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COMMUNITY BOARD NO. 2, MANHATTAN

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November 28, 2023

Steve Simon
Chief of Staff to Manhattan Borough Commissioner
NYC Department of Parks & Recreation
Arsenal West
24 West 61st Street, 5th Fl.
New York, NY 10023

Dear Mr. Simon:

At its Full Board meeting on November 16, 2023, Community Board #2, adopted the following resolution:

A Resolution Opposing the Removal of the Climbing Wall at DeSalvio Playground

WHEREAS:

1. A mini rock-climbing wall that was installed in the southwest corner of DeSalvio Playground at Spring and Mulberry Streets has to be removed because of a lawsuit filed by the building next to the park; and
2. The feature was proposed by the then-serving City Councilmember in 2013, the design was finished in 2015, \$1.9M was allocated to building it in fiscal year 2017, and it finally opened in 2018 and became a popular feature for the children in our community who'd waited many years for this park's renovation; and
3. A condominium building at 75 Kenmare was constructed *after* the wall was installed and was designed so that its windows came to abut the park and the top of the climbing wall, providing climbers access to the windowsill and balcony of the building, and
4. This has created safety issues for the children, and gave rise to a lawsuit initiated by the building over privacy;
5. Although the wall's construction preceded that of the condominium building, the burden of addressing these issues has fallen to the Parks Department, which has been unable to limit access from the wall to the building without incurring great additional construction costs, and so has decided that the climbing wall needs to be removed, and
6. Our committee and the community are upset about the loss of the feature.

THEREFORE, BE IT RESOLVED that Manhattan Community Board 2:

1. Understands that the Parks Department has been given no choice but to demolish the climbing wall but feels that this amenity – which our community supported, scoped, advocated for, and waited for for five years – should not have to be demolished to accommodate a property owner that was aware of this public structure before it chose the design of its private building.
2. Strongly recommends that the building owners pay to address this slight to our community by providing funding – either to build a structure that prevents climbing to the top of the wall, or to relocate the wall to another suitable location in our district, or at a minimum, make an equivalent donation to the Parks Department.

Vote: Passed, with 35 Board members in favor, 1 against (R. Sanz), 1 abstention (R. Kessler).

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

Sincerely,



Richard Caccappolo, Chair
Parks & Waterfront Committee
Community Board #2, Manhattan



Susan Kent, Chair
Community Board #2, Manhattan

RC/em

cc: Hon. Dan Goldman, Congressman
Hon. Brian Kavanagh, NY State Senator
Hon. Brad Hoylman-Sigal, NY State Senator
Hon. Deborah J. Glick, NY Assembly Member
Hon. Grace Lee, NY Assembly Member
Hon. Mark Levine, Manhattan Borough President
Hon. Christopher Marte, NYC Council Member
Hon. Carlina Rivera, NYC Council Member
Hon. Erik Bottcher, NYC Council Member