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The City of New York
Community Board 8 Manhattan
Transportation Committee
Wednesday November 6, 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: 1014 Fifth Avenue – Revocable Consent

Item 2: Double Parking in front of Fox 5 HQ on 67th Street (Unanimous)

Item 3: Open Street Request - Birch Wathen Lenox School (77th Street between 2nd and 3rd Ave)

Minutes

Present: Michele Birnbaum, Lori Bores, Sebastian Hallum Clarke, Paul Krikler, Craig Lader, John McClement, Sharon Pope-Marshall, Rita Popper, Todd Stein, Charles Warren, Stephanie Reckler (public member)

Absent (excused): Valerie Mason

Absent (Unexcused): John Philips

Number of Attendees from the Public: Approximately 30

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

Item 1: Public Hearing: A New DOT Revocable Consent Application to construct, maintain and use Steps and Bench at 1014 Fifth Avenue the Consulate General of Germany (6:35PM)

Sebastian Kaempf, representing KARO Architects (architect of record), presented a revocable consent request to construct, maintain and use steps and a bench at 1014 5th Avenue. The building, under the ownership of the Federal Republic of Germany, was previously not under the jurisdiction of New York City except for fire and safety requirements. The townhouse is being converted from a single-family dwelling into a public space to be used by the organization 1014 Space for Ideas, and needs to be brought up to code for fire, safety and accessibility. This requires a second means of egress in front of a new interior staircase, and a new entrance configuration for accessibility. The proposed design was approved by the LPC in September 2022; DOB subsequently requested a code compliant upgrade of the cellar egress that was approved in a follow-up LPC hearing, which is included in the revocable consent request. Following a 2024 certificate of appropriateness, the revocable consent request was filed.

The proposed plan includes a plaza-like sidewalk extending to the front entrance and includes enlarged entry stairs next to the main entrance – a portion of which extend beyond the property line. The enlarged landing with a limestone balustrade protecting the stairwell is to extend 5' into the public right of way; this is 5 feet shorter than the planters extending from the adjacent building to the north immediately next to this area; the application includes modifications to the stairwell to the cellar. There is also a proposed limestone bench south of the entry gate and is intended to create a continuation of the plaza-like sidewalk into the entranceway. The bench is proposed to be 10' in length and will extend out 12' 8" beyond the property line, which is 1' 4" less than the adjacent planters immediately to the south. The plan also includes new granite pavers that were requested by NYCDOT but are not formally part of the application. It was noted that buildings between 80th and 85th Streets on Fifth Avenue all contain planter beds extending from building facades with depths generally between 10' and 15'.

There were comments on behalf of Carnegie Hill Neighbors requesting the bench be moved or shortened by 2.5' so it would line up with the planters to the north that extend 10' beyond the property line, which would further respect the Boulevard nature of the segment of Fifth Avenue across from the Metropolitan Museum of Art with wider sidewalks. Mr. Kaempf noted that there is an ongoing process to reduce the depth of the planters in front of the adjacent building to the south to extend only 10' out, and that if this were to occur, they would move or shorten the bench to remain consistent with that 10' excursion. Other comments focused on the need for the bench, and if there was a way in which it could include dividers to discourage people from lying across it or even if it can be placed inside; other speakers supported the bench as presented. Mr. Kaempf also said that while no dividers are currently proposed, they would address any conditions if they were to develop that may necessitate dividers. It was noted that the bench was clearly visible from inside the building and any issues could be dealt with quickly.

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

WHEREAS; a revocable consent request has been submitted to NYCDOT for 1014 Fifth Avenue; and

WHEREAS; 1014 Fifth Avenue is being converted from a residence into a space that will be open to the public; and

WHEREAS; 1014 Fifth Avenue is owned by the Federal Republic of Germany, and needs to be modified to conform to New York City codes for fire, safety and accessibility in order to be able to be used as a space open to the public; and

WHEREAS; the revocable consent request includes a new landing area with a limestone balustrade projecting to protect a stairwell, which will extend 5' into the public right of way and is 5' shorter than the planters in front of the adjacent building; and

WHEREAS; a limestone bench is proposed to extend 12' 8" on the southern end of the entranceway, which is 1' 4" less than the planters in front of the adjacent building that extend 14" and

WHEREAS; 1014 Fifth Avenue has stated that they will shorten the bench if and when the adjacent building reduces the extent of the encroachment of their planters;

THEREFORE, BE IT RESOLVED, that Community Board 8 approves as presented the Consulate General of Germany's revocable consent application to construct, maintain and use steps and a bench at 1014 Fifth Avenue.

Yes (9+1): Bores, Hallum Clarke, Krikler, Lader, McClement, Pope-Marshall, Popper, Stein, Warren, Reckler
(Public Member)

No (1): Birnbaum

Abstain (0): None

Item 2: 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 (7:15PM)

In July 2024, complaints were brought to Community Board 8 regarding ongoing and frequent double parking in front of the Fox 5 offices on East 67th Street between Second and Third Avenues, including in the area where signage indicates parking spaces provided to vehicles with New York Press license plates. The issue was prevalent throughout the day on weekdays and was described as adversely impacting traffic along the street, including the ability for emergency vehicles to operate and for M66 buses to be able to fully access the bus stop at 3rd Avenue. Similar issues had occurred in the past involving double parking in front of Fox 5 and had been addressed through collaboration with Fox 5 and CB8, and a letter was sent to Fox 5 asking them to appear before the Transportation Committee to try to address the current situation.

Following a lack of response from Fox 5, this item was revisited. Numerous residents of the block described the ongoing situation that is creating quality of life issues and safety concerns resulting from the ensuing congestion and indicated that there is a lack of enforcement that is contributing to the issue. There was a consensus that action needed to be taken, with discussion focusing on an approach that would result in the removal of the approximately 200-foot long New York Press parking zone, which accommodates 9 vehicles and is intended to serve news vans rather than personal vehicles. The hope remained that Fox 5 would respond to such a proposed action, and work with the Committee to address the issue without needing to change parking regulations.

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

WHEREAS; Community Board 8 has received complaints regarding double parking in front of the Fox 5 Headquarters at 205 East 67th Street; and

WHEREAS; the issue of double parking on East 67th Street has been ongoing, and requests to strictly enforce parking laws have not been acted on; and

WHEREAS; this double parking is creating quality of life issues for nearby residents, as it causes congestion and inhibits the ability of emergency vehicles operate along the block; and

WHEREAS; double parking in front of Fox 5 is affecting the ability of M66 buses from fully pulling into the bus stop located at the intersection with 3rd Avenue; and

WHEREAS; there are nine parking spaces in front of Fox 5 that are indicated by signs as restricted to vehicles with New York Press license plates; and

WHEREAS; the New York Press parking spaces provided to Fox 5 are not intended to extend to private vehicles, nor does it provide any legal right to allow vehicles to block the moving lane of traffic; and

WHEREAS; Fox 5 has previously worked with Community Board 8 when earlier issues with parking were present; and

WHEREAS; Community Board 8 has sent a letter asking Fox 5 officials to discuss the issue and to work collaboratively to address the situation; and

WHEREAS; given the continued lack of response from Fox 5 in regards to the current issues, Community Board 8 is compelled to take action and believes that a strict no Standing regulation would be most effective at eliminating double parking;

THEREFORE, BE IT RESOLVED, that Community Board 8 Manhattan requests the New York City Department of Transportation change the 9 New York Press parking spaces in front of Fox 5 Headquarters on East 67th Street to No Standing, unless Fox 5 management appears before the Community Board 8 Transportation Committee to immediately address the existing issues related to illegal parking and double parking.

Yes (10+1): Birnbaum, Bores, Hallum Clarke, Krikler, Lader, McClement, Pope-Marshall, Popper, Stein, Warren, Reckler (Public Member)

No (0): None

Abstain (0): None

Item 3: NYCDOT Open Street Application for The Birch Wathen Lenox School, located on East 77th Street between Second and Third Avenues (7:35PM)

Astride Riche, Chief of Staff to the Headmaster at the Birch Wathen Lenox School, presented a request for the school to participate in the NYCDOT Open Streets program, in which the block of East 77th Street between Second and Third Avenues would be closed on school days between 9AM and 2PM to through-traffic. The application has previously been approved by NYCDOT, and covered the January to June 2025 timeframe. It is also supported by Council Member Menin.

The school is seeking the open street designation to allow students to have additional space for recess. There is a small space on the roof of the building that accommodates one grade at a time, and the open street would allow for concurrent recess to occur across multiple grades. Ms. Riche indicated that the school has reached out to neighbors on the block and have received support for their request. Similar to other schools that have been approved and implemented at many schools throughout Community District 8, Birch Wathen Lenox will be responsible for maintaining the open street and providing access for emergency vehicles, deliveries and others who require access during the street closure hours.

There was one speaker residing on the block who spoke in favor of the request. A board member raised a concern about the impacts of a street closure on a road providing direct access to the nearby emergency room at Lenox Hill Hospital. NYCDOT noted that there are open streets for schools across New York City, and there have not been any issues with emergency response being adversely impacted by such open streets.

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

WHEREAS; the Birch Wathen Lenox School has been approved by NYCDOT to participate in their Open Streets program; and

WHEREAS; the open street will be in effect between 9AM and 2PM on school days starting in January 2025 ending when the school year has ended; and

WHEREAS; the open street will be used by students for recess activities, which are currently restricted to one grade at a time on the small rooftop of the school; and

WHEREAS; Birch Wathen Lenox staff will maintain the open street to ensure that any vehicles requiring access, including first responders, are able to access the street and in a manner that ensures safety for all; and

WHEREAS; Birch Wathen Lenox staff has reached out to neighbors to inform them of the plan;

THEREFORE, BE IT RESOLVED, that Community Board 8 Manhattan supports the Birch Wathen Lenox School participation in the NYCDOT Open Streets Program between 9AM and 2PM on school days.

Yes (9): Bores, Hallum Clarke, Krikler, Lader, McClement, Pope-Marshall, Popper, Stein, Warren,

No (2): Birnbaum, Reckler (Public Member)

Abstain (0): None

Item 4: Discussion regarding concerns about hot bus stops and the need for additional bus shelters (7:55PM)

This item was brought to the attention of the Committee by a member in response to articles published in numerous publications that profiled a recent study done in coordination with NASA. The study used thermal imaging to determine where dangers posed by bus stops that lack shade or shelter existed, and it showed that Community District 8 contained numerous locations in which hotspots were identified.

The goal of initiating a discussion was to begin to identify locations within Community District 8 where bus shelters should be considered for installation. One of the co-chairs provided a listing of bus stops lacking shelters. It was noted that there are no shelters on Lexington Avenue, Madison Avenue and 5th Avenue, where narrow sidewalks and the presence of Central Park have inhibited shelters from being installed, but there are also numerous locations on crosstown bus routes where shelters are not present and may be appropriate.

Colleen Chattergoon, Senior Borough Planner and Liaison to Community Board 8, identified the five types of bus shelters in the NYCDOT inventory - regular, narrow, short, little and double, and the siting requirements that included maintaining clear paths and minimum distances from fire hydrants/standpipes, trees/tree pits, cellar doors, street lights, signal poles, ventilation grates and street signs. She noted that bus shelter requests can be submitted to the Board office or through 311, and NYCDOT will review such requests for feasibility.

Item 5: NYCDOT Updates

Colleen Chattergoon, Senior Borough Planner and Liaison to Community Board 8, reported that NYCDOT is initiating a York Avenue Traffic Study, which had been requested by CB8M. She requested that the item be included on the December agenda of the CB8M Transportation Committee, where they will be soliciting feedback on specific issues that the Study should further investigate.

Item 6: Old and New Business

A public attendee asked about the grace period for restaurants to remove any curbside structures that were no longer permitted under the new Dining Out NYC program. Ms. Chattergoon stated that any applicant for the new program would need to remove them by November 30th, and any restaurant that was no longer participating was supposed to have it removed by November 1st.

A member asked for an update regarding the restaurant at 89th Street and 2nd Avenue that had removed its illegal enclosure but now appears to have rebuilt the structure. Ms. Chattergoon indicated that she reported it to the DOB, and will follow up with them on the matter.

There being no further business, the meeting was adjourned at 8:30PM.

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