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MANHATTAN COMMUNITY BOARD FOUR

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September 20, 2022

Hon. Erik Bottcher
NYC Council Member
224 W. 30th Street, Suite 1206
New York, NY 10001

Jessica S. Tisch
Commissioner
NYC Department of Sanitation
59 Maiden Lane, 5th Floor
New York, NY 10038

Re: MCB4 Sanitation Planning Working Group Recommendations

Dear Commissioner Tisch and Council Member Bottcher,

Manhattan Community Board 4 (MCB4) convened a working group in early 2022 to define policies and methods to enhance the handling and storage of waste inside buildings, in order to minimize the use of large swaths of sidewalk for waste storage before pick-up. Waste management within buildings has garnered little attention even though the buildings and their occupants are the generators of waste. They should bear a large responsibility for keeping the public space clean and free of waste and rodents.

MCB4 at its September 7th Full Board meeting by a vote of 46 in favor, 0 opposed, 0 abstaining, and 0 present but not eligible requests that the Departments of Sanitation and Buildings study the feasibility of implementing the enclosed recommendations and meet with us to dialogue and share their conclusions. Should there be a pilot, we offer our district to test these new approaches. MCB4 will also use these recommendations as guidelines when evaluating land use and affordable housing applications.

The key recommendations are:

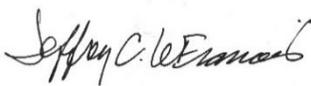
- Require universal use of rodent-proof containers compatible with future lift technology

- Require waste compacting and baling for all but the smallest residential buildings
- Enhance the Waste Management Plan to make it more comprehensive and applicable to many more properties
- Require that interior space accommodate one week of waste
- For large buildings, require a waste staging area accessible to the street
- Require that waste be placed in the curb lane or put out no earlier than 8 pm
- Enforce existing and new regulations.

The recommendations are tailored to new developments and existing buildings, and further separated into small, medium, and large sizes. They include elements of both design and operation and various policy changes for each of the relevant city agencies.

These recommendations build upon the important work underway at DSNY and at other organizations. We are pleased to note that DSNY is already in the process of adopting one of these recommendations – putting out trash later in the day. We acknowledge and encourage DSNY to continue working on innovative projects to improve and modernize trash management in the City: containerization on residential blocks, expansion of the Clean Curbs program to BIDs, and a study of waste characterization block-by-block. We also recognize the critical work of other organizations that have been actively working on reducing the amount of waste and advocating for the return of composting. Our work follows up on the 2019 publication of Sanitation Planning for Residential Development by MCB4’s Clinton / Hell’s Kitchen Land Use Committee.

Sincerely,



Jeffrey LeFrancois
Chair
Manhattan Community
Board 4



Christine Berthet
Co-chair
Transportation Planning
Committee



Dale Corvino
Co-chair
Transportation Planning
Committee

Enclosure



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RECOMMENDATIONS FOR WASTE MANAGEMENT IN RESIDENTIAL BUILDINGS

Building Sanitation Working Group ***Manhattan Community Board 4***

Members: *Sara Appleton, Robert Benfatto, Christine Berthet (Co-Chair), Jesse Bodine, Viren Brahmhatt, Maarten de Kadt, Peggy Kauh, Lowell Kern, Allen Oster, Catie Savage, David Solnick (Co-Chair)*

This working group of Manhattan Community Board 4 (MCB4) was convened to follow up on the 2019 publication of *Sanitation Planning for Residential Development* by the Clinton / Hell's Kitchen Land Use Committee.

The goal is to define policies and methods to enhance the handling and storage of waste inside buildings, to minimize the use of large swaths of sidewalk for waste storage before pick-up. While the Sanitation Department has initiated the Clean Curbs pilots – and other organizations have been actively working on reducing the amount of waste – waste management within buildings has garnered little attention.

The working group consulted with city agencies (Departments of Sanitation, Buildings, and City Planning), sanitation experts (Chairs of Bronx and Manhattan Solid Waste Advisory Boards, Center for Zero Waste) and builders (Brookfield Properties) as well as equipment manufacturers. (Labor unions representing sanitation workers and building staff were invited but declined.) We thank the agencies and individuals for their willingness to share their knowledge and expertise. We also thank Jesse Bodine, the MCB4 District Manager, for orchestrating this process.

We have tailored our recommendations to new developments and existing buildings, and further separated them into small, medium, and large building sizes. Our recommendations include elements of both design and operation. We were mindful of the sanitation department workload and focused on strategies that are neutral to sanitation workers or in some cases improve their working conditions and effectiveness. We also describe various policy recommendations for each of the relevant city agencies.

Recommended Requirements

Waste compacting and paper baling. These machines are inexpensive and reduce the volume of trash inside and outside by 30%. The weight of each paper bale or compacted trash bag should be limited to 25 lbs. to be easily lifted by sanitation workers. This would allow buildings to better use their trash space and reduce obstructions on the sidewalk. Today, compacting is required for all buildings except the smallest ones, but it is not enforced. Paper/cardboard baling is not currently required at all.

Rodent-proof containers. The last 60 years have shown that the use of plastic bags instead of trash cans were not a beneficial change. The trash being put out should be placed in sealed containers that can be opened by sanitation workers, and which are compatible with future use of mechanical lifts. These containers are reasonably priced. This method worked in 1950 and should work in 2022.

Waste Management Plan. The current plan¹ provides little predictability to architects and developers. The plan should include (1) minimum space requirements for one week of waste, recycling and composting, staging, equipment, and containers; (2) equipment specifications; and (3) requirements for circulation and egress to the street. An inspection by the Sanitation Department should be a prerequisite to obtaining a Temporary Certificate of Occupancy (TCO). The continuing use of equipment and staging should also be audited by the Sanitation Department.

Space for one week of waste. This would allow the number of pick-ups to be aligned with local needs or conditions and the separation of refuse streams. The trash could be held inside the building on recycling pick up days, which would significantly reduce excessive trash volumes on the sidewalk; religious minorities would have the flexibility to skip Friday's pick-ups. Similarly, on snow days, building staffs could be asked to hold the trash inside until the snow is removed and a later pick-up date is set.

Staging area accessible to the street. The massive amount of waste generated by very large buildings cannot practically be staged on either the sidewalk or in the curb lane. Yet, 56% of all units across the city in new and substantially renovated buildings are in large buildings. Such buildings need their own staging area adjacent to the sidewalk and open to it, so that their staff and the Sanitation staff can pull the trash directly from that area (similar to a loading dock but on a much smaller scale).

Place waste in the curb lane or put it out no earlier than 8 pm. Many buildings put their trash out as early as 3 or 4 pm, before the evening commute gets underway. This occupies a significant amount of space at a time when sidewalk space is at a premium. Moving the time when the waste is put out to 8 pm – and enforcing it – would make a large difference. Alternatively, putting waste in shared locations in the curb lane would achieve the same goal. Careful planning of curb usage and maximizing shared use of space will be important components of the program. The Clean Curbs pilots underway already contemplate such a system.

¹ Department of Sanitation's Waste Management Plan rule: <https://www1.nyc.gov/assets/dsny/site/our-work/waste-management-plans-2>

Applicability of Requirements

New and substantially renovated buildings			
	Small (≤ 10 units)	Medium (11 – 99 units)	Large (≥ 100 units)
% in CD4²	2% of units; 61% of bldgs.	11% of units; 20% of bldgs.	87% of units; 19% of bldgs.
DESIGN Requirements	<ul style="list-style-type: none"> ▪ <i>Interior or contained waste storage space sufficient for 1 week of waste³</i> ▪ <i>Waste compacting and paper baling machines⁴</i> 	<ul style="list-style-type: none"> ▪ Interior or contained waste storage space sufficient for 1 week of waste and containers ▪ Paper baling machine in addition to compactor ▪ <i>Waste Management Plan with detailed regulations for trash room, staging, containers, egress, and equipment (1)</i> 	<ul style="list-style-type: none"> ▪ <i>Interior storage space directly accessible to the street</i> and sufficient for 1 week of waste and containers ▪ Paper baling machine in addition to compactor ▪ Waste Management Plan with detailed regulations for trash room, staging, containers, egress, and equipment
OPERATION Requirements	<ul style="list-style-type: none"> ▪ <i>Compact waste and bale paper</i> ▪ <i>Use rodent-proof containers (or shared containers as part of Clean Curbs program, if available)</i> ▪ <i>Keep waste either on site, in the curb lane, or put out at 8 pm or later</i> 	<ul style="list-style-type: none"> ▪ Compact waste and bale paper ▪ Use rodent-proof containers (or shared containers as part of Clean Curbs program if available) ▪ Keep waste either on site, in the curb lane, or put out at 8 pm or later 	<ul style="list-style-type: none"> ▪ Compact waste and bale paper ▪ Use rodent-proof containers ▪ <i>Keep waste in on-site staging area for pick-up, accessible to street.</i>

**Italicized* text denotes added requirement compared with the next smaller building size.

² Distribution based on buildings completed in the last 10 years

³ Exemptions could be considered for renovations of multi-family buildings with no viable option to expand cellar space for garbage storage.

⁴ Exemptions could be considered for renovations of multi-family buildings with no viable option to expand cellar space for garbage storage. 3

Existing Buildings (as of 2022)			
	Small (≤ 10 units)	Medium (11-99 units)	Large (≥ 100 units)
% in CD4	6% of units; 58% of bldgs.	34% of units; 35% of bldgs.	60% of units; 7% of bldgs.
DESIGN Requirements		<ul style="list-style-type: none"> ▪ <i>paper baling machine in addition to compactor</i> 	<ul style="list-style-type: none"> ▪ paper baling machine in addition to compactor
OPERATION Requirements	<ul style="list-style-type: none"> ▪ <i>Use rodent-proof containers (or shared containers as part of Clean Curbsprogram if available)</i> 	<ul style="list-style-type: none"> ▪ <i>Compact waste and balepaper</i> ▪ Use rodent-proof containers (or shared containers as part of Clean Curbsprogram if available) ▪ <i>Keep waste either on site, in the curb lane, or put out at 8 pm or later</i> 	<ul style="list-style-type: none"> ▪ Compact waste and bale paper ▪ Use rodent-proof containers ▪ Keep waste either on site, in the curb lane, or put out at 8 pm or later

Proposed Policy Changes

DCP

- Provide incentive for developers to dedicate space for waste, analogous to current floor area exemptions for off-street loading berths

DOB

- For large buildings, require a waste staging area that is accessible from the street
- Require compacting and baling equipment, or implementation of Waste Management Plan, in order to obtain Temporary Certificate of Occupancy
- Transfer enforcement of compacting and baling operations from DOB to DSNY

DSNY

Provide clear guidelines

- Lower the minimum building size for triggering the requirement for the Waste Management Plan
- Publish clear, specific, and enforceable requirements for the Waste Management Plan. The plan should include size of rooms for one week of storage, size of hallways and egress, operation of compactors and balers, and staging of containers
- Publish minimum specifications for mechanical compactors and balers
- Publish standard specifications for containers of various sizes that would be compatible with future use of mechanical lifts
- Move trash put out window to a later time
- For very large developments, develop public-private partnerships for on-site waste pick-up, in addition to expanding the existing on-site waste collection program

Adjust operations

- Strictly enforce compacting, paper baling, and time window for putting out waste
- Audit implementation of Waste Management Plans
- Perform regular inspection of containers to ensure they provide enough capacity and seal properly

DOT

- Dedicate areas of curb lanes, whether permanent or temporary, for waste storage for all new buildings under 100 units, and for all existing buildings as envisioned by the Clean Curbs program. Examples of temporary areas are Neighborhood Loading Zones or Loading/Unloading zones.

Additional Considerations

- In order to reduce the amount of trash piled on sidewalks on any given day, adjust collection schedules such that waste and recycling are not collected on the same day of the week.
- In order to accommodate and incentivize waste diversion, substitute some recycling and organics/composting pick-ups for waste pick-ups. Re-instate mandatory composting citywide.
- Adjust the frequency of pick-ups of the different waste streams on the basis of a subdistrict's population density and use.
- On major mixed-use streets and avenues with residential buildings and small commercial overlay, merge residential and commercial waste in order to reduce the number of waste piles (as it used to be the case in the 50's). Move the put out time for businesses to 8 p.m.
- Require new and existing supermarkets, and all new and renovated retail stores, to submit a Waste Management Plan for approval, including storage, compacting, and baling and later put out.
- As part of NYCHA Local Law 49, include compaction of trash, recycling, and composting services in any building conversion to Section 8.
- Incorporate Waste Management into the framework of Local Law 97, which establishes criteria for buildings' energy efficiency.
- Install mechanical lifts on rear of existing sanitation trucks and continue to explore new technologies to reduce waste and recycling volumes.

References and Data Sources

- MCB4 2019 [Sanitation Study](#)
- NYC Housing Maintenance Code - [Collection of Waste](#)
- NYC Building Code - [Refuse Storage](#)
- Housing Data - [New York City Planning](#)
- Department of Sanitation [Waste Management Plan](#)
- [Center for Zero Waste Design](#)
- Discussion of [Local Law 97](#) and [City Emission reduction plan \(p21\)](#)
- Examples of [containers](#) compatible with lifts

Exhibit A: Compacting and Containers



Cardboard baling reduces volume by 30%



Compacting waste (bundles of <25 lbs.) reduces volume by 30%. Currently required but not enforced.



Rodent-proof tilt container does not require hauling mechanism. Used by Parks Department.



Rodent-proof individual container

Exhibit B: Distribution of residential units in different building sizes in MCD4, Manhattan, and Citywide⁵

Existing Buildings

	Small (≤ 10 units)	Medium (11 – 99 units)	Large (≥ 100 units)
City-wide	39% of units; 93% of bldgs..	30% of units; 4% of bldgs.	31% of units; 2% of bldgs.
Manhattan	9% of units; 61% of bldgs.	42% of units; 32% of bldgs.	50% of units; 7% of bldgs.
MCD4	6% of units; 58% of bldgs.	34% of units; 35% of bldgs.	60% of units; 7% of bldgs.

New and substantially renovated buildings (completed in the last 10 years)

	Small (≤ 10 units)	Medium (11 – 99 units)	Large (≥ 100 units)
City-wide	17% of units; 88% of bldgs.	27% of units; 8% of bldgs.	56% of units; 4% of bldgs.
Manhattan	5% of units; 66% of bldgs.	24% of units; 24% of bldgs.	71% of units; 10% of bldgs.
MCD4	2% of units; 61% of bldgs.	11% of units; 20% of bldgs.	87% of units; 19% of bldgs.

- The majority of buildings in the City are small and thus generate minimal waste individually. But because each building generates its own pile, their cumulative number have a significant negative impact on the sidewalk space. A strategy to group building trash is warranted.
- In the last 10 years, there is a City-wide decline in production of units in medium-size buildings. This decline is particularly steep in Manhattan and CD4.
- The trend shows a loss of total units in small buildings, even though the number of small buildings increased slightly. This results from the consolidation of units within individual buildings.
- It also shows extreme concentration of units in very large buildings, a consequence of MCD4’s rezoning to increased density.

⁵ City Planning – Pluto <https://www1.nyc.gov/site/planning/data-maps/open-data/dwn-pluto-mappluto.page>