



Community Board 12 - Manhattan Washington Heights & Inwood

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Richard R. Lewis, Chairperson
Ebenezer Smith, District Manager

October 22, 2019

Hon. Mitchell J. Silver
Commissioner of NYC Department of Parks & Recreation
830 Fifth Avenue
New York, NY 10065

Re: Resolution Opposing the Proposed Msgr. Kett Playground Comfort Station Renovation

Dear Commissioner Silver:

Please be advised that Community Board 12, Manhattan, passed a resolution with 37 votes in favor, 1 opposed, 0 abstentions, 0 not voting, at its Tuesday, October 22, 2019 General Meeting, opposing the proposed design of the new comfort station presented by the NYC Department of Parks & Recreation because it fails to include an adequate gender-neutral or family facility to meet the needs of parks users who may need such a facility and requesting that the New York City Public Design Commission reject the Parks Department's proposed design unless and until it includes a gender-neutral/family facility and recommending that NYC Parks modify the proposed design of the Msgr. Kett Playground comfort station to add a small sink in each ADA-compliant toilet stall.

Finally, Community Board 12 Manhattan urges the New York City Department of Parks & Recreation to take this opportunity to rethink its exemption from the Mayors Executive order No.16 and its current policy of not providing gender-neutral bathrooms and comfort facilities that can accommodate families or other-abled parks users and their caregivers.

Whereas: The Monsignor Kett Playground will receive a complete renovation costing up to \$11.3 million funded by the Mayor's Office, a schematic plan for which was approved unanimously by Community Board 12, Manhattan on September 24, 2019; and

Whereas: The Mayor's Office has allocated as a separate capital project an additional \$4.5 million to demolish the Playground's existing comfort station and construct a new comfort station; and

Whereas: The NYC Department of Parks & Recreation (NYC Parks) made a presentation to the Community Board 12, Manhattan Parks & Cultural Affairs Committee ("the CB12M PCA Committee") on 10/2/19 of a proposed plan for the new comfort station; and

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Whereas: The comfort station will be relocated to higher ground to accommodate new floodplain mapping, and will replace existing utility lines and add an RPZ (reduced pressure zone) backflow inhibitor as required by DEC will include larger restroom areas with more fixtures; and

Whereas: The overall footprint of the building is 35'7" x 20'2" and the plan proposes to include is a women's room on one side, a men's room on the other side, and a central mechanical area which will house a boiler and other HVAC equipment, the playground's spray shower manifold, an electrical panel, tool storage, and a desk and lockers for Parks staff; and

Whereas: Each bathroom will include an ADA-compliant stall with a toilet, grab bars, and wall-mounted fold-down infant changing table, but no sink; two additional fixtures (two stalls each with a toilet in the women's room, and two urinals in the men's room), and two ADA-complaint sinks; and

Whereas: Parks designers were amenable to the addition of such locker room embellishments as a bench and coat hooks in each bathroom, an improvement to which Parks was amenable.

Whereas: Many people prefer to use a non-gendered restroom, and many park users – from children to seniors, and adults of varying ages – would benefit from having an available bathroom that accommodates a caregiver who may be a different gender than his or her charge, and the construction of an entirely new facility provides the opportunity to provide both ADA-compliant facilities as well as a non-gendered, "family" facility; and

Whereas: The Mayor passed Executive Order No. 16 on March 7, 2016 regarding access to single-sex facilities consistent with gender identity and expression, but New York City's parks, playgrounds, & recreational facilities under the purview of the NYC Department of Parks & Recreation are exempt from this Executive Order; and

Whereas: It currently is the Parks Department's policy to not build such facilities, arguing that they can enable dangerous or illegal behavior such as drug use, prostitution, residential occupancy by the homeless, etc. and

Whereas: The compelling financial argument regarding the cost-benefit of using standardized fixtures citywide notwithstanding, the use of non-standard fixtures might provide the necessary design flexibility to accommodate more fixtures in a smaller space while still meeting the requirements of the Americans with Disabilities Act (ADA); now therefore be it

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Resolved: Community Board 12, Manhattan **opposes** the proposed design of the new comfort station presented by the NYC Department of Parks & Recreation because it fails to include an adequate gender-neutral or family facility to meet the needs of parks users who may need such a facility; and be it further

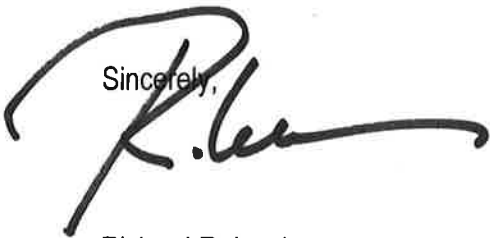
Resolved: Community Board 12, Manhattan urges the New York City Department of Parks & Recreation take this opportunity to rethink its exemption from the Mayors Executive Order No. 16 and its current policy of not providing gender-neutral bathrooms and comfort facilities that can accommodate families or other-abled parks users and their caregivers; and be it further

Resolved: Community Board 12, Manhattan recommends that NYC Parks modify the proposed design of the new Msgr. Kett Playground comfort station to add such a facility; and be it further

Resolved: Community Board 12, Manhattan respectfully requests that the New York City Public Design Commission **reject** the Parks Department's proposed design unless and until it includes a gender-neutral/family facility; and be it further

Resolved: Community Board 12, Manhattan also recommends that NYC Parks modify the proposed design of the Msgr. Kett Playground comfort station to add small sink in each ADA-compliant toilet stall.

Sincerely,



Richard R. Lewis
Chairperson

cc: Hon. William Castro, Borough Commissioner NYC Parks
Hon. Bill de Blasio, Mayor
Hon. Public Advocate
Hon. Scott M. Stringer, Comptroller
Hon. Adriano Espaillat, Congressman
Hon. Sarah Caroll, Commissioner NYC LPC
Ms. Jennifer Hoppa, Northern Manhattan Parks Administrator

Hon. Robert Jackson, State Senator
Hon. Al Taylor, Assembly Member
Hon. Carmen De La Rosa, Assembly Member
Hon. Ydanis Rodriguez, Council Member
Hon. Mark Levine, Council Member
Hon. Signe Nielsen, Commissioner NYC PDC
Mr. Steve Simon, Chief of Staff Manhattan Borough Commissioner