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COMMUNITY BOARD NO. 2, MANHATTAN

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February 1, 2023

Matthew C. Fraser
Chief Technology Officer & Commissioner
375 Pearl Street, 16th Floor
New York, NY 10038

Gregory Cala
Community and Intergovernmental Affairs Associate
1 Centre St., 9th Floor
New York, NY 10007

Dear Matthew C. Fraser and Gregory Cala:

At its Full Board meeting January 19, 2023, Community Board #2, adopted the following resolution:

1. Resolution highlighting community concerns around the construction of Link5G towers and calling for a moratorium on the construction of such towers in Community District 2.

Link5G Background

- 1. Whereas**, New York City, through its Office of Technology and Innovation (“OTI”), has contracted with CityBridge to install and operate a citywide wireless communications network, subject to a Public Communications Structure Franchise Agreement (“Franchise Agreement”); and
- 2. Whereas**, under the Franchise Agreement, CityBridge is seeking to install up to 2,000 “Link5G” towers, along sidewalks throughout NYC, with these 32-foot-tall towers providing free Wi-Fi to surrounding areas, containing space that can be rented to wireless carriers that can enhance their 5G networks, and with some of these towers containing advertising space analogous to the advertising space on existing LinkNYC terminals; and
- 3. Whereas**, CityBridge has already commenced installing Link5G towers in Industrial and Commercial districts, and is now looking to expand the rollout to include Residential districts and Landmarked Historic districts; and

4. **Whereas**, CityBridge is required to site 90% or more of new Link5G terminals outside of Manhattan below 96th Street in order to fulfill its mandate of providing broadband equity and closing the digital divide, with additional requirements to site a certain number of terminals in identified “equity community districts”; and
5. **Whereas**, the remaining 5G terminals outside of this equity mandate, which include those terminals proposed for Community District 2 (“CD2”), are, according to CityBridge, sited subject to various other criteria including where 5G service carriers have indicated the need for additional capacity, and the ability to generate advertising revenue; and
6. **Whereas**, potential siting locations are subject to a range of siting criteria, with additional criteria applying to those being sited within landmarked historic districts; and
7. **Whereas**, Link5G only represents one component of NYC’s investment in 5G technology, with additional pole-top and roof-top 5G units under separate programs having already been rolled out and continuing to be rolled out extensively across the city; and

Initial Proposed Link5G Sites in CD2

8. **Whereas**, Representatives from OTI and CityBridge presented to Community Board 2’s Quality of Life committee on Tuesday, January 17th, 2023, to share the plan for the initial siting of Link5G kiosks in CD2 and to hear questions and concerns from the community; and
9. **Whereas**, there are currently nine initial sites provided by CityBridge / OTI that will be part of the initial rollout of Link5G in CD2; and
10. **Whereas**, five of the proposed nine locations are located within landmarked historic districts within CD2, with two locations (820 Greenwich St. and 771 Greenwich St.) located within the Greenwich Village Historic District, two locations (568 Broadway and 110 Prince St.) located within the SoHo-Cast Iron Historic District, and one location (113 Horatio St.) located within the Gansevoort Market Historic District; and
11. **Whereas**, the other four locations, while not located within a landmarked historic district, are in close proximity to such districts may be located in close proximity to individual landmarks as well; and
12. **Whereas**, these nine sites only represent the initial round of proposed sites within CD2, and other sites are likely to be proposed by CityBridge in the future; and
13. **Whereas**, it does not appear that CityBridge / OTI are complying with the established siting criteria set forth in the Franchise Agreement for several of the locations, and specifically there appear to be no certifications that installation of the Link5G towers will in no way damage existing vault structures, which are widely prevalent in the proposed areas for such towers and where specific adjacent property owners have expressed concerns; and

Significant and Wide-Ranging Community Concerns

- 14. Whereas**, numerous residents of CD2 and elsewhere attended CB2 meetings and/or submitted written testimony to CB2 to express opposition and concern regarding the installation of Link5G towers within CD2, with virtually no community members expressing support for the installation of these towers; and
- 15. Whereas**, the specific points of concern and opposition expressed by the community were wide-ranging, touching on areas including design & aesthetics (including specifically in relation to towers in landmarked districts and in proximity to individual landmarks), safety, privacy, maintenance, equity, and economics; and
- 16. Whereas**, from a design & aesthetics perspective, community and board members felt that the towers were out-of-scale with the streetscape in CD2, and particularly out-of-character with the landmarked historic districts within CD2, and there was a general consensus that if the Link5G towers could not be prevented from being sited with CD2, that they should at the very least be re-designed; and
- 17. Whereas**, with particular regard to towers sited in landmarked historic districts or in proximity to individual landmarks, there was uncertainty and concern amongst board and community members as to the exact LPC approval process and the amount of oversight that LPC and other agencies would have over the placement of Link5G towers and if there would be consideration of other alternative infrastructure that might better suit and be less obtrusive within landmarked historic districts which could also meet the established objectives; and
- 18. Whereas**, from a safety perspective, there was community concern around the potential health impacts of electromagnetic radiation emitted by 5G towers, particularly within residential and mixed use districts, and that relying solely on FCC regulations without additional state or local oversight was not adequate; and
- 19. Whereas**, from a privacy perspective, despite CityBridge being subject to a privacy policy under the Franchise Agreement, there was community concern that this was not an adequate protection, and that the Link5G system may be vulnerable to cyber threats; and
- 20. Whereas**, from an engineering design perspective, concerns were raised regarding engineering challenges, both for design and structural placement of the Link5G towers, it being apparent that many variable subsurface conditions exist throughout the older historic portions of the city, particularly in areas that precede the historic city grid system with extensive vaults underneath many of CD2s Sidewalks; and
- 21. Whereas**, there was community concern regarding the future maintenance of these towers, and that despite CityBridge's obligation to maintain them, that they might fall into future disrepair; and
- 22. Whereas**, there was confusion and concern expressed by community members regarding the stated equity goals of the Link5G program, that the towers being proposed for siting

in CD2 did nothing to advance these goals, as CD2 already has an extremely high level of broadband access, and that resources would be better spent siting Link5G terminals in areas where they would be more impactful; and

23. Whereas, there was opposition voiced regarding economic aspects of the Link5G program, which, while purportedly being installed at no cost to the taxpayer, would allow private entities to profit off of public space with the city receiving, according to some publications, minimal shared profits; and

24. Whereas, while CB2 appreciates that OTI and CityBridge have been conducting significant public outreach regarding the Link5G program, there clearly remain a large number of unanswered questions that span these various areas of concern; and

25. Whereas, seeing no immediate need for the installation of Link5G towers within CD2 given existing levels of cell carrier coverage and broadband access, CB2 members agreed that in the light of extensive community concerns and unresolved questions around the Link5G program, there is no reason to continue with installation of the proposed towers in CD2 at this time; now

Therefore Be It Resolved that CB2 Manhattan calls for a moratorium on installation of Link5G towers in Community District 2 within all residential districts and mixed use districts which contain residential zoning, as well as within all landmarked historic districts and areas in close proximity to individual landmarks.

Therefore Be It Further Resolved that should the city elect to proceed with installation of Link5G towers in CD2, CB2 Manhattan calls for a robust engagement with community stakeholders and significantly more extensive public education, public input and community review process to address the community's substantial range of questions and concerns.

Vote: Passed, 44 Board Members in favor, 1 against (C. Dignes)

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Jeannine Kiely, Chair
Community Board #2, Manhattan



William Benesh, Chair
Quality of Life Committee
Community Board #2, Manhattan

JK/em

cc: Hon. Jerrold Nadler, Congressman
Hon. Daniel Goldman, Congressman

Hon. Brad Hoylman-Sigal, State Senator
Brian Kavanaugh, State Senator
Hon. Deborah Glick, Assembly Member
Hon. Mark Levine, Man. Borough President
Hon. Erik Bottcher, City Council Member
Hon. Christopher Marte, City Council Member
Hon. Carlina Rivera, City Council Member
Brett Skioff, OTI
Robert Sokota, CityBridge
Margaux Knee, CityBridge