause, the NYS Legislature and Governor passing into law other revenue generating measures such as targeted tax increases or finding an approach to enable tolling policies to be modified. However, the legislative session has ended for 2024 unless a special session is called by Governor Hochul.

Attendees who spoke presented opinions both in favor and in opposition to the pause, and the more general policy of congestion pricing as required by NYS law. Those who were in opposition to congestion pricing questioned whether the funding shortfalls the MTA claimed now existed were real or to the degree that the MTA suggested, and disputed the need to revisit the 2020-2024 Capital Plan and the deferral of projects such as those related to accessibility given that the MTA has said it will take until 2055 for the entire system to be brought into compliance with the Americans with Disabilities Act. There were also speakers who made more general statements in opposition to congestion pricing. Those who were in favor of Congestion Pricing and opposed to the pause emphasized that the MTA is moving ahead with the announced deferrals of projects in the MTA's 2020-2024 Capital Plan, and expressed dismay that the projects being delayed would have real impacts on the transit system and their users, especially in regard to the delay to accessibility projects. They also highlighted the potential long-term implications of delaying projects and the uncertainty it would create since it meant that they could ultimately be cancelled if they aren't funded in the 2025-2029 Capital Plan that was in jeopardy of being underfunded without the revenues anticipated from congestion pricing.

A resolution was put forward that called on the Governor and State Legislature to fully fund the MTA's 2020-2024 Capital Program without delay. The vote was 7 yes, 5 no, 2 abstentions, which meant that no position was taken. The vote tally was as follows:

*Yes (7):* Bores, Hallum Clarke, Krikler, Lader, Rudder, Schneider, Warren

*No (5):* Birnbaum, Hartzog, McClement, Seligson, Stein

*Abstain (2):* Mason, Popper

**Item 4: Addressing Double Parking by Fox 5 New York Vehicles on East 67th Street between 2nd and 3rd Avenues and related impacts to M66 Bus Operations (9:30)**

Community Board 8's District Office has received complaints from a constituent about double parking associated with personal vehicles of staff from WNYW Fox 5 New York on 67<sup>th</sup> Street between Second and Third Avenues. Attempts to reach management from Fox 5 to invite them to participate in the discussion were not successful.

The resident who lodged the complaint provided additional background, indicating that double parking occurs regularly from early in the morning through the 6PM hour, and that double parking is prevalent throughout the entire block. The double parking is impacting the ability of emergency vehicles to operate along the block and is also impacting bus operations with vehicles parked in the Bus Stop for the M66 at 3<sup>rd</sup> Avenue preventing the bus from being able to fully pull into the stop at times. He indicated that most of the cars that are double parking don't have Press license plates, and that there has been little or no enforcement by the 19<sup>th</sup> Precinct.

Transportation Committee Co-Chair Chuck Warren noted that this issue has been addressed in the past by Community Board 8, and measures were taken at the time to reduce the extent of the curbside regulation restricting parking to New York Press vehicles outside the Fox 5 New York Headquarters. He suggested the item be revisited at the September 2024 Transportation Committee, with the agenda indicating a proposal to reduce the amount of New York Press parking in front of their complex. It is the Committee's hope that Fox 5 management will participate in the discussion so the issue can be addressed collaboratively and through self-policing. It was also suggested that the 19<sup>th</sup> Precinct's Traffic Enforcement division participate in the discussion. It was decided that a letter would be written to Fox 5 inviting their management to the September Transportation Committee meeting, informing them that this issue has occurred in the past and is once again a problem, and that changes to the press parking regulations may be needed if the situation isn't immediately address. Copies of the letter will also be sent to the 19<sup>th</sup> precinct's Traffic Enforcement Division and NYCDOT

**Item 5: NYCDOT Updates**

There were no updates provided by NYCDOT.

**Item 6: Old and New Business**

There was no old or new business discussed.

There being no further business, the meeting was adjourned at 9:55PM.

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