

Valerie S. Mason
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 September 4, 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 3: Proposed Link 5g Sites

Item 4: Fully Funding the MTA 2020-2024 Capital Plan

Minutes

Present: Michele Birnbaum, Lori Bores, Alida Camp, Juno Chowla-Song, Sebastian Hallum Clarke, Paul Krikler, Craig Lader, John McClement, John Philips, Sharon Pope Marshall, Barbara Rudder, Judy Schneider, Charles Warren, Stephanie Reckler (public member)

Absent (excused): Valerie Mason, Rita Popper

Absent (Unexcused): Rebecca Lamorte

Number of Attendees from the Public: Approximately 35

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

Item 1: NYCDOT Presentation - Microhubs Pilot Program (6:35PM)

Huma Husain from NYCDOT's Freight Mobility Unit gave a presentation on the Microhubs Pilot Program that is being rolled out, which includes a proposed location on the west side of First Avenue between 89th and 90th street on the northern half of the block.

Ms. Husain described how as compared to before the pandemic when the majority of deliveries were made to commercial customers, the inverse is now true with 80% of deliveries being residential in nature. The street network struggles to support this activity, with warehousing activities, double parking and trucks circling creating congestion. NYCDOT aims to address this by implementing sustainable delivery methods and to incentivize behavior to reduce the burdens of delivery activity that are now present, including microhubs.

Microhubs are spaces as defined by NYCDOT in the public or private right-of-way where goods are transloaded from larger freight vehicles to smaller low-emission and electric vehicles, or human-powered modes such as cargo bikes and hand carts, for final delivery. Microhubs are part of a larger NYCDOT freight strategy, and the pilot program is also mandated under Local Law 166 of 2021. In a related development, recent rules regarding commercial cargo bikes have also been issued. The goals of the program include supporting greater adoption of sustainable delivery strategies, achieve operational efficiencies, and to generate improvements to public safety, delivery worker safety, air quality, and noise levels.

The NYCDOT Microhubs program is a 3-year pilot with 2 phases – the first phase now underway is studying basic criteria such as utilization, siting, enforcement and signage/markings. It is aiming for 20 pilot sites,

including both on-street and off-street (i.e. under elevated roadways) drawing from 8 participants who responded to a RFEI (request for an expression of interests; each pilot location would be assigned to a single vendor. Locations deemed feasible are those in which there is mixed-use development with a commercial hub, near bike facilities, and on roadways where space exists. These tend to be higher density locations in close proximity to truck routes that have been deemed high priority areas by the NYCDOT Streets Plan, and where delivery demand is high and desired by both the community and private partners. Phase 2 would expand the program to additional vendors and a broader geographic area, in which lessons learned would help determine the structure of a permanent program and any needed regulatory changes. The timeframe for phase 2 is expected to be later in 2025.

The physical design of on-street microhubs includes about 80 to 100 feet of linear space, enough so transloading can occur and allow for package sorting and transfer to electric vehicles, bikes and walkers. A bike corral would be incorporated into the space. Barriers such as flexible delineators, bollards, armadillos and planters would be used to ensure safety. Regulatory signage and other markings would identify the space as a microhub and the company that is permitted to use the space. Spaces should also be well lit.

NYCDOT's role in regard to microhubs is to vet and manage program participants, coordinate the identification and screening of pilot locations, develop terms and conditions for participation, provide guidelines for design and construction, coordinate with DCAS and NYPD for licensing and enforcement, collecting and analyzing data monthly to track participant activity, and monitoring benefits/impacts of the pilot based on the data collected. Key conditions for participation identified by NYCDOT include sustainable modes used in the transfer of goods, a sustainable delivery radius, a transloading restriction in which the permit holder is prohibited from additional transloading activity within ½ mile of the microhub zone, the company name being displayed prominently on each commercial vehicle and transfer vehicle, maintenance requirements, data sharing, and a 30-day advance notice if the vendor wishes to discontinue operations at the microhub.

Ms. Husain emphasized that NYCDOT was open to feedback on the proposed First Avenue/89th-90th Street location, and that they were open to suggestions for additional microhub locations within Community District 8. It has yet to be announced which project partner would be granted use of this particular zone.

Among meeting participants, there were supporters and detractors of the proposed microhub concept. The many issues related to delivery trucks was widely recognized, and some attendees who spoke were optimistic that microhubs would be an effective tactic to address the issues related to illegal warehousing activities. Others were less enthusiastic, and expressed concerns about enforcement, safety, quality of life and the idea of cargo bikes being deployed to support microhubs. In response to questions, Ms. Husain said that the microhub would have set hours and days of operation, prohibit truck idling, and that companies would be allowed to use temporary tents or protective gear in inclement weather. When asked about the use of storefronts as delivery hubs as an alternative approach, Ms. Husain said that NYCDOT is supportive of using storefronts as part of a broader strategy to address challenges related to deliveries. Ms. Husain also indicated that project partners would be assessed fees to operate, but it would be limited to the administrative fees NYCDOT is permitted to charge based on established rules. Ms. Husain said she would provide the fee schedule.

Item 2: Public Hearing: Parking Change Request - 181 East 65th Street (7:30PM)

Jet Shala, onsite building manager of 181 East 65th Street, spoke on behalf of the building's request to change the parking regulations in front of their building entrance. The current parking regulations along the entirety of the block are for No Standing 8AM to 7PM except Sundays.

Mr. Shala explained that vulnerable populations comprise a high percentage of the building's residents, and the lack of enforcement of the No Standing zone results in illegally park cars blocking the building entrance and creating problems for residents with mobility challenges from easily being able to access the curbside. He was requesting more stringent parking regulations to allow for loading and unloading only, but NYCDOT indicated that such a sign is not part of their inventory. He then indicated a No Standing Anytime sign would suffice, as any

sign that was more stringent would defeat the purpose of allowing stopping of vehicles to load and unload passengers.

In response to the request, one of the Committee Chairs indicated that such requests are typically denied, as it would set a precedent allowing the many residential buildings in the District to make similar requests with an expectation that they would also be granted. It was also suggested that Mr. Shala attend the next Community Council Meeting with the 19th Precinct, as it appeared that the issues with illegal parking are mostly a result of a lack of enforcement given Mr. Shala's reporting of vehicles with placards parked along the street. It was also noted that there is a hydrant between the building canopy and the nearby corner, and that is an area in which cars should not be parked.

A resolution was put forward to support the requested parking change to No Standing Anytime. The vote was 6 yes, 8 no, and thus the resolution didn't pass. The vote tally was as follows:

Yes (6): Bores, Chowla-Song, Hallum Clarke, Krikler, McClement, Schneider

No (8): Birnbaum, Camp, Lader, Warren, Pope Marshall, Philips, Rudder, Reckler (public member)

Item 3: Link 5g Proposed Sites (7:50PM)

- 1. 1712 York Avenue - Link5G without Ad Screen**
- 2. 110 East 88th Street - Link5G without Ad Screen (Park Ave. Historic District)**
- 3. 650 Madison Avenue - Link5G with Ad Screen (replaces Original Link) (Madison Ave. BID)**
- 4. 510 East 71st Street - Link5G without Ad Screen**
- 5. Across From 500 East 63rd Street - Link5G without Ad Screen**

Community Board 8 received notice from the New York City office of Technology and Innovation (NYCOTI) in regard to five proposed sites for Link 5G infrastructure in Community District 8; the notice contained a link to a map depicting the more precise locations. Of the proposed sites, only the one at 650 Madison Avenue would include an ad screen, which would replace the existing kiosk; the other locations would not include ad screens.

There was opposition expressed to the broader Link 5G program and more specifically to each individual location being proposed. The proposed location at 110 East 88th Street is located in the Park Avenue Historic District, with several speakers objecting to siting in a historic district and invoking Section 106 of the National Historic Preservation Act and pointing out that the appropriate review was not completed. The president of the Madison Avenue Business Improvement District spoke against the proposed replacement kiosk at 650 Madison Avenue that is located in the Madison Avenue BID, and also noted that the Upper East Side Historic District is within 500 feet of the proposed site and area of potential effect. There was uncertainty about the precise location of the proposed kiosk across from 500 East 63rd Street site, raising concerns about its impact on the nearby residences.

More general concerns about potential health impacts and radiation levels associated with 5G infrastructure located in close proximity to residential buildings were also expressed, along with concerns about the design of Link 5G infrastructure being out of scale. It was noted that the Link 5G vendor was required to demonstrate a need for the kiosks and to have 5G carriers under contract to provide service, and there is no evidence that this occurred. There were numerous references to prior CB8M opposition to Link 5G, including its resolution in December 2022 asking for a moratorium on construction and planning of poles and devices in the district.

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

WHEREAS; New York City Office of Technology and Innovation (NYCOTI) provided notice of proposed Link 5G Kiosk Locations at 1712 York Avenue, 110 East 88th Street, 650 Madison Avenue, 510 East 71st Street, and across From 500 East 63rd Street; and

WHEREAS; Community Board 8 Manhattan is on record as per a December 2022 resolution requesting a moratorium on construction and planning of Link 5G poles and devices in Manhattan Community District 8; and

WHEREAS; NYCOTI has not addressed Community Board 8 Manhattan's concerns from the December 2022 resolution; and

WHEREAS; there remains no confirmation that the requirements set forth on the Link 5G vendor to have contracts with carriers in place prior to deployment of proposed siting of infrastructure have been met, nor has there been any substantiation of any gaps in cellular service that necessitate Link 5G service be provided; and

WHEREAS; continued concerns exist in regards to the design of Link 5G kiosks and the potential visual impacts their presence would have in areas near their placement; and

WHEREAS; there continue to be concerns regarding the health impacts of 5G on residences nearby kiosks; and

WHEREAS; the new proposed locations include sites that would adversely impact historic districts, and those located in or near such districts may be in violation of Section 106 of the National Historic Preservation Act;

THEREFORE, BE IT RESOLVED, that Community Board 8 opposes Link 5G sites proposed by the New York City Office of Innovation and Technology at the following locations: 1712 York Avenue, 110 East 88th Street, 650 Madison Avenue, 510 East 71st Street, Across From 500 East 63rd Street.

Yes (8): Birnbaum, Camp, Pope Marshall, McClement, Philips, Schneider, Warren, Reckler (public member)

No (3): Hallum Clarke, Krikler, Lader

Abstain (2): Bores, Chowla-Song

Item 4: Continued Discussion - Funding for the MTA 2020-2024 Capital Plan (8:25)

At the July 2024 CB8M Transportation Committee Meeting, the impacts of the Governor's "pause" of the MTA's Central Business District Tolling Program (Congestion Pricing) on the MTA's 2020-2024 Capital Plan to Community District 8 were discussed. A proposed resolution calling on the Governor and State Legislature to fully fund the MTA's 2020-2024 Capital Plan without delay resulted in a tie vote at the Transportation Committee, and a subsequent resolution proposed at the July 2024 Full Board meeting was tabled, resulting in this continued discussion.

One of the Committee Chairs provided a brief review of the topic, explaining that as a result of the Governor's directive, the MTA Board presented at its June 2024 meeting its plan to defer a series of projects that were initially included within the 2020-2024 Capital Plan as a result of the congestion pricing funds not being available due to the "pause". Those included ADA accessibility upgrades at 23 stations including 59th Street 4/5/6 and 59th/Lexington N/R/W, Signal Modernization projects (\$3 billion) on various subway lines including 63rd St. tunnel in Community District 8 on the "F" line, upgrades to Infrastructure & Technology including track intrusion improvements and Public Address upgrades at 70 stations including the 63rd/Lexington Ave. and Roosevelt Island stations, Phase 2 of the Second Avenue Subway, and other rolling stock, zero-emission buses and state of good repair projects.

Since the July 2024 discussion, there have been no changes to the Governor's "pause", and thus there have been few developments related to the status of the MTA's 2020-2024 Capital Plan, with no actions being taken by the Legislature to provide funding for the projects in the 2020-2024 Capital Plan proposed for deferral. There was one action taken by the Governor to allocate \$54 million in discretionary funds to the 2nd Avenue Subway Phase 2 project, which was a preventive measure to ensure that Federal funding would not lapse for the project due to insufficient local funding required as per Federal agreements in place.

A resolution was put forward to table the discussion. The vote was 7 yes, 7 no, and thus didn't pass. The vote tally was as follows:

Yes (7): Birnbaum, Camp, McClement, Pope Marshall, Philips, Schneider, Reckler (public member)

No (7): Bores, Chowla-Song, Hallum Clarke, Krikler, Lader, Rudder, Warren

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

WHEREAS; in 2019, the Metropolitan Transportation Authority issued its 2020 to 2024 Capital Plan, including many projects included in the MTA's 2017 Fast Forward Plan that was developed to prevent system failures that were frequently occurring; and

WHEREAS; of the \$54.8 Billion in funding required for the 2020-2024 Capital Plan to be implemented, \$15 billion was to come from bonding of \$1 billion in congestion pricing revenues; and

WHEREAS; in June 2024, an announcement was made by Governor Hochul that congestion pricing was being paused, effectively removing \$15 billion of funding from the 2020-2024 Capital Program; and

WHEREAS; the MTA Board of Directors, at their June 2024, acted to reprioritize and resequence the projects in the 2020-2024 Capital Plan in order to offset the \$15 billion shortfall that no longer will be available as a result of the loss of anticipated congestion pricing revenues, and

WHEREAS; the impacts of the deferral of projects unable to be funded through the MTA 2020-2024 Capital Plan will have significant impacts on a citywide and regional scale, and within Community District 8's boundaries; and

WHEREAS; the delay of ADA Accessibility Projects, including at the 59th Street 4/5/6 and 59th/Lexington N/R/W within Community District 8, will cause continued hardship among persons with mobility impairments and caregivers with children in strollers; and

WHEREAS; the delay of signal modernization projects, including along the "F" line serving portions of Community District 8, will contribute to ongoing service disruptions and prevent train throughput from being able to be increased; and

WHEREAS; the delay of upgrades to infrastructure and communications, including planned public announcement systems upgrades to the 63rd/Lexington Ave. and Roosevelt Island stations in Community District 8, will adversely impact passengers who use these stations; and

WHEREAS; deferring state of good repair projects and investments in fleet replacement and purchases of zero emission buses will adversely impact system reliability and put strains on the transit network; and

WHEREAS; delaying Phase 2 of the Second Avenue Subway would restrict options for Community District 8 residents and visitors who travel to and from East Harlem and other parts of Manhattan; and

WHEREAS; there has been no action taken by either the Governor or State Legislature to replace the loss of the \$15 billion in the MTA's 2020-2024 Capital Plan; and

WHEREAS; the projects to be deferred will be considered unfunded until action is taken to replace the \$15 billion congestion pricing funding stream; and

WHEREAS; there is no indication that the congestion pricing pause will be lifted in time to fund the MTA's 2020 to 2024 Capital Plan; and

WHEREAS; the MTA is not making any guarantees that the deferred projects will ultimately be funded in the next MTA Capital Plan; and

WHEREAS; Community District 8 is within the geographic areas in Manhattan being assessed a surcharge for passengers of for hire vehicles including New York City Taxis, and its residents are concerned that the surcharge

will be used as a mechanism for replacing a portion of the congestion pricing revenues no longer expected to be available for the MTA 2020-2024 Capital Plan; and

WHEREAS; any proposal by the Governor or State Legislature to fund the MTA 2020-2024 Capital Plan that includes an increase in taxes to residents would cause economic harm to all New Yorkers, and especially transit dependent populations that would not have been subjected to congestion pricing tolls had it not been paused;

THEREFORE, BE IT RESOLVED, that Community Board 8 Manhattan calls on the Governor and State Legislature to avoid further delays to critical infrastructure projects by immediately fully funding the MTA's 2020-2024 Capital Plan, without raising taxes on New Yorkers or increasing for-hire vehicle surcharges.

Yes (10): Bores, Chowla-Song, Hallum Clarke, Krikler, Lader, McClement, Pope Marshall, Rudder, Warren, Reckler (public member)

No (4): Birnbaum, Camp, Philips, Schneider

Abstain (0): None

Item 5: NYCDOT Updates

Colleen Chattergoon, NYCDOT Senior Borough Planner and Liaison to Community Board 8, reported the following:

- Efforts to daylight intersections are moving forward, with 300 intersections across the city having been upgraded and another 700 planned by next year; this includes 36 intersections in Manhattan.
- NYCDOT's Summer Streets programming in August went well.
- The application deadline for the new Dining Out NYC program has passed, and information will be reported at a later date on the number of applications submitted for Community District 8 restaurants.

Item 6: Old and New Business

A member noted that a restaurant at 89th Street and Second Avenue removed its illegal enclosure but now appears to be operating a sidewalk cafe, and inquired about its legality. NYCDOT will check on this site.

A speaker asked about the impact of open streets on emergency response times. Ms. Chattergoon said that such questions should be directed to NYPD and FDNY given that they maintain that information; she also noted that emergency access is always provided when open streets are in place, and that emergency vehicles can go over cones or flexible bollards.

A member inquired about the purpose of the no standing zone on 82nd Street Madison Avenue and 5th Avenue.

There was a question about why there are many streets in the District that are now being milled and paved; Ms. Chattergoon said that the rainy summer contributed to some projects being delayed.

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

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