

Anthony Viola,
Chairperson



Kiana Diaz,
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October 2, 2026

VIA EMAIL

Mike Flynn
Commissioner
New York City Department of Transportation
55 Water Street, 9th Floor
New York, NY 10041

Tricia Shimamura
Commissioner
New York City Department of Parks and Recreation
830 Fifth Avenue
New York, NY 10065

Re: Comment Letter Opposing the Installation of a Modular Bathroom at Plaza Alianza Dominicana

Dear Commissioner Flynn, Commissioner Shimamura:

Community Board 12-Manhattan (the “Board”) writes to the New York City Department of Transportation (“NYCDOT”) and the New York City Department of Parks and Recreation (“NYC Parks”) in strong opposition to the installation of a modular bathroom (the “Modular Bathroom”) at Plaza Alianza Dominicana, located at West 165th Street and St. Nicholas Avenue within Community District 12-Manhattan (“CD12M”). The Board takes this position for the following reasons:

- The decision to install the Modular Bathroom at the CD12M location lacked community input and support.
- The Modular Bathroom, as presented in recent documents, lacks basic features to support accessibility needs for our community.
- The plans for maintaining the Modular Bathroom are vague, leading to concerns about cleanliness, safety, and community impact.

For the foregoing reasons, the Board opposes the Modular Bathroom and calls on the relevant agencies to pause its installation in CD12M until such concerns are fully addressed, as set forth in the following sections.

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I. Background

On January 10, 2026, Mayor Zohran Mamdani announced an initiative to increase public restrooms in New York City at a proposed site located in Manhattan's Community District 10 (the "Initiative"). The Mayor secured \$4 million for the Initiative, further announcing an intent to begin construction as soon as later this year. In furtherance of the Initiative, the New York City Economic Development Corporation ("EDC") published additional details by press release on June 17, 2026, stating that 17 modular restrooms will be constructed by Throne Labs, Inc. ("Throne Labs") – which won the request for proposal – throughout the city.

According to public information, NYCDOT was responsible for coordinating with the NYC Parks to determine the locations of these 17 modular restrooms in late summer into early fall. In response to this information, the Manhattan Borough Board (the "Borough Board") reviewed the matter in July 2026, expressing concerns with the outreach efforts taken by the relevant agencies. The Borough Board passed a resolution on July 16, 2026, on this subject, stating that the Borough Board only supports the Initiative on the condition that the relevant community boards in Manhattan are "consult[ed]" prior to a modular bathroom's installation. As stated in the resolution, the Borough Board called on the relevant agencies to "visit[] in September 2026 each Manhattan community board where a site may be proposed to consult such boards *in advance of finalizing the locations.*" Emphasis added.

Despite the announcement being made in January 2026, no efforts to consult the Board were made by EDC, NYCDOT, NYC Parks, or the Mayor's Office, including after the Borough Board's resolution in July 2026. Instead, Throne Labs described the plans at a high level in a virtual meeting that took place on September 14, 2026, without identifying the location. Two days later, NYCDOT circulated the plans, which contained the information about the CD12M location for the first time. The agencies decided to install the Modular Bathroom in CD12M on October 15, 2026, steps away from the Board's office. Throughout this time, there was no invitation for the Board to provide input on the Initiative or the Modular Bathroom.

Section 2800 of the New York City Charter establishes that community boards are the voice of the districts for which they serve. The Board represents CD12M, including the area in which the Modular Bathroom will be installed. Because the Board received no significant notice or an invitation to comment on these plans in advance, even after the Borough Board's position had been finalized in July 2026, the Board does not accept that this Initiative was planned in good faith. Accordingly, the Board submits the following comments.

II. Comments

The following subsections describe the concerns of the Board with respect to the Initiative and the Modular Bathroom. Importantly, the Board expresses its broad support for the

development of more public restrooms throughout CD12M. However, such development must consider the communities that surround any installation of those restrooms. Otherwise, the development risks introducing significant future issues, disruptions, and other concerns for the community.

On this basis, Subsection A addresses the Board's concerns regarding the proposed location of the Modular Bathroom; Subsection B addresses accessibility concerns; and Subsection C addresses concerns regarding cleanliness, safety, and community impact.

A. The decision to install the Modular Bathroom at the CD12M location lacked community input and support.

The Board had no knowledge that Plaza Alianza Dominicana had been selected as the CD12M site until September 16, 2026, when NYCDOT circulated the plans. This lack of notice is particularly troubling because the Initiative had been announced in January 2026, leaving ample time for the relevant agencies to engage the communities that would be affected. Instead, the installation date was set for October 15, 2026—less than one month after the site was disclosed. Throne Labs had described the plans only at a high level during a virtual meeting on September 14, 2026, without identifying or providing any details about the CD12M location. That compressed timeline made meaningful review, consultation, and community input impossible.

Nor is there any indication that the relevant agencies meaningfully consulted local businesses, commercial tenants, or residents in the surrounding area. The rushed timeline left no practical opportunity to conduct that outreach, understand how the installation would affect nearby properties, or address concerns before the location was finalized. That omission is especially significant here because the Modular Bathroom would be installed steps from commercial establishments, medical facilities, and the Board's own office. These stakeholders should have had a meaningful opportunity to comment on a facility that will affect pedestrian circulation, daily operations, and the character and use of the surrounding public space.

In fact, the New York City Council enacted Local Law 58 of 2025 on May 10, 2025, which mandates that the City create a long-term city-wide bathroom strategy. As part of this law, the City is required to produce a strategic planning report, to be updated every four years, with the goal of providing at least 2,120 public bathrooms by 2035, at least half of which would be publicly owned. Part of that legislation also required that these bathrooms be prioritized in "underserved" areas, where underserved is identified as a part of the City that has insufficient access to public bathrooms. That legislation further mandated that a Public Bathroom Strategic Planning report be sent to the community boards by September 1, 2026. This report was supposed to include: (1) the distribution of existing and planned public bathrooms, including in relation to underserved areas; and (2) the opening hours, accessibility, conditions, and design features of existing public bathrooms, to the extent known to the relevant agency, including in relation to underserved areas.

The Board never received this legally mandated report. Importantly, CD12M, which is surrounded by substantial parkland, already has greater bathroom access than many other parts of the City and therefore does not appear to be an “underserved” area within the meaning of Local Law 58.

The failure to solicit community input was not merely a procedural and legal deficiency; it appears to have contributed directly to the selection of an unsuitable location. Meaningful consultation would have allowed the agencies to evaluate actual pedestrian patterns, seasonal activity, nearby restroom alternatives, and the needs of the people who live, work, and seek services in the area. Instead, the agencies selected a site that does not appear to reflect those considerations. The concerns with the location include the following:

- The proposed site is a public plaza with minimal foot traffic for much of the year, and activity there is largely seasonal and concentrated around events in the warmer months. The plaza is also separated from other major public thoroughfares, reducing its usefulness to ordinary passersby and making it a poor location for a facility intended to serve a broad and consistent public need.
- The proposed site receives minimal sunlight throughout the year because of the surrounding buildings. The FAQ states that every site was required to have “adequate solar exposure,” indicating that the Modular Bathroom depends on solar energy. It is unclear how this site satisfied that requirement or how the unit will remain powered during periods when it does not receive sufficient direct sunlight, particularly during the winter months.
- The location is surrounded by commercial establishments, medical facilities, and the Board’s office, where visitors, employees, and members of the public may have access to existing restroom alternatives. The agencies should have considered those alternatives before placing a new facility at this site, rather than treating the area as though it lacked any nearby options. The City’s own announcement describes the 17 sites as “formerly bathroom-less locations” in areas where New Yorkers currently lack reliable access to a bathroom — a description that does not fit this location.
- Other areas within CD12M—with heavier pedestrian activity and fewer existing restroom options—would have been substantially more appropriate. The FAQ identifies foot traffic and the availability of nearby public restrooms as relevant considerations in evaluating sites; those same considerations support selecting a location where a facility would serve more people and fill a genuine gap in restroom access.

As part of this letter, the Board requests copies of all data, studies, and other materials the

relevant agencies relied upon in selecting the CD12M location.

- B. The Modular Bathroom, as presented in recent documents, lacks basic features to support accessibility needs for our community.

The 10-minute time limit presents serious accessibility and dignity concerns. The FAQ states that the average public restroom visit is approximately 3.5 minutes and that the limit is intended to prevent loitering, but it does not follow that every user can complete a visit within that period. At five and eight minutes, an audio warning plays; at ten minutes, the lights flash and an announcement states that the door is opening, followed by only a 30-second grace period before the door opens. The FAQ provides no exception for a person who requires additional time and no mechanism for increasing the limit. Rigid enforcement may disadvantage people with disabilities, elderly residents, and families with young children, all of whom may need additional time to enter, maneuver, use the facility, or attend to a child. At the Mayor's September 16, 2026, press conference, Throne Labs confirmed that there is currently no way to extend the time limit, and stated only that it is "working on a way" to do so for people with mobility challenges or ongoing conditions. The Board requests that this accommodation—whether through the mobile app or another mechanism—be in place before any unit is installed in CD12M, along with a firm timeline for its implementation. Although Throne Labs describes the automatic door-opening feature as a means of allowing people experiencing a medical emergency to be seen and assisted, automatically unlocking and opening the door raises substantial privacy and dignity concerns. Less intrusive safety measures—such as a help button inside the facility that would alert staff or emergency responders or an automatic alerting system that contacts local staff or a response team—could address medical emergencies without exposing a user in the middle of a private restroom visit. Although Throne Labs stated at the press conference that its staff will be offered Narcan training, that training does not substitute for an in-unit means of summoning help.

The proposed entry system also creates a significant access gap for people who do not carry a phone. The FAQ and Overview identify four entry methods: scanning a QR code, sending a text message, using the Throne Bathroom Network mobile app, and tapping an NFC card. Three of those four methods require a smartphone or other phone. The Tap Card is the only phoneless option, but it requires a person to locate and visit a local community partner—described as being within a 10-minute walk—in advance to obtain a card. That is not a practical solution for someone who urgently needs a restroom and does not have a phone, including many elderly residents, unhoused individuals, and tourists. The concern is heightened because the FAQ states that sites were selected near parks, subway entrances, and Citi Bike stations—high-traffic public areas where many passersby may not carry a smartphone or know about Throne Labs' program in advance. The Tap Card model also assumes that sufficient outreach has already informed the relevant population about this alternative and that Throne Labs and the agencies have established relationships with local community partners. At the press conference, the Mayor identified only a single Tap Card distribution partner—a bookstore in Queens—and Throne Labs stated that signage on each unit will list the address and hours of a partner within a 10-

minute walk. When asked how individuals could obtain access if partner locations are closed during off-hours, no answer was provided, even though the units operate from 7:00 a.m. to 10:00 p.m. Given that the CD12M location was disclosed less than one month before installation, there is no indication that such outreach has occurred. Nor has the Board received information about becoming a community partner, even though community boards—and particularly the Board, given its proximity to the proposed location—should have been included in any such effort.

The Modular Bathroom also raises significant language-access concerns. CD12M encompasses Washington Heights, one of the most linguistically diverse neighborhoods in New York City and home to a large Spanish-speaking population—a fact underscored by the very name of the proposed site, Plaza Alianza Dominicana. Yet the Throne Labs materials provide virtually no indication that the facility or its systems will accommodate non-English speakers. The text-message entry method requires a user to text the word “Throne” in English and follow English-language reply instructions. The QR-code method opens a pre-populated English text message. The Throne Bathroom Network mobile app does not appear to offer multilingual support. Although the Overview includes the phrase “Baño Gratis” on the exterior of the unit, that minimal signage does not address the broader language barriers embedded in the entry system, the escalating audio warnings at five, eight, and ten minutes, or the posted instructions for reporting issues. Throne Labs confirmed at the Mayor’s September 16, 2026, press conference that the in-unit audio warnings will play in both English and Spanish. The Board welcomes that commitment, but it is not reflected in the written materials, and it does not address the English-only text-message and QR-code entry methods, the mobile app, or the posted signage and instructions for reporting issues. A resident or visitor who does not read English may be unable to enter the facility and may not know how to report a problem or contact support. Installing a publicly funded restroom in a predominantly Spanish-speaking community without ensuring meaningful language access is inconsistent with the goals of equitable public service and raises questions about whether the agencies considered the linguistic needs of the communities they selected as host sites.

C. The plans for maintaining the Modular Bathroom are vague, leading to concerns about cleanliness, safety, and community impact.

The materials also leave important questions about cleaning and maintenance unanswered. The Overview states that cleaning occurs approximately every “~11-16 uses,” while the FAQ describes cleaning as occurring “on average every 11-16 uses.” The use of qualifying terms such as “about,” “-,” and “on average” provides no firm service interval. Statements at the Mayor’s press conference only add to this uncertainty; the Mayor described cleaning as occurring “on average every 15 uses or fewer,” while the Deputy Mayor for Operations described it as “every 10 to 15 uses”—neither of which matches the 11-to-16-use range in Throne Labs’ written materials. At the same time, the FAQ states that a single Throne can handle up to 300 uses on its busiest days. At that volume, cleaning every 11 to 16 uses would imply approximately 19 to 27 cleaning visits in a single day for one unit. The documents do not explain how that level of service will be managed

operationally in New York City, particularly during periods of peak use. Although the FAQ refers to Operations Specialists, real-time monitoring, and rapid response, it does not identify staffing levels, response protocols for the CD12M location, or how a cleaning crew will service a unit in a public plaza while people are waiting to use it. Those omissions make it difficult to assess whether the proposed maintenance model can reliably protect cleanliness, availability, and public safety at this site.

The Board is also concerned about what will occur when the Modular Bathroom is unavailable for cleaning, repair, or other maintenance. The FAQ states that technical or maintenance issues take an average of 2.3 hours to resolve. During that period, an out-of-service unit sitting in a public plaza could create safety, aesthetic, and community-impact concerns, particularly if users continue to approach it or if the unit appears abandoned. The materials do not discuss contingency plans, temporary signage, alternative restroom information, security measures, or how the surrounding community will be notified and affected during periods of downtime. Importantly, many of our existing public restrooms in parkland require frequent repairs, at a cost of millions of dollars in capital funds to the City because they are repeatedly clogged with syringes. The materials do not contain a contingency plan that ensures this issue does not extend to the Modular Bathroom, and, if it does, the measures that will be in place to address the damage promptly and maintain the restrooms. These operational gaps further underscore why the agencies should undertake genuine community consultation before installation and establish a clear plan for maintaining the site when the unit is not available.

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The Board supports efforts to expand access to public restrooms, but the concerns described above arise from the absence of meaningful community input in the Initiative's deployment and from unresolved questions regarding the proposed site, accessibility, maintenance, and community impact. The Board therefore respectfully requests that the installation in CD12M be paused until the relevant agencies have engaged with the Board and the surrounding community and fully addressed these concerns. Because the City has emphasized that the units are self-contained and can be relocated as community needs change, the Board further requests that the agencies work with the Board to identify a more appropriate location within CD12M. Should you have any questions, please do not hesitate to contact me at aviola@cb.nyc.gov.

Sincerely,



Anthony Viola
Chairperson

COMMUNITY BOARD 12-MANHATTAN
Mike Flynn, Commissioner of NYCDOT
Tricia Shimamura, Commissioner of NYC Parks
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CC:

Hon. Zohran Mamdani, Mayor, NYC
Hon. Mark Levine, Comptroller
Hon. Jumaane Williams, Public Advocate
Hon. Brad Hoylman-Sigal, MBPO

Hon. Anthony Shorris, President & CEO of EDC
Hon. Julie Menin, Speaker
Hon. Shaun Abreu, Majority Leader
Hon. Carmen De La Rosa, Councilmember