

DRAFT 10.3



**THE BOROUGH OF MANHATTAN
GALE BREWER, BOROUGH PRESIDENT
MANHATTAN COMMUNITY BOARD FIVE
VIKKI BARBERO, CHAIR
WALLY RUBIN, DISTRICT MANAGER**

Minutes of the regular Community Board Five meeting held on **Thursday, October 10, 2019 at Xavier High School, 2nd Floor Library, 30 West 16th Street (b/t 5th & 6th Aves.), at 6:00pm.** Vikki Barbero, Chair, presided.

Members Present

David Achelis
Nicholas Athanail
Vikki Barbero
Andreas Benzing
Julie Chou
Christopher Clark
James Dale
Aaron Ford
Laura Garcia
Nancy Goshow
Michael Greeley
John B. Harris, Jr.
Matthew Hartman
William Heyer
Samuel Johnson
Michael Kaback
E.J. Kalafarski
Renee Kinsella
Layla Law-Gisiko
Sam Levy
Lucas Lopes
Joseph Maffia
Kimberly McCall
Evan Meyerson
Charles Miller
Janet Pawson
Jonathan Rabar
Tod Shapiro
Craig Slutzkin
Pete Webb
Rachel Weintraub
Ryan Whalen
July Yang

Present Part

James Beitchman
Sarah Dowson

Absent

Dominic Gatto
Jordan Goldman
Tristan Haas
Robert Isaacs
Jennifer Kasner
Clayton Smith
Barbara Spandorf
Daniel Spence
Simon Tschinkel
Jessica Verdi

Excused

Blaga Lucic
David Sandler

Public Members

Elected Officials

Gale Brewer
Borough President

Liz Peters
Councilmember
Powers

Jeremy Unger
Councilmember
Rivera

Laurie Harjowaroga
Speaker
Johnson

Justin Flagg
Senator
Krueger

Jessica Mates
Borough President
Brewer

Lucas Wolf
Comptroller
Stringer

Betsy Schmid
Congresswoman
Maloney

Phil Marius
Assembly Member
Gottfried

Kevin JeanBaptiste
Manhattan DA

Staff

Wally Rubin
District Manager

Luke Szabados
Community Associate

Public Attendees

Rie Koko
Scott Avrium
Emily Steinberg

Zach Bahar
Kellie Leeson
Elana Lipkin
Anne Landau
Steve Pitman
Alan Nadler
Tilly Mae Kirk
Lauren Dawrcki
Steven Klein
Aries Dela Cruz
Julie Merine
Lisa Wager
Sherry Braddam
Lovetta Keane
Robert Huberman
Lloyd Maric
Aaron Diggdon
Anna Thelen
Dani Halvarson

At 6:10 p.m., the Full Board meeting for October 10, 2019 of Manhattan Community Board Five was called to order by Chair, Vikki Barbero.

PUBLIC SESSION

Jeremy Unger – Representing Councilmember Rivera – announced that the Councilwoman will be monitoring the 14th Street traffic pilot program. He also announced the introduction of legislation by the Councilwoman, Intro 1737, which will curb after-hours construction. He spoke of the demand by Councilmember Rivera at the City Council’s Parks Committee Hearing for a solution to the trash situation at Union Square Park.

Betsy Schmid – Representing Congresswoman Maloney – spoke of the passing of the Debbie Smith Act, which will help eliminate the rape kit backlog that allows predators to roam freely and prevents victims from finding justice. She also announced that Congresswoman Maloney will host a roundtable meeting on the importance of reauthorizing the Terrorism Risk Insurance Act (TRIA) before it expires at the end of 2020 and will also host a town hall on impeachment in Brooklyn.

David Kruger – Representing Senator Hoylman – spoke of the legislation sponsored by State Senator Brad Hoylman and Assembly Member Richard Gottfried signed into law by Governor Cuomo which prohibit boats from operating, anchoring, or mooring in the navigable waters of New York State, including the Hudson and East Rivers, while operating a digital billboard or a billboard that uses flashing, intermittent or moving lights. He also announced Senator Hoylman’s legislation to ensure parents would have access to school immunization data at their local schools. He also spoke of the Senator’s letter to the Department of Transportation requesting a traffic study on the corridor and stated that as a result of this study, the speed limit will drop on the West Side Highway.

Julie Menin – Director of the NYC Census Bureau –spoke on the importance of the census and it being the determining factor for how critical resources and political power are distributed. She stated that as New Yorkers, our fair share of over \$650 billion in federal funding is at stake, which will also include funding for our public education, public housing, roads and bridges, and much more and if we are undercounted, we could lose up to two seats in Congress, diminishing the power of our voices on Capitol Hill. She spoke of changes to the census form and how NYC Census 2020 is working to ensure every community is counted.

Justin Flagg – Representing Senator Krueger – announced that on Tuesday October 29th, Senator Krueger will host a Forum on Co-ops and Condos, which will be an opportunity to learn about the role of the board, the role of management, your rights as a shareholder or unit owner, strategies to address common issues in coops and condos, and recently passed state legislation that will allow coop shareholders to obtain reverse mortgages. He also spoke of the upcoming November 5 elections.

Luke Wolf – Representing Comptroller Scott Stringer – spoke of the new in-depth analysis released by New York City Comptroller Stringer showing that the rate of empty and vacant storefronts across the five boroughs has skyrocketed by nearly 50 percent over the past decade, rising to a high of 5.8 percent in 2017. Comptroller Stringer’s new report suggested three reasons for the dramatic rise of retail vacancy citywide including changing use of retail space as internet shopping grows, rising rents and the hurdles that impede the turnover of space

Kevin JeanBaptiste – Representing Manhattan District Attorney – spoke of the increase in hate crime. He also announced that October was Domestic Violence Awareness month.

Laurie Hardjoworogo – Representing Speaker Johnson – will continue to monitor 14th Street busway. She also announced upcoming events including the Fire Prevention and Preparedness workshop on October 17, No Cost Flu Shot Day on October 24 and Senior Resource Fair on October 29.

Liz Peters – Representing Councilmember Powers – spoke of new legislation introduced to require tenants be notified within 24 hours if a mold assessor determines that mold remediation is needed. She also spoke of legislation introduced to reform special elections. She announced that they spoke of the

debate over the plan to close Rikers and also spoke of legislation to co-sponsor after-hours variance bill which will require permits to expire after 15 days and only allow work on weekdays from 6am to 7pm and 6pm to 10pm and weekend from 8am to 6pm.

Phil Marius – Representing Assembly Member Gottfried – spoke of a teach-in on legislation introduced to decriminalize sex work. He also announced legislation on tuition-free CUNY, SUNY and Community Colleges. He announced that the Assemblyman testified on the NY Port Authority Bus Terminal on September 5. He also announced that the Assembly Member's support of the community challenge to the supertall buildings is moving ahead.

Steve Pitman – spoke on bike safety. He addressed the point of view of the pedestrian walking on the sidewalk with people riding bikes on the sidewalk.

Lisa Wager – FIT – spoke of new design proposal before the board. She gave an update on the revised project since coming before the board in 2009. She introduced Mr. Pitman from Shop Architects who spoke of the new design.

Gale Brewer – Manhattan Borough President – spoke of the five years' fight to have the Women statue featuring New Yorker's Elizabeth Cady Stanton, Susan B. Anthony and Sojourner Truth installed in Central Park. She reported that she will help with the telephone booth removal and relayed her concerns over the downsizing of Beth Israel Hospital and whether affordable housing can be provided there. She mentioned there will be a public hearing on 10/16 with the hospital. She announced upcoming senior events and the Condo Coop forum. She also spoke about the census, charter revision proposals, and the Religious Facilities Task Force

Steven Klein – Dough – introduced his establishment and explained the request before the Board for No Parking sign removal, expressing support.

BUSINESS SESSION

- **VOTE ON THE SEPTEMBER 2019 MINUTES**

The September 2019 minutes passed with a vote of 33 in favor, 0 opposed, 1 abstaining, as follows: **IN FAVOR:** Achelis, Athanail, Benzing, Chou, Clark, Dale, Dowson, Ford, Garcia, Goshow, Greeley, Harris Jr., Hartman, Heyer, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang. **ABSTAIN:** Barbero.

- **VOTE OF ASSISTANT SECRETARY AND TREASURER – VIKKI BARBERO**

Chair Barbero reminded the Board of vacancies of two offices: Assistant Secretary and Treasurer. At the prior meeting, Julie Chou was nominated for Assistant Secretary and Aaron Ford was nominated for Treasurer. A roll call vote in support of these nominations were as follows: 33 in favor, 0 opposed, and 1 abstaining, as follows: **IN FAVOR:** Achelis, Athanail, Beitchman, Benzing, Chou, Clark, Dale, Dowson, Ford, Garcia, Goshow, Greeley, Harris Jr., Hartman, Heyer, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang.

- **CHAIR’S REPORT – VIKKI BARBERO**

Ms. Barbero spoke of the success of the retreat last month and invited anyone who was not present but wanted a condensed version can let her know and she will meet with them at the Board Office.

- **DISTRICT MANAGER'S REPORT – WALLY RUBIN**

Waived.

COMMITTEE REPORTS

TRANSPORTATION/ENVIRONMENT – E.J. KALAFARSKI

Mr. Kalafarski gave a brief presentation on the following resolution:

Request by Dough Doughnuts (14 West 19th Street) to remove "No Standing 11pm to 6am" signs from the south side of West 19th Street between 5th and 6th Avenues

WHEREAS, The Applicant, Dough Doughnuts at 14 West 19th Street, a gourmet doughnut retailer and wholesaler founded in 2010, has requested the removal of “No Standing” signs from the south side of West 19th Street between 5th and 6th Avenues; and

WHEREAS, According to the Department of Transportation, the “No Standing” signs were installed over 25 years ago, due to the prevalence of bars and clubs on 19th, 20th, and 21st Streets between 5th and 6th Avenues; and

WHEREAS, The south side of West 19th Street on the block outside of the “No Standing” zone is marked for 3-hour metered parking Monday through Friday, 8 a.m. to 7 p.m.; and

WHEREAS, There are, in the present day, no bars and clubs on the block in question, negating the purpose and need of the signs’ original installation; and

WHEREAS, The Applicant is primarily a retail business from 6 a.m. through 9 p.m., when individual parking would be most appropriate, and a wholesale business shipping to other retailers throughout the city from 9 p.m. to 6 a.m., when commercial loading and unloading is prevalent; and

WHEREAS, The current “No Standing” signage creates a financial and logistical hardship for businesses such as wholesalers operating throughout the night, without any discernible present-day benefit to the neighborhood; and

WHEREAS, There is no reason why removal of this “No Standing” zone would create issues overnight in an area that is primarily used by trucks making local deliveries for a 24-hour business, and would in fact introduce additional parking into an already-quiet neighborhood; and

WHEREAS, The “No Standing” zone would revert to 3-hour metered parking Monday through Friday, 8 a.m. to 7 p.m., with the removal of the “No Standing” sign; and

WHEREAS, Over two dozen neighboring businesses have acknowledged the request by Dough Doughnuts to remove the “No Standing” signs, and zero neighboring businesses or members of the community attended or contacted Community Board Five to object to its removal; and

WHEREAS, City Council Speaker Corey Johnson’s office supports removal of the “No Standing” sign; and

WHEREAS, The Department of Transportation supports removal of the “No Standing” sign, but requires the Applicant to come before Community Board Five to weigh in on a quality-of-life issue; therefore be it

RESOLVED, Community Board Five **recommends approval** of the request by Dough Doughnuts to remove “No Standing 11pm to 6am” signs from the south side of West 19th Street between 5th and 6th Avenues.

After some discussion, the above resolution passed with a vote of 34 in favor, 0 opposed, 1 abstaining: **IN FAVOR:** Achelis, Athanail, Beitchman, Benzing, Chou, Clark, Dale, Dowson, Ford, Garcia, Goshow, Greeley, Harris Jr., Hartman, Heyer, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang. **ABSTAIN:** Barbero.

JOINT PARKS AND PUBLIC SPACES AND LANDMARKS – CLAYTON SMITH AND LAYLA LAW-GISIKO

Craig Slutzkin gave a brief presentation on the following resolution on behalf of the Parks and Public Spaces and Landmarks Committees:

Request from Central Park Conservancy for a project to redevelop the Lasker Pool and Rink site at the Harlem Meer in Central Park

WHEREAS, The Central Park Conservancy (“CPC”) has submitted a request for a project to redevelop the Lasker Pool and Rink site at the Harlem Meer in Central Park (the “Lasker Rink”); and

WHEREAS, The Lasker Rink is a seasonal recreational swimming pool and ice skating rink located in the North Meadow area of Central Park between 106th and 108th Streets, between the Harlem Meer and the East Drive, and

WHEREAS, The Lasker Rink opened in 1966 and was named for Loula Davis Lasker who donated much of the funds to build the facility; and

WHEREAS, The Lasker Rink has fallen into disrepair and has been in dire need of either numerous upgrades or complete renovation; and

WHEREAS, CPC has raised over \$150 million to renovate the Lasker Rink and the surrounding areas of the Harlem Meer, of which approximately \$110 million has come from private contributions; and

WHEREAS, CPC has reported that none of the private contributions thus far have come from corporations; and

WHEREAS, CPC noted that \$110 million is needed for the actual renovation while \$40 million is needed for programming costs; and

WHEREAS, As part of the renovation, the ice rink could be configured so that it could be used for ice skating, ice hockey tournaments and other like events; and

WHEREAS, As part of the renovation, the pool would have a slightly smaller capacity than the current pool but CPC feels that given the current usage of the pool, the slightly smaller capacity would still be sufficient; and

WHEREAS, The renovated pool would be built on a lower elevation than the current one, which will allow for better access and site lines; and

WHEREAS, A boardwalk would be built around the facility and would be open year-round with the ability to have ice skating on the boardwalk during the winter months; and

WHEREAS, The concession areas will be open to the public during months when the pool is not used; however during the months where the pool is used, it would only be open to the users of the pool per requirements of the New York City Department of Health; and

WHEREAS, The concessionaire contract will be run through a competitive bidding process, and it is currently unclear whether the contract will cover solely the pool and ice rink or the surrounding areas as well; and

WHEREAS, CPC noted that it would not expect there to be any commercial events in the renovated Lasker Rink or surrounding areas; and

WHEREAS, CPC estimates that the ice rink and pool would be unavailable to the public for the reconstruction between 2020 and 2023; and

WHEREAS, CPC could not give any information on any signage to be used in the pool, skating rink or surrounding areas, nor any information on naming rights other than that the complex would no longer be named after Loula Davis Lasker; and

WHEREAS, The proposed renovated Lasker Rink will have restrooms and changing rooms dedicated for those who identify as men and those who identify as women, but only three gender neutral rooms; and

WHEREAS, Community Board Five felt that given the number of individuals who will use the facility at any given time, having only three gender neutral rooms was woefully inadequate; and

WHEREAS, Community Board Five was concerned about the lack of information on signage and naming rights of the renovated facility; and

WHEREAS, CPC agreed to come back to Community Board Five in Spring 2020 when it can provide an update on its progress and discuss any signage and naming rights as well as the status of the concession contract bidding, as well as further address the issue of gender-neutral space in the restrooms and changing rooms; and

WHEREAS, Community Board Five encourages CPC to have open communication about signage and naming rights prior to the finalization of such matters; and

WHEREAS, Community Board Five felt that despite these concerns, the result of these renovations was highly beneficial to the community and would create a much-improved user experience; therefore be it

RESOLVED, Community Board Five **recommends approval** of the request from Central Park Conservancy for a project to redevelop the Lasker Pool and Rink site at the Harlem Meer in Central Park.

Ms. Law-Gisiko then presented the following two resolutions on behalf of the Landmarks and Parks and Public Spaces Committees:

Central Park Conservancy Harlem Meer Redevelop

WHEREAS, Central Park is an urban park located in Manhattan and bounded by 59th Street, 110th Street, 5th Avenue and Central Park West, constructed between 1853 and 1876, and designed by famed landscape architects Olmsted and Vaux.

WHEREAS, Central Park was designated a scenic landmark by the Landmark Preservation Commission in 1974; and

WHEREAS, The Central Park Conservancy plans to restore the landscape around the Harlem Meer at 106th street; and

WHEREAS, The plans also include building a new recreational facility to replace the existing Lasker pool and rink with a new pool and rink with public amenities such as a food and beverage kiosk, public bathrooms, seating, decks to be open year round; and

WHEREAS, The Central Park Conservancy is applying to make several major changes to the northeast corner of the park, including

- Demolishing the existing Lasker pool and rink and constructing a new oval shaped swimming pool and ice rink to be slightly narrower than existing and to set deeper into the ground
- New locker areas, restrooms, decks and concession area
- Modifying the shoreline of the Harlem Meer to include a small island wrapped by a boardwalk
- Re-grading of surrounding areas to incorporate the built environment into the landscape and surrounding areas
- Re-opening surface stream link from the Ravine and Loch into the Meer, restoring the original design of Olmsted and Vaux
- Creating an ice skating ribbon for winter fun on top of the island boardwalk at the Harlem Meer, converted into a boardwalk in the warmer months.
- Constructing a pergola by the Harlem Meer
- Planting a large number of trees and vegetation; and

WHEREAS, Most of the \$150M needed for the planned work is already accounted for, two thirds of which is to be privately raised by the Conservancy while the city will provide \$50M; and

WHEREAS, The project is expected to start in 2021 and be completed by 2024; and

WHEREAS, The Lasker pool and rink was built in the late 1960's: and

WHEREAS, The current conditions of this park area including the pool and rink are in desperate need of repair and upgrades, as the pool is plagued by major leaks, the flow of traffic is poorly designed, accessibility to the pool and rink is extremely poor, and the overall design is incongruent with the rest of the park; and

WHEREAS, The coolant used for the rink ice will soon no longer be available; and

WHEREAS, The topography and water circulation between the ravine, the lock and the meer need a better fit with the surrounding areas; and

WHEREAS, The new pool and rink will have a smaller footprint and slightly smaller capacity, while still remaining a monumental pool; and

WHEREAS, The pool house will be built into the slope of the existing topography, enhancing climate control throughout the year, using natural materials such as stone, wood and metal; and

WHEREAS, The pool house will have a "roof" of eco-friendly soil and grass; and

WHEREAS, The pool house will have glass walls opening on to the pool decks, using special glazing to prevent collisions with birds; and

WHEREAS, Signage and naming rights have not been disclosed and have raised some questions although the Central Park Conservancy has made assurances that the pool and rink will not be named after a corporate entity but rather after an individual donor; and

WHEREAS, The extent of signage to be installed at the pool and rink area should be minimal so as to be tasteful and contextual to the natural setting of the park; and

WHEREAS, The agreement between naming rights recipients and the Central Park Conservancy for all parts of the project, including the pool and rink, the boardwalk, the pavilion and any other area, should be made public and should be transparent so as to disclose the name of the recipient duration for the naming rights, and the specific amount of signage to be allocated to each name; and

WHEREAS The natural sloping area south of the pool will be restored so that the north flowing stream currently re-routed through pipes to the Meer, will be brought to the surface as it was prior to the current pool and will be visible to and usable by the public as originally intended and built by Olmstead and Vaux; and

WHEREAS, A boardwalk will be built across part of the Harlem Meer to facilitate fishing, nature education, wildlife observation, and strolling; and

WHEREAS, All materials used are complementary to the existing landscape; and

WHEREAS, The goal of this project is to integrate architecture and landscaping in the spirit of Olmstead and Vaux's design; and

WHEREAS, The projects three year disruption in that area will be compensated by the many years of usage resulting from this massive project; and

WHEREAS, The Central Park Conservancy has done a robust outreach to various users of the area to be redeveloped, including ice skating users, schools and coaches, bird watchers, and other community boards, and

WHEREAS, The adjacent communities directly impacted by this project, both on its disruption as well as its completed results, are in favor of the proposal, therefore, be it

RESOLVED, Community Board Five **recommends approval** of the application by the Central Park Conservancy to redevelop the Lasker Pool and Rink site at the Harlem Meer in Central Park, with some concern as to the naming and signage of the various elements.

Proposed Monumental Women statue in Central Park featuring New Yorker's Elizabeth Cady Stanton, Susan B. Anthony and Sojourner Truth

WHEREAS, There are twenty three statues of historical figures in Central Park, but not one honors a woman; and

WHEREAS, The Elizabeth Cady Stanton and Susan B. Anthony Statue Fund has proposed to install a monumental statue in The Mall in Central Park on Literary Walk, located Mid-Park from 66th to 72nd Streets; and

WHEREAS, The monument will feature Susan B. Anthony, Elizabeth Cady Stanton, and Sojourner Truth, three New York women who fought for Women's Rights and abolition of slavery; and

WHEREAS, Sojourner Truth is speaking, Susan B. Anthony is organizing, and Elizabeth Cady Stanton is writing, three essential elements of activism.

WHEREAS, The monument will be the first figurative piece depicting real women in Central Park, and the park's first commemorative sculpture installation since 1965, and

WHEREAS, The monument sits on a granite pedestal, while the statue of the three women is cast in bronze; and

WHEREAS, The monument will be unveiled on The Mall in Central Park on August 26, 2020, the 100th anniversary of the ratification of the 19th amendment, when women constitutionally won the right to vote, and

WHEREAS, The monument embodies values that Community Board Five cherishes, and it will sit harmoniously with the other statues along the Literary Walk, therefore be it

RESOLVED, Community Board Five **recommends approval** of the proposed statue Monumental Women in Central Park.

After some discussion, the above three (3) bundled resolutions passed with a vote of 33 in favor, 0 opposed, 1 abstaining: **IN FAVOR:** Achelis, Athanail, Beitchman, Benzing, Chou, Clark, Dale, Ford, Garcia, Goshow, Greeley, Harris Jr., Hartman, Heyer, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Mafia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang. **ABSTAIN:** Barbero.

PARKS AND PUBLIC SPACES – CLAYTON SMITH

Craig Slutzkin gave a brief presentation on the following resolution:

Application from Trattoria Dell'Arte at 900 7th Avenue for an unenclosed sidewalk café at 900 7th Avenue consisting of 6 tables and 28 chairs

WHEREAS, Trattoria Dell'Arte ("Applicant") has submitted an application seeking permission to renew its application for a small seasonal unenclosed sidewalk café at 900 7th Avenue (between 56th and 57th Streets) consisting of 7 tables and 28 chairs, all located on 7th Avenue; and

WHEREAS, The seven tables proposed are two-tops and four-tops, and the proposed sidewalk café has operated at said location for years with multiple past violations and significant impact on foot traffic; and,

WHEREAS, Applicant posted public notices and represented the application at the public hearing, with members of the public registering concern and objection; and,

WHEREAS, Applicant has allowed creeping expansion of boundaries of said café; and,

WHEREAS, Applicant has allowed the use of unapproved planters at the cafe, therefore be it

RESOLVED, Community Board Five **recommends denial** of the application from Trattoria Dell'Arte for a small unenclosed sidewalk café at 900 7th Avenue to consist of 7 tables and 28 chairs, **unless** applicant comes into full compliance with the law and removes any and all unauthorized tables and planters.

The above resolution passed with a vote of 31 in favor, 2 opposed, 1 abstaining: **IN FAVOR:** Athanail, Beitchman, Benzing, Chou, Clark, Dale, Ford, Garcia, Goshow, Greeley, Harris Jr., Hartman, Heyer, Johnson, Kaback, Kalafarski, Kinsella, Levy, Lopes, Mafia, McCall, Meyerson, Miller, Pawson, Rabar,

Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang. **OPPOSED:** Achelis, Law-Gisiko. **ABSTAIN:** Barbero.

Mr. Slutzkin then presented the following resolution:

Application by the Moxy Hotel (the “Applicant”) for revocable consent from DOT to construct and maintain four planters on the 36th Street sidewalk at the northeast corner of 7th Avenue.

WHEREAS, The Applicant is a commercial hotel building located at 485 7th Avenue, at the northeast corner of the intersection of 7th Avenue and 36th Street; and

WHEREAS, The Applicant has recently renovated the hotel building, which has been designated as a landmarked building based on a request by the Applicant; and

WHEREAS, The Applicant seeks to install four (4) Department of Transportation (DOT) approved fiberglass planters, with low greenery, to be positioned not at the building perimeter, but along the curb on 36th Street at the northeast side of Seventh Avenue; and

WHEREAS, Currently, several food cart vendors position themselves in this area and will be replaced by these proposed planters; and

WHEREAS, The Applicant engaged the CB5 Parks and Public Spaces Committee in September 2019 to discuss this proposal and has revised it to accommodate many of the aesthetic, visual, and pedestrian flow concerns expressed, including lowering the planters from 4’ tall to 3’ tall, and matching the color of the planters to the color of the front of the Moxy Hotel; and

WHEREAS, The proposed planters will be 8’ long x 2’ wide; and

WHEREAS, The proposed planters meet all of DOT’s physical and horticultural requirements; and

WHEREAS, The approval of this application will improve the appearance of the corner, enhance pedestrian flow and enhance the façade of the landmarked building; therefore, be it

RESOLVED, Community Board Five **recommends approval** of the application by the Moxy Hotel for revocable consent from DOT to construct and maintain four planters on the 36th Street sidewalk at the northeast corner of 7th Avenue and

RESOLVED, The approval of this application should under no circumstances be interpreted as a precedent for the approval of applications for revocable consent of the use of public space on our district’s sidewalks, as all applications are on a case by case basis, and the predominant position of Community Board Five is that our public sidewalks are overly congested and cannot support such proposed applications.

After much discussion, the above resolution failed with a vote of 13 in favor, 20 opposed, 1 abstaining:
IN FAVOR: Achelis, Garcia, Hartman, Heyer, Johnson, Maffia, McCall, Meyerson, Miller, Webb, Weintraub, Whalen. **OPPOSED:** Athanail, Benzing, Chou, Clark, Dale, Ford, Goshow, Greeley, Harris Jr., Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Pawson, Rabar, Shapiro, Slutzkin, Yang. **ABSTAIN:** Barbero.

Mr. Slutzkin then presented the following substitute resolution:

WHEREAS, The Applicant is a commercial hotel building located at 485 7th Avenue, at the northeast corner of the intersection of 7th Avenue and 36th Street; and

WHEREAS, The Applicant has recently renovated the hotel building, which has been designated as a landmarked building based on the request by the Applicant; and

WHEREAS, The Applicant seeks to install four (4) Department of Transportation (DOT) approved fiberglass planters, with low greenery, to be positioned not at the building perimeter, but along the curb on the northeast side of Seventh Avenue; and

WHEREAS, Currently, several food cart vendors position themselves in this area and will be replaced by these proposed planters; and

WHEREAS, The proposed planters will be 8' long x 2' wide; and

WHEREAS, The proposed planters meet all of DOT's physical and horticultural requirements; and

WHEREAS, Despite the food cart vendors being displaced by the planters, it is likely they will only move further down or across the street; and

WHEREAS, Despite the Applicant's contention that the planters will enhance pedestrian flow due to the elimination of patrons of the food carts standing on line mid-sidewalk, the proposed planters will nonetheless be permanent fixtures on the sidewalk which will also impede proper flow; and

WHEREAS, The proposed planters will be a permanent fixture obstructing views onto the primary facade of a landmarked building; and

WHEREAS, The Applicant first engaged CB5 in September 2019 to discuss this proposal and, in response to concerns, revised its original plan to attempt to accommodate some of these concerns, including lowering the height planters from 4' tall to 3' tall, and matching the color of the planters to the color of the front of the Moxy Hotel; and

WHEREAS, While Community Board Five appreciates the efforts made by the Applicant to address its concerns, the appearance of the proposed planters poses serious concerns including overall pedestrian flow and appropriateness of permanent structures in front of a landmarked building; therefore, be it

RESOLVED, Community Board Five **recommends denial** of the application by the Moxy Hotel for revocable consent from DOT to construct and maintain four planters on the 36th Street sidewalk at the northeast corner of 7th Avenue; and be it further

RESOLVED, Community Board Five strongly urges applicable New York City agencies (including but not limited to the New York City Police Department and Department of Transportation) to enforce rules and regulations concerning placement of street food vendors, and to assist the Applicant with its concerns regarding street food vendors around the perimeter of the hotel.

After much discussion, the above resolution passed with a vote of 30 in favor, 3 opposed, 1 abstaining: **IN FAVOR:** Achelis, Athanail, Benzing, Chou, Clark, Dale, Ford, Garcia, Goshow, Greeley, Harris Jr., Hartman, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang. **OPPOSED:** Heyer, Johnson, Maffia. **ABSTAIN:** Barbero.

LANDMARKS – LAYLA LAW-GISIKO

Ms. Law-Gisiko gave brief presentations on the following two bundled resolutions.

75 Rockefeller Plaza – Application for a new entrance with sliding doors at the West 52nd Street side of the building with infill to match the existing finishes at the base of the building, including a new marquee and signage for tenant.

WHEREAS, 75 Rockefeller Plaza is part of Rockefeller Center, an Art-Deco style commercial, office and entertainment complex of 19 commercial buildings, covering 22 acres between West 48th and 52nd Streets built by the Rockefeller Family; and

WHEREAS, 75 Rockefeller Plaza was designed by Robert Carson and Earl Lundin with Wallace K. Harrison as consulting architect, built in 1946 as headquarters for Standard Oil Company and originally named as the Esso Building; and

WHEREAS, The building, located at the northerly end of Rockefeller Plaza, has 100 ft. frontage on West 51st Street and 275 ft. frontage on West 52nd Street; and

WHEREAS, The current application is for the creation of a new entrance on the West 52nd Street side of the building, which will include a new sliding glass door and marquee extending eight feet over the door; and

WHEREAS, A new entrance is needed to accommodate hotel use of portions of the building under an AirB&B model; and

WHEREAS, The new entrance would require the removal of one piece of granite beneath the current window sill; and

WHEREAS, The addition will be visible from the corner of 52nd Street and 5th Avenue

WHEREAS, Community Board Five recommends a modification to the depth of the marquee to be more subdued with regard to depth and illumination, and thus, more appropriate for the site; and

WHEREAS, Community Board Five recommends a modification to the proposed brass screen inside the windows so that the design of the brass lattice work is more harmonious with the current historic metal work throughout the building; and

WHEREAS, The addition of the new entrance with the above modifications is appropriate and respectful of the historic conditions of the building and the Rockefeller Center complex; therefore be it

RESOLVED, Community Board Five **recommends approval** of the creation of a new entrance with sliding glass doors at the West 52nd Street side of 75 Rockefeller Plaza, on the condition that the brass screen on the inside of the glass windows be modified to fit more appropriately with the historic context of the building, and on the condition that the marquee above the door be modified in size and illumination for a more harmonious appearance.

Recommendation by Community Board Five for landmark designation of the Demarest Building at 339 Fifth Avenue, located on the NE corner of 33rd Street

WHEREAS, 339 Fifth Avenue, also known as the Demarest Building, was erected in 1890 and designed by the well noted firm of Renwick, Aspinwall & Russell; and

WHEREAS, The lead architect, James Renwick, worked on such esteemed landmarks as St. Patrick's Cathedral, Grace Church and the Smithsonian Institute; and

WHEREAS, The iron-framed building, located on the northeast corner of Fifth Avenue and 33rd Street and built for Aaron T. Demarest, a carriage manufacturer, is four stories high; and

WHEREAS, The Demarest building has retained the majority of its original features including the unique and striking three story arched masonry window openings, separated by shallow brick pilasters and flanked by terracotta medallions that were specifically designed to highlight the carriages manufactured and showcased inside; and

WHEREAS, The building also features decorative terracotta medallions and panels; and

WHEREAS, The building is an exquisite example of the Beaux-Arts style; and

WHEREAS, The building's facade articulation and scale are reminiscent of Carnegie Hall, another masterpiece designed by Renwick; and

WHEREAS, The Demarest building was home to the first electric elevator ever installed in NYC and;

WHEREAS, The original window glazing has been replaced and the retail level infills have been altered over the years; and

WHEREAS, Despite this replacement, all of the upper floors of the building have retained original features and fabric, including the original stonework, decorative terracotta panels, arched masonry openings and pilasters, as well as buff colored iron spot brick work; and

WHEREAS, The Landmarks Preservation Commission (LPC) has stated that it is not considering this significant structure because of alterations to 50% of the building; and

WHEREAS, LPC's calculation was made by accounting for glazing that has been replaced over the years, and because said glazing is remarkably large; and

WHEREAS, The window glazing was replaced in kind and therefore, although not dating back to its construction, is entirely similar to what was designed and built by Renwick; and

WHEREAS, LPC's calculation and rationale are very dangerous as most windows in New York have been replaced over time and therefore, if this principle were to become a rule, it would provide rationale to refuse designation of most proposed buildings or even remove designation of existing landmarks; and

WHEREAS, The building, with its low scale, delicate stone and brick work and monumental glazing, makes an important contribution to the majestic Fifth Avenue corridor; and

WHEREAS, The Demarest building also represents the technological advance made in elevators, which allowed for the vertical development of Manhattan; and

WHEREAS, The building's arched windows, bricks and stone ornamentations remain to provide historic integrity to this portion of lower midtown; and

WHEREAS, Community Board Five has consistently advocated for the extension of the Madison Square North Historic district, in the vicinity of which the Demarest building stands; and

WHEREAS, Community Board Five has been ever-vigilant and increasingly concerned with the future of preservation in Community Board Five and recognizes that there are many buildings that contribute to the rich history of our district that have yet to be designated by LPC; and

WHEREAS, Community Board Five strongly believes that the Demarest building rises to the level of individual landmark, deserves to be protected as such and its loss would be detrimental to our district; therefore be it

RESOLVED, Community Board Five **urges** LPC to designate the Demarest Building, located at 339 Fifth Avenue, as an individual landmark.

After some discussion, the above two bundled resolutions passed with a vote of 33 in favor, 0 opposed, 1 abstaining: **IN FAVOR:** Achelis, Athanail, Benzing, Chou, Clark, Dale, Ford, Garcia, Goshow, Greeley, Harris Jr., Hartman, Heyer, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang.
ABSTAIN: Barbero.

LAND USE, HOUSING AND ZONING – LAYLA LAW-GISIKO

Ms. Law-Gisiko noted that there will be a Land Use orientation on January 22, 2020 and that all Board members are invited. She then gave brief presentations on the following three bundled resolutions.

Application by the Fashion Institute of Technology (FIT) to redesign their proposed new academic building on 28th Street between Seventh and Eighth Avenues.

WHEREAS, The Fashion Institute of Technology (FIT) is a public college part of the State University of New York (SUNY) system located at 227 West 27th Street; and

WHEREAS, In 2009, FIT proposed to build a new academic building, designed by noted architectural firm Shop, on lot 18, block 777 at 220-236 West 28th Street between 7th and 8th Avenues, in a C6-2 zoning district, abutting the Marvin Feldman Center (a/k/a Building C), the main FIT campus building; and

WHEREAS, To accommodate the design, FIT applied for a BSA special permit to construct the proposed building, waiving zoning requirements for height, setback and sky exposure plane; and

WHEREAS, In 2009, the Board of Standards and Appeals granted a special permit, pursuant to ZR §§ 73-641 and 73-03 to permit the construction of a ten-story community facility building that does not comply with the zoning requirements for height, setback and sky exposure plane, contrary to ZR § 33-432; and

WHEREAS, In 2009, Community Board Five unanimously recommended approval of the BSA special permit; and

WHEREAS, The original design was approved by the Public Design Commission on November 28, 2017 and was the recipient of a design award that same year, and

WHEREAS, The original design was found to be too costly when it was put to bid in 2018; and

WHEREAS, FIT is proposing design changes to overcome financial and logistical obstacles that prevented the construction of the building in 2018; and

WHEREAS, The project site remains unchanged and consists of an undeveloped courtyard adjacent to the north of Building C a/k/a the Marvin Feldman Center; and

WHEREAS, The courtyard has approximately 214 feet of frontage on the south side of West 28th Street and has an average depth of approximately 60 feet; and

WHEREAS, The proposed building mass, scale and esthetic expression of the building remain unchanged as a 10 story building with a cellar, built with a straight street wall, glass façade and street level arcade; and

WHEREAS, The redesign will involve revisions to the streetscape design, including a storefront wider glass panels, the addition of columns to create an overhang, the relocation of the entrance bay to increase visibility, and the replacement of steps with a sloped path for ADA accessibility; and

WHEREAS, The redesign will involve a loading dock area with a brick wall replacing a metal gate; and

WHEREAS, The redesign will involve the removal of the green roof (from the previously approved plan) and replacement with concrete pavers; and

WHEREAS, The redesign will involve an increase in the width of the south atrium glass wall and skylight for more natural light; and

WHEREAS, The sub-cellar level has been removed, and structural design amended, resulting in the loss of 15,000 square feet of usable space, including classroom space; and

WHEREAS, The footprint loss is the unfortunate result of fiscal & market driven constraints – one that, combined with the other structural changes, is saving \$40MM+ in the overall construction of the building; and

WHEREAS, Fashion Institute of Technology continues to expand and invest in its campus wide green roof initiative; and

WHEREAS, The concrete paver roof will be designed and constructed to allow for retrofitting of a green roof in the future, and FIT expressed strong interest in pursuing this addition as part of said campus-wide initiative; and

WHEREAS, The new academic building is being constructed with the intent to receive LEED Gold status as part of its campuswide sustainability plans; and

WHEREAS, Community Board Five continues to support the Fashion Institute of Technology’s mission, educational programming and involvement in the surrounding community and New York City as a whole; and

WHEREAS, Although Community Board Five laments the loss of 15,000 square feet of usable space, it views this redesign to be in keeping with FIT’s adherence and promotion of its mission, programming & involvement; therefore be it

RESOLVED, Community Board Five **recommends approval** of the application to the Public Design Commission for a redesign of the Fashion Institute of Technology proposed new academic building on 28th Street between 7th and 8th Avenues.

Application by 515 Seventh Avenue Realty LP and SP Plus requesting a ten-year extension and modification of a variance granting the right to operate a commercial parking garage at 515 7th Avenue in an M1-6 district

WHEREAS, 515 Seventh Avenue Realty LP and SP Plus (Applicant) is currently operating a commercial parking garage with 360 publically available parking spaces pursuant to a BSA approved use variance to operate said garage within an M1-6 district also overlapping with the Special Garment District and

WHEREAS, The controlling use variance was first granted in 1949 and has been extended for seventy-years since and most recently in 2009 at which time the BSA also granted Applicant’s proposal to add 71 rooftop parking stackers, which increased the number of parking spaces to 360 from 253 (the “Rooftop Stackers”), and

WHEREAS, The variance was granted pursuant to the 1916 Zoning Resolution and is therefore governed by that act’s Sections 11-41 and 11-411; and

WHEREAS, Section 11-411 reads: “Where no limitation as to duration of the use was imposed at the time of authorization, such use may be continued. Where such use was authorized subject to a term of years, such use may be continued until the expiration of the term, and thereafter, the agency which originally authorized such use may, in appropriate cases, extend the period of continuance for one or more terms of not more than 10 years each. The agency *may* prescribe appropriate conditions and safeguards to minimize adverse effects of such use on the character of the neighborhood [emphasis added];” and

WHEREAS, Although the Board generally discourages modifying the scope of a variance once it has been granted, in this application the Applicant seeks a modification to the 2009 variance renewal to remove the Rooftop Stackers, *reducing* the number of commercially operated parking spaces to 280 from 360 and thereby reducing the scope of the non-conforming use of operating a commercial garage in M1-6 zoning area; and

WHEREAS, The Board finds that the Site's surrounding area in midtown Manhattan, including the Special Garment District, has changed significantly since 2009 (and 1949 when the use variance was first granted) warranting scrutiny of both the extension and modification of any use variance application; and

WHEREAS, The Board is satisfied that because the removal of the Rooftop Stackers reduces the scope of the Site's non-conforming use, no other modifications are sought, and there is still demand for commercial parking at the Site despite significant changes to the surrounding area, there will be no adverse effects to the surrounding neighborhood of either removing the Rooftop Stackers or extending the use variance for ten more years above any such impacts already existing; therefore be it

RESOLVED, Community Board Five **recommends approval** of the application by 515 Seventh Avenue Realty LP and SP Plus to extend the variance for a period of 10 years with the modification to remove the Rooftop Stackers.

Review of Intro 1701 introduced by Council Member Kallos to amend the administrative code of the City of New York, in relation to community notification requirements for transfers of development rights.

WHEREAS, Introduction 1701 of 2019 by Council Member Kallos would require that anytime a transfer of development rights is recorded with the city that a copy be provided within 5 days to the relevant Community Board, Council Member, and Borough President along with the Speaker of the City Council; and

WHEREAS, Developers have relied on transfer of development rights to stack up unused air rights onto small lots to create excessively high density on very small footprint to build as-of-right supertall towers; and

WHEREAS, Currently, transfers of air rights transactions are discreet transactions that do not require any disclosure or specific notification; and

WHEREAS, Often, communities and elected officials become aware of massive transfer of development rights long after the transactions are finalized and when construction permits are filed; and

WHEREAS, Community Board Five has advocated for more transparency in the land use and development process to avoid out-of-character buildings; and

WHEREAS, There are already six supertall towers along the 57th street corridor in Community Board Five and as many as ten more are proposed in the district; and

WHEREAS, The proposed bill would provide extremely valuable information to our community board to better plan for our district; therefore be it

RESOLVED, Community Board Five **supports** the legislation by Council Member Ben Kallos to require that anytime a transfer of development rights is recorded with the city that a copy be provided within 5 days to the relevant Community Board, Council Member, Borough President and the Speaker of the City Council and urges the City Council to bring it to a vote promptly and make it into law.

After some discussion, the above three bundled resolutions passed with a vote of 33 in favor, 0 opposed, 1 abstaining: **IN FAVOR:** Achelis, Athanail, Benzing, Chou, Clark, Dale, Ford, Garcia, Goshow, Greeley,

Harris Jr., Hartman, Heyer, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang.
ABSTAIN: Barbero.

BUDGET, EDUCATION AND CITY SERVICES – RENEE KINSELLA

Ms. Kinsella gave brief presentations on the following resolution and report.

Community Board Five support for Phone Booth Removal and BID Efforts to Improve Street Congestion & Cleanliness

WHEREAS, New York City has hundreds of phone booths scattered throughout the five boroughs; and

WHEREAS, Societal & technological trends have led to a sharp falloff in phone booth usage over the past few years; and

WHEREAS, Many of the phone booths are in a drastic state of disrepair, with the phones inoperative, missing, and/or otherwise unusable; and

WHEREAS, The phone booths in their current state serve as a draw for undesirable activity, including (allegedly) littering, loitering, noise pollution, use and/or sale of narcotics, and other undesirable activities; and

WHEREAS, The aforementioned activities occurring at or near phone booths serve to inhibit pedestrian traffic, deface/mar the sidewalk infrastructure and community ambiance, and proliferate quality of life issues; and

WHEREAS, The impact stemming from these phone booths is of utmost concern to residents and businesses of the community; and

WHEREAS, New York City is cognizant of the problems posed by the phone booths, and has been undergoing a citywide campaign to disassemble all remaining phone booths, replacing them on a contractually mandated one-to-one ratio with LinkNYC kiosks; and

WHEREAS, Community Board Five, in collaboration with a number of Business Improvement Districts (“BIDs”), has identified 120+ phone booths located within our district, as laid out in the attached list (document attached); and

WHEREAS, Community Board Five, in collaboration with the BIDS has identified thirteen phone booths, as listed here, that are particularly problematic and should be moved as a priority:

554 Eighth Avenue (currently under scaffolding)

41 West 34th Street

247 West 35th Street

60 West 34th Street

1400 Broadway

1293 Broadway 901

1410 Broadway

555 Seventh Avenue

6th Avenue Greeley Square

1260 Broadway

1273 Broadway

894 6th Avenue

208 West 35th Street; and

WHEREAS, Community Board Five believes that pedestrian foot traffic, street cleanliness, community culture, and general quality of life would be improved if these 120+ phone booths were removed with the thirteen most problematic booths being removed first; therefore be it

RESOLVED, Community Board Five **supports** the efforts of the BIDs to maintain and improve the quality of our streets; be it further

RESOLVED, Community Board 5 requests that the city provide a timetable for the removal of the 120+ phone booths; therefore be it further

RESOLVED, Community Board Five requests that the 120+ phone booths be removed by year-end 2020, in accordance with the city’s previously stated commitment, and that NYC’s elected officials, administrative agencies, and BIDs work together in a collaborative manner to achieve this goal.

	Capital Request	Explanation	Responsible Agency	Supported by
1	Develop a medical respite program and longer term residential supports to address the needs of individuals with medical conditions released from hospitals and other institutions who cannot be accommodated within the shelter system.	Medical respite programs provide hospitals with an alternative to discharging homeless patients to the streets or to unequipped shelters. Medical respite programs seek to improve transitional care for this population and end the cycle of homelessness by supporting patients in access benefits and housing.	DHS, Department of Health and Mental Hygiene, Health and Hospital	Coalition for the Homeless
2	Increase budget for HPD's Our Space Initiative which funds new construction rental units for the formerly homeless	The extra subsidy will help finance more new construction rental units at shelter rent allowance and create more units for the homeless which is needed given the number of homeless within the district.	HPD	Coalition for the Homeless
3	Provide a safe haven for chronically homeless women	One of the biggest issues we're seeing right now is that the safe haven system is not meeting the demand, especially for women. Currently, there is no safe haven in NYC exclusively for women, which is barring many women from coming off the streets.	DHS	Humans.NYC
4	Install automated public toilets in our district which are currently in storage	Our district has the highest density of New Yorkers and concentration of tourists, and there are not enough public bathrooms to serve them. Our districts also has a extremely high number of 311 complaints from public urination. We also have a high amount of	DOT	

		homeless population living on the streets that do not have access to public bathrooms.		
5	Create and/or maintain outdoor amenities, specifically public restroom facilities in our parks.	DPR should fund the renovation, construction and operation of public restrooms at parks throughout the district. The lack of these facilities is a major contributor to street pollution. The recent public advocate publication on this issue highlighted the lack of public facilities within our parks. Herald and Greely Square, Fr. Duffy Park and Union Square are areas in which public bathrooms could be considered.	DPR	
6	Curb repair on 8th Ave from 726 to 732 8th Ave (45th/46thSts)	These curb repairs are needed near the M20/M104 bus stop	DOT	
7	Repair sidewalk pedestrian ramps at the attached locations. These have been in disrepair since last year and hamper the flow of pedestrians and contribute to the pedestrian congestion within the district.	This request has not been addressed from last year. Very specifically, we would like to see this at the following locations: 28th and PAS, Penn Station on 7th Ave at 31st, 32nd, & 33rd, SE corner 40th & 8th, SE corner 39th & 8th, NE corner 42nd & 8th	DOT	Midtown South Precinct Council
8	Repair sidewalk subway grates at the following locations:	These locations are: 8th Ave at 550 8th Ave (37th/38th), at 554 8th Ave (37th/38th), at 572 8th Ave, at 590, 592, 594 8th Ave, at 614 to 616 8th Ave, Northern half of 8th Ave from 45th to 46th. We are requesting that the new grates should be similar to the grates in front of the Microsoft entrance at 11 Times Sq 8th (41st/42n) because they are flat with the sidewalk, stable (don't bounce or wiggle), and blend in with the sidewalk (these grates don't look like an obstacle to be avoided). 8th Ave sidewalks between Penn Station & PABT are very crowded. We need every inch of the sidewalk and do not need pedestrians queuing up to walk around subway grates.	NYCT	Midtown South Precinct Council

9	Repainting of crosswalks at: Union Square West at 14&15 Streets Park Ave South/15 & 16thEast/West 5th Ave & 15 St.: North- South Crosswalk on west side of 5th		DOT	
10	Installing Bus Priority traffic lights to improve traffic congestion on 5th Ave	Traffic congestion is an issue that is repeatedly mentioned by people within the district and lights for buses would significantly improve traffic.	DOT	
11	Increase pedestrian space/sidewalk on Madison and Lexington in East Midtown and on 8th Ave from 34th to 49th	Congestion is a problem within the districting it is growing because the number of visitors is increasing, there residential population is increasing and the homeless are also occupying a lot of space, particularly along the 8th avenue corridor. This work has already begun at 39th street west but should span from 34th st to 49th on 8th avenue	DOT	
12	DOT and Parks should be given funding to improve Herald and Greeley Squares, which serve as the first public spaces many visitors see when they arrive at Penn Station or Grand Central Terminal and make their way to Times Square, Madison Square Park, and other attractions in our district.	The bike lane design here is confusing and should be improved in this area to lessen cyclist- pedestrian conflicts. It would be also helpful to remove unessential concrete islands from 34th St which remain from when Broadway was not pedestrian only. Funding should be provided to find a design which would allow pedestrians to walk on a wide sidewalk on Sixth Ave along the both parks' Sixth Ave fence. Currently, the passage is very it is very narrow (2ft) along Greeley Sq and pits pedestrians against the uptown bike path along Herald Sq.	DOT/DPR/	
13	Remove the storm water pooling particularly in the bike lane between 7th avenue and 8th avenue on the south side of 29th street	Water has pooled within the same location for over a year at times forcing bicyclists into the street. This is one of the only through way bike lanes in the area.	DEP, DOT and DDC	

14	Permanent Plaza materials for Broadway Boulevard Plazas from 35th to 42nd, Pershing Square East.	Pershing Square West has been repaired and looks great; it would be great if the rest of the Plazas could follow suit.	DOT	Garment District Alliance
15	Overhaul the shelter in-take system and create a system that the homeless population find more welcoming and closer to where they are sleeping/living.	Advocates have indicated that this centralized system alienates those who would avail of shelter and by humanizing the process with smaller in take centers throughout the city more people could potentially be removed from our streets.	DHS	
16	Ensure that adequate funding is provided to attract providers to the current RFP for a pet-friendly safe haven for the homeless.	Current safe havens do not allow for people do be housed with animals, except for service or emotional support animals. This causes a significant population to refuse shelter so as not to be separated from their pets. Advocates claim that should such a a pet friendly safe haven would encourage more homeless to avail of this shelter.	DHS	Humans.NYC
17	Upgrade all 18 NYC Community Air Survey Monitors in Manhattan to 24/7 collection	Only half of the community air survey monitors are undertaking a 24/7 data collection. In addition there is a monitoring gap between Prince Street and 37th Street, particularly in the southern portions of CB5 near 23rd St./Madison Square Park and 14th Street, Union Square.	DOHMH	
18	Install infrastructure for a SBS route on 42nd Street	This initiative would help congestion.	DOT	
19	Install Don't Block the Box enforcement cameras in CB5	Congestion is a big problem in the district and this is one tool to help solve the issue. Traffic often comes to a standstill in the 6th, 7th and 8th avenue area where traffic blocks the box and impedes other traffic flow as well as pedestrian flow.	DOT	
20	Install additional Bike Corrals particularly around 57th street and specifically at 54th and Broadway so that bikes may be removed from the green space.	Bikes are being chained through the district on lampposts and pocket parks. The provision of bike corrals would make this situation less unsightly.	DOT	West 50's Neighborhood Assoc

21	Install new rooftop material on PS 340 so that children can play after the rain.	The material currently on the rooftop playground creates a situation where the children cannot play on the surface for a day or two after rain.		
22	Replacing existing street lights with City Lights design and increase number of street lights on Broadway between 34th and 42nd		DOT	Garment District Alliance
23	NYPL and Bryant Park pedestrian improvements		DOT	
24	Install a proper light fixture or remove lamppost “stub” at 127 W39th (6th/7thAves) and at 257 W38th (7th/8thAves)	The repair would help ease street congestion and curb access	DOT	Midtown Community Council
25	Create/enhance an ongoing program in the department to promote/require green infrastructure initiatives throughout the district, but particularly in areas of greatest pedestrian traffic such as around Penn Station, Herald and Greeley Squares, and Times Square. These green infrastructure initiatives should include rain gardens, stormwater management, greenstreets, etc. to create a variety of sustainable green infrastructure practices in public and private streetscapes in the district.		DOT	
26	Additional Tree Plantings & Tree Guards/Tags in Empty Sidewalk Beds	Locations include 57th Street on the west side and 29th street on the east side, west 30th street, renew the neglected green space at Broadway and 54th street as well as on West 53rd and West 55th streets	DPR	

27	Open the public bathroom at Greenley Square	The public bathroom at Greeley Square has been closed for some time and currently the public bathroom at herald square is under renovation. Because these open spaces and commercial corridor are heavily visited, access to public bathrooms are paramount and we ask that Parks work with 34th Street Partnership to provide safe accessible bathrooms in this area preferably with an attendant.	DPR	Check with 34th Street Partnership
28	Identification, purchase and planting of shadow-resistant trees and plants in areas of Central Park covered by skyscraper shade		DPR	
29	Upgrade of restroom next to Delacorte Theater in Central Park		DPR	
30	Increased Development & Maintenance of Publicly Accessible Parks & Playgrounds		DPR	
31	Accelerate supportive housing production to finish by 2026 (within 10 years of announcement)	Supportive housing is imperative to help get people who are chronically homeless off the streets. Without the wrap around services to address their needs it is unlikely they will stay independent or become contributing members of the City.	HPD	Coalition for the Homeless
32	Repair leaks in the #1 train 50th Street Station		NYCT	
33	Subway Elevator access to both 4/5/6 platforms at Union Square/14th St Station, MadisonSq 23rd St R/W Station, Bryant Park 42ndSt B/D/F/M/7 Station		NYCT	
34	Provide additional electric Buses to be used on the routes in CB5		NYCT	
35	Install Real Time Bus Signs at bus stops	Congestion and traffic are a big issue through out the district and installing these clocks would give the public some indication of	DOT	

36	PABT Redesign Revise EIS scope to include concurrent proposal for long-distance bus terminal.	FIT strongly supports the addition of a plan to take off the street the many long-distance buses currently using curbside pick-up and drop-off sites throughout the district and in CB4. These buses can be accommodated <i>within</i> the new PABT or in a <i>separate</i> structure, but the issue must be included in the EIS scope and advance simultaneously with the PABT project.	Dot and EDC	FIT
37	Provide Repetory High School for Theatre Arts with funding to provide one to one laptop program to their students so that they may work on assignments at home and at school (where currently there are not enough functional computers for all students to work at once)	The provision of laptops will not only allow students to become proficient in the latest technology and allow their teachers to use current tools such as GoogleClassroom and DeltaMath but also allows students to prepare and submit college applications	DOE	Repetory High School for Theatre Arts
38	Design & Implement a capital campaign on 2 DSS/HRA key initiatives: anti-eviction legal resources for all new yorkers and safe shelter for victims of domestic violence.	City has meaningfully increased the funding for both service initiatives and continues to do so in the coming years. However outreach and informational campaign have not reached many corners of the city. If the services are not known, they will not be fully utilized.	DSS/HRA	
39	Add additional sanitation baskets to contain the excess garbage that is flowing on to the streets particularly around FIT and on the West side on 7th and 8th avenues	For FIT in particular, we are especially concerned about trash the Megabus drop-off site on Seventh Avenue at 27th Street - the sole drop off for the entire city. (Passengers disembark after 3-6 hour bus rides with significant food garbage, and the trash can at the Megabus site often overflows onto the street.) Also, there appears to be a significant increase in trash in the gutters and on the sidewalks in the district which might be addressed with more frequent street cleaning. Complaints of overflowing baskets		DSNY

are particularly rife on 7th avenue from FIT all the way to 5th Street West 29th street has also been problematic with one resident claiming not to have seen one street cleaning in almost a year. It would be helpful if we had a schedule of pick up and cleanings and if this could be supplemented via budget funding.

40 *Request to construct additional passageway space between the 7 train and the 4-5-6- trains at Grand Central Station/42nd street*

The new elevators and escalators from the mezzanine level down to the 7 platforms bypass the 4-5-6- platforms so most transferring commuters will congest the 4-5-6- platforms to access the two current stairwells down to the 7 platform.

NYCTA

1	Expense Request	Explanation	Responsible Agency	Supported by
2	Maintain base line funding of community board offices in the off years (so the increase is not a one off) as well as match the one time \$42, 500 grant to allow community boards to fund research and trainings.	CB5 has used its funding to increase its outreach to the community and undertake important studies that will inform members and the public about issues such as shadows created by the supertalls and other new buildins in the district.	OMB/City Council	
3	Remove both functioning and non-fuctioning phone booths which are superfluous in light of the proliferation of Links kiosks.	The full list of non-auctioning telephone booths within the district is as follows. A clear timetable of removal should be made available.	DOITT	Flatiron BID, 34th Street Partnershipip
4	Fund outreach to small businesses in order to explain the new carting zone proposals	The new waste management proposal is not well understood by small businesses in our district and we would like to see outreach to these organizations so that they understand the new carting policy and can be part of the conversation as the waste management plan evolves; fund outreach to stakeholders on the design of the	DSNY	Manhattan Chamber of Commerce

		program, to research the efficacy of the system once its in place, to create a small hauler advocacy program would all enhance the new carting system.		
5	Maintain the operational funding for our libraries to be a stable and consistent resource for all New Yorkers	Ensure funding to provide minimum six days per week openings and high-quality and diverse programming. We would like to ensure appropriate funding for the expansion of libraries, and to ensure that services and collections are maintained. This is particularly important now that more people rely on library services for myriad things such as early literacy programming, ESOL classes for immigrants and story times for homeless families.	NYPL	
6	Create an Interagency task force to monitor the area around Penn Station and Times Square and /or funding for frequent patrols: There are currently three construction projects on the north side West 28th Street between Seventh and Eighth avenues, one of which (GDS-NY) also fronts on Seventh Avenue. A fourth project is close to beginning at the long-empty Edison block-through site at the western end of the street. Individuals have taken up day-time residence on Seventh Avenue under the GDS-NY construction shed. In the evening, the sheds on 28th Street serve as gathering places for drug uses and loiterers.	Additional patrols will help maintain some semblance of safety and decorum on the street. BIDS and other members of the District have identified an increase in pan handlers, the mentally ill and homeless populating the area around Penn Station and Times Square. This are some of the most densely congested areas of the City and in many cases one of the first areas visited by tourists in New York and the situation impacts the impression that these visitors have of NYC.	DHS, DOT, DOHMH, NYPD	34th Street Partnership

7	Homeless Services: Additional funds for outreach and support services in our district in particular around FIT, Penn Station, Port Authority, and existing shelters. Provide better quality and healthier food within shelters.	One of the most pressing issues facing the district is homelessness and many of these individuals congregate in the Penn Station, FIT and Port Authority area. These individuals have myriad problems including mental illness and drug addiction and additional outreach and services to work with this population can only help with these issues.	DSS	FIT, Coalition for the Homeless
8	Sanitation: Additional funding for more frequent garbage collection, district-wide along with street cleaning.	For FIT in particular, we are especially concerned about trash the Megabus drop-off site on Seventh Avenue at 27th Street - the sole drop off for the entire city. (Passengers disembark after 3-6 hour bus rides with significant food garbage, and the trash can at the Megabus site often overflows onto the street.) Also, there appears to be a significant increase in trash in the gutters and on the sidewalks in the district which might be addressed with more frequent street cleaning. Complaints of overflowing baskets are particularly rife on 7th avenue from FIT all the way to 5th Street West 29th street has also been problematic with one resident claiming not to have seen one street cleaning in almost a year. It would be helpful if we had a schedule of pick up and cleanings and if this could be supplemented via budget funding.	DSNY	FIT
9	Fund a comprehensive study of impacts of a increase in the number of Food Carts on area businesses	As DCA & DOHMH debate increasing the number of cart permits, we would like to understand how these carts impact current businesses	DCA and EDC	Manhattan Chamber of Commerce
10	Study the streetbed foundation weakness on side streets from 15th to 22nd Sts (reconstructing) and from Union Square West/Broadway to 6th Avenue — 16 blocks in total	Residents have indicated that they feel their buildings sway and are concerned streeted foundation weaknesses that will be magnified by the new transit rules for 14th street that will see more traffic being routed to their streets.	DDC	

11	Fund cleaning of catch basins which are very clogged so cleaning, preferably on a regular basis. Specific locations include the northeast corner of Broadway and West 38th Street, Northeast corner of West 38th Street and Broadway, Northeast corner of Broadway and West 37th Street	These catch basins are clogged, which results in odors from standing water and poor drainage when it rains. We get some very bad ponding conditions on the plazas in particular. We have reported them to 311 in the past but to my knowledge they have never been cleaned.	DSNY	
12	Revamp Department of Homeless Services homelessness management system	IT system handling shelter population requires modernization to better handle the increased population, specifically storing data electronically, mapping vacancies across shelters, storing data around optimal communities for a resident to be housed in and creating an algorithm to place ppl in optimal shelters for their rehabilitation	DHS	
13	Further streamline the process for the One Shot Deal	Emergency grant applicants may obtain rental assistance in cases of impending evictions, assistance with home energy and utility bills, disaster assistance including moving expenses, and the purchase of personal items for health and safety. The City should build upon recent efforts to streamline this process to ensure more people are quickly connected to One Shot Deal.	HRA	Coalition for the Homeless
14	Create a project-based rental subsidy for homeless set-aside units, separate from supportive housing	Housing developments face two major expenses: expenses in building and expenses in ongoing maintenance. HPD can and has been funding subsidies attached to specific units within housing developments for the homeless. By increasing the level of this subsidy, more units for the homeless can be brought on line and be maintained adequately.	HPD	Coalition for the Homeless

15	Additional Case Manager for DHS: Additional funding to provide case managers to homeless individuals and especially families.	These individuals face a myriad of problems, programs and outreach from an array of sources, both public and private. Establishing trust and confidence is difficult and the presence of a licensed professional who can work on a continuing basis to connect them with existing resources could be life-changing for these individuals. This presence also will help leverage the success of existing programs and interventions.	DHS	
16	Fund grants that can be awarded to community boards, business improvement districts, private businesses and not for profit organizations who organize to create and operate programs in the district to address issues of street homelessness, connect individuals and families to resources, enhance resources available in the district, study the existence and success of shelters and other resources, and otherwise address the fact and perception of increasing numbers of individuals experiencing homelessness individuals on the streets in the district.	Homeless is one of the greatest challenges facing the district. While many agencies and organizations are attempting to tackle this problem the encouraging other entities to help find solutions may create the next best way to address the issue.	DHS	
17	Comprehensive Street Use plan - 5th and 6th Aves from 14th to 59th Sts		DOT	
18	Create/enhance an ongoing program in the department to promote/require green infrastructure initiatives throughout the district, but particularly in areas of greatest pedestrian traffic such as around Penn Station, Herald and Greeley Squares, and Times Square. These green infrastructure initiatives should include rain gardens, stormwater management, greenstreets, etc. to create a		DOT	

	variety of sustainable green infrastructure practices in public and private streetscapes in the district.			
19	Continuing Support for noise abatement and enforcement: Resident surveys, 311 complaints and anecdotal information show a strong need for enhanced/expanded noise pollution abatement and enforcement programs. Additional resources include night inspections and enhanced enforcement, as well as outreach to the regulated community and residents alike about the requirements of the law, how it is enforced and penalties for lack of compliance.	Noise complaints from traffic, from construction and from bars and nightclubs continue to be one of the biggest issues facing our district and it would be helpful to ensure that these	DEP	
20	DSNY should be given adequate funding to effectively manage the city's transition to a zoned commercial waste zone system, if such a system is required by the City Council. Manhattan CB 5 joins BP Brewer and other stakeholders who have expressed concern that the proposed Department of Sanitation Division of Commercial Waste be created and funded sufficiently to execute a clear organizational structure and delineation of responsibilities to promote communication among city agencies, the regulated community, large and small businesses, and other affected stakeholders	DSNY should be given adequate funding to ensure that the advantages and resulting efficiencies, customer service benchmarks, recycling, and other benefits promised from the commercial waste zone system in fact are created and continue to be achieved during the program's initial years. Further, this funding should allow DSNY to create and operate community advisory boards based on borough or zone to ensure that the zoned commercial waste management system is fully accountable to stakeholders and transparent in its operation. In particular, the Department should be funded adequately to protect small businesses from price manipulation among the successful bidders or the malfeasance of one bad actor.	DSNY	

21	Funding to start multi-year tracking on the effects of the new rent laws' impacts on the condition of existing affordable units over time	Limited dollar amount, % in rent increase, and length of time for depreciation on capital improvements projects (in existing rent stabilized building) are some key restrictions that the new rent laws cover. Multi-year tracking of building & unit conditions should start now, in year 0, to identify the positive/negative effects of the new laws. Will these restrictions reduce landlord's incentives to conduct building-wide capital improvements and unit-specific repairs?	HPD	
22	Expand On-Demand Access-a-Ride; restarting Advance service (but without the old borough tours)	Eliminate Enhanced service	NYCT	CIDNY
23	Funding to provide additional Traffic Agents to address Parking Violations		PD	
24	Provide a pilot program where retailers are paid a small annual fee to allow people to use their bathrooms during normal opening hours without purchasing anything. Provide people to regularly inspect bathrooms to ensure they meet appropriate standards.	This would be similar to the Community Toilet Scheme that has been in operation in the UK for the past decade and recently adopted by Washington DC. There is a lack of public bathrooms in our district and an incredibly high percentage of public urination per documented 311 calls.	SBS	
25	Expand offerings under Chamber-on-the-Go		SBS	Manhattan Chamber of Commerce

After some discussion and friendly amendments (see italics in 9th WHEREAS and 2nd RESOLVED in the Phone Booth Removal resolution, and #40 in the Budget Capital Request), the above resolution and budget report passed with a vote of 33 in favor, 0 opposed, 1 abstaining: **IN FAVOR:** Achelis, Athanail, Benzing, Chou, Clark, Dale, Ford, Garcia, Goshow, Greeley, Harris Jr., Hartman, Heyer, Johnson, Kaback, Kalafarski, Kinsella, Law-Gisiko, Levy, Lopes, Maffia, McCall, Meyerson, Miller, Pawson, Rabar, Shapiro, Slutzkin, Webb, Weintraub, Whalen, Yang. **ABSTAIN:** Barbero.

There being no further business, the regularly scheduled meeting of Community Board Five adjourned at 7:58 p.m.

Respectfully submitted by,

Craig Slutzkin
Secretary

Julie Chou
Assistant Secretary