



# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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## **District Needs Statement for Fiscal Year 2011**

Community Board 3 Manhattan covers the Lower East Side and part of Chinatown. Its boundaries are 14th Street on the north, the East River on the east, south to the Brooklyn Bridge and Fourth Avenue and Bowery on the west, extending to Baxter and Pearl Streets south of Canal Street. It is a community filled with a diversity of cultures, religions, incomes, and languages. Its character, drawn from its heritage as a historic first stop for many immigrants, continues to the present day. Community Board 3 is one of the largest and most densely populated districts in the city. It has over 172,000 people. At the last census, 43,000 required income assistance. This is 26% of our population and 83% greater than the median for Manhattan community boards. Seventeen percent of our population is under 18 years of age and 13 percent are senior citizens. The demographics of the district also illustrate our diversity and reflect our immigrant population. The 2000 census indicates that the residential population of this district is 35% Asian/Pacific Islander, 28% white nonhispanic, 27% Hispanic, 7% African American, as well as other parts of the world represented in smaller numbers.

The district has recently been greatly affected by increasing gentrification, which has enriched the community in many ways but also changed its character, culture, and businesses. The district continues to attract more people and businesses that support the growing market-rate housing and high-end retail, but many people within this community continue to live on the edge of homelessness and economic survival.

Community Board 3 has worked to retain affordable housing and local businesses as well as serve the needs of the newcomers to this community because it recognizes that the displacement of long-time residential and commercial residents has caused great loss to this community. Many small family-owned stores, especially those that serve local retail needs, arts businesses, and nonprofits have closed and been replaced by an ever growing number of bars and restaurants. Families have been displaced from their homes because they cannot afford increasing rents. Community-based organizations, which provide essential services for community residents, struggle to provide more services and to afford their own costs with fewer resources. Their budgets have decreased because the new market-rate residents have changed the demographics of this community, making the percentage of those needing assistance smaller although their actual number may increase. This is in addition to budget cuts necessitated by the bad economy.

### **Parks/Recreation/Cultural Affairs/Landmarks**

Community Board 3, like most districts in the City, does not meet the City Planning Commission's guidelines for per capita open space. The open space/population ratio is approximately 0.7

acres per 1000 people. By comparison, the Governor's Open Space Report recommended 2.5 acres per 1000, and New York City averages 1.5 acres. The open space that we do have is not evenly distributed throughout the district. The area west of Avenue A and the Chinatown area lack adequate open space. Compounding this deficiency is the increased use of existing parks by individuals and groups for organized events from both inside and outside the community. Increasingly, groups from outside of our district are using Community Board 3 parks. While we do not seek to exclude outside groups from our parks, we do feel that priority should be given to local groups. Our emphasis on local groups includes a re-examination of Park Department policies that restrict the use of parks and play areas during daytime hours. There are seven Jointly Operated Playgrounds (JOPs) in Community Board 3 co-located with the following schools: PS 110, 63, 20, 140, 137, 134, and 188. These sites are important to their attached schools for playground use during the school day and to the surrounding community at all other times. The Parks Department commitment to cleaning these parks by 8 AM every morning has not been kept. Parks and the Department of Education must find acceptable solutions that will ensure clean and safe playgrounds for school use during the school day and for community use after 3 PM on school days and all day on non-school days. The Community Board insists on policies that foster the most open use of facilities by residents of the community while respecting safety concerns. Any agreements between Parks and other entities should be brought to Community Board 3 prior to finalization.

A few community gardens have been transferred to the Parks Department, but at the same time, the fate of many others is still uncertain. For sites not being transferred to the Parks Department, the City should consider transferring them to local community organizations that can maintain the locations as permanent open community space. Once open space is lost to development, it is very unlikely that it will ever be replaced.

It is one thing to have land set aside as a park, but our parks also need constant maintenance by trained DPR professionals. The number of park workers is at a 30-year low and funding for park maintenance is equally scarce. Many of the parks in our district have suffered from years of neglect and deferred maintenance, and now are experiencing increasing levels of usage. Increasing the number of full time, permanent park workers and staffed playgrounds will allow for fuller use of our parks and play areas.

Community Board 3 parks have continued to be overrun with rats year after year. This is aggravated by some specific conditions such as the underground space beneath Peter Cooper Park and the dense grass coverage on the Essex strip at Seward Park. Although the grasses are beautiful visually, they must be replaced so that the park can be better baited and maintained. The Parks Department has only one full time exterminator, which does not allow for adequate baiting. Although many of the Parks staff has been trained to meet the need of more extermination, they do not have the years of experience and expertise that comes with experience. More full time experienced extermination and staff to maintain and clean the parks is necessary to protect the health and public safety of the community. Until it has enough staff to adequately deal with the problem, Parks should work with the Health Department for regular and frequent baiting.

The permitting procedure for recreational permits needs to be improved to have fields accessible to local groups and for fair distribution. Currently, it is very difficult for groups to understand the process or to receive timely answers and adequate use. This results in some fields being empty while groups are being denied space, and even potential conflict when fields are not booked with adequate notice and enforcement provided to ensure that permitted groups actually have access. In FY 2007, Community Board 3 urged Parks to significantly upgrade its computer system to improve its permitting process. Three years later, we have not been advised of any progress in this area.

Parks also needs improved procedures for park event permits. Community groups complain that infor-

mation and approvals are not communicated in a timely manner. The Community Board has suggested that small, non-recurring events, such as school end-of-year parties and similar events, be handled in an expedited manner. A birthday party for 3-year olds may not necessitate review by Parks.

Also, Parks needs to ensure review from the NYPD and the Community Board for larger events. A concert permitted for the same day as a large parade that requires police staffing might end up with potential problems. Community Board 3 is also currently dealing with the overflow of events and concerts into Tompkins Square Park as a result of the Washington Square and Union Square park renovations. Additional Park Rangers and sound monitoring equipment are needed to deal with the negative effects of these events on the residents surrounding Tompkins Square Park. PEP officers, on a regular, sustained basis, need to be assigned to the major Community Board 3 parks.

Toilets in Community Board 3 parks and playgrounds are badly needed. There are several locations of which the Parks Department is already aware, but two of the longest standing needs are the toilets in Corlears Hook Park and Sol Lain Parks. The lack of functioning toilets in this park is exacerbated by its proximity to the East River Park amphitheatre. The numerous concerts in the amphitheatre and the continuing overflow of pedestrians through Corlears during concert season suggests that Parks make this a higher priority. Since 2008, Parks has not yet advised CB#3 of any progress concerning toilets.

Our Council Members, the Borough President and the Parks Department have funded Phase I of the Seward Park renovation. Phase II of the renovation is a top priority for the Board. It deserves funding by the Borough President and Council Members to complete the renovation for a much underserved area.

The reconstruction of East River Park is underway and the seawall work was scheduled for completion in July 2007. We were then advised that the landscape in the park was scheduled to be completed in the 2008 – 2009 timeframe. Our current understanding is that the public esplanade and the landscaping will be delayed even further. We again urge Parks to keep the contractors to the agreed timetables so that full public use of the park can be restored.

The Mayor's vision for a Manhattan surrounded by parks at the water's edge will be severely tested if Con Edison does not widen the north-south pathway at 14th Street. Con Edison made a commitment to accomplish that goal. We call on the Parks Department to assist in achieving that goal.

At the request of Parks, Community Board #3 approved an expansion of Tanahey Park. The Board was also promised that basketball court and hockey rink improvements would occur to allow the local community to productively enjoy the park. We urge Parks to implement these improvements as soon as possible. Additionally, Coleman Oval needs a basic level of amenities such as trash cans and benches to support the skateboard and dog run facilities.

In recognition of the history of the whole Community Board 3 area, a Landmark Subcommittee was created to address the various issues concerning the possible landmarking of individual properties or designation of historic districts. Community Board 3 anticipates working closely with all parties involved in this issue including, community organizations, government agencies and officials.

## **New York City Libraries**

Community Board 3 has five branches of the New York Public Library (NYPL) system: Chatham Square, Hamilton Fish, Ottendorfer, Seward Park and Tompkins Square. While we appreciate the renovation of our libraries, private donations and discretionary funds from our elected officials have paid for much of the work. Community Board 3 branches have the highest levels of use in

the City. The libraries are especially necessary to our many low and moderate income residents who depend on the libraries for access to books and film and who use the library as their only quiet place to read or do homework or other work. In addition, we are seeing many residents who have laptop computers, but cannot afford internet fees, use the library for internet access. In the last year there were 1,276,586 visits to Community Board 3 libraries. This is an increase of 14.39 percent over the previous year. It is not only imperative to keep our libraries open 6 days a week to serve our residents, we need to expand funding for expansion of collections, automation, staffing, and programming.

## **Waterfront**

Community Board 3 established a Waterfront Task Force in 2003 to formulate a viable plan for the area from the Brooklyn Bridge north to East River Park.

The Task Force recognized that our waterfront has been a focal point for generations of Lower East Side families, but also an area that has been long neglected by the City. We now have an East River Park esplanade that is being improved to make it safe and attractive. But large portions of the Community Board 3 City-owned piers are underutilized; and the esplanade south of the piers is in need of repairs to improve safety and add amenities to increase its usefulness. We would like to reclaim the waterfront for public use, keeping in mind the primarily residential nature of the adjacent community.

Through a series of community meetings begun during the latter part of 2003 and continuing through early 2005, the many constructive and creative ideas expressed by community members for the waterfront were shared with the NYC Economic Development Corporation, Department of City Planning and other City agencies. These ideas were generally approved by the Community Board in July 2004, and the City's Concept Plan was approved by the Board in September 2005. This approval was given with the understanding that Community Board 3 will be treated equally and equitably with Community Board 1 in all waterfront planning. Many of the community's ideas have been incorporated in a broad waterfront plan encompassing the area from Battery Park to East River Park to be funded by the Lower Manhattan Development Corporation. It is anticipated that the long-term portion of the plan will be completed over a three- to five-year period ending in 2010. A few improvements have been provided along the esplanade, including the removal of Jersey barriers and the installation of planters.

The Community Board is very concerned about the future of Pier 42, the only sizeable area in this community that extends over the River. We agree with the Concept Plan that the shed area of Pier 42 should be removed to provide for a beach area. We strongly urge and expect that the relevant City agencies will raise the necessary funding to complete this improvement and stabilization, within the 2010 timeframe, so that Pier 42 will never be lost as a crucial amenity to this community.

Community Board 3 is also concerned about the esplanade area from the Brooklyn Bridge to Pier 35. We have been advised that the City plans to enlarge the area of the esplanade, thereby reducing the width of South Street. This could have a serious impact on the abutting streets of the area; particularly since the tour and commuter buses and vans would have to be relocated. There are now a large number of commuter and tour buses that only service the Community Board 1 area presently located in this area of Community Board 3. In the vein of equal and equitable treatment, these buses must be relocated and returned to Community Board 1, where they have always belonged. After this has been done, we expect that the City will conduct an Environmental Impact Statement (EIS) to find a location for the tour and other buses emanating from Chinatown that also now line the waterfront. We feel that the vast number of these buses and vans that have been



allowed to layover in our community, creating health, sanitation and congestion problems, cause quality of life problems that far outweigh the economic results that may be gained. There must be a cap put on the number of buses allowed to layover in our community. If there is a cost involved in the needed EIS, funding must be provided.

The Waterfront Task Force was merged with the Parks, Cultural Affairs, Waterfront Committee in January 2006, but will be reinstated, if necessary, to work with the City in an effort to provide input and support, and to monitor the City's progress in this long-needed and exciting plan for the improvement of our waterfront.

## **Youth & Education**

Community Board 3 has an increasing need for youth and education programs ranging from pre-school programs to after-school programs for adolescents and teens to youth employment programs and the addition of more middle schools participating in our existing teen job training programs.

Presently, there are 8,200 children in District 1 public schools, 1,000 District 1 children in schools outside the district and 1,100 District 1 children in alternative education, such as private or parochial schools. While Community Board 3 recognizes that there are diverse factors influencing the families who have chosen to send 20% of eligible District 1 children outside of this district, by establishing more specialized programs, strengthening moderately performing traditional schools and allocating resources to schools with the greatest need would attract more District 1 children who may be unable to attend existing oversubscribed specialized programs in area schools or who do not have confidence in the traditional school programs within District 1, raise district wide scores and increase enrollment and parent involvement. The formation of viable School Leadership Teams to encourage collaborative decision-making by parents, students and faculty is also critical to the improvement and success of our district public schools. Further, Community Board 3 strongly opposes the transfer of our local school buildings to special programs, such as citywide gifted and talented programs, that do not continue to preserve a significant number of seats for and serve the needs of children residing in this district. Community Board 3 supports the Parent Commission of School Governance's Proposal.

One major step toward attracting district families is to create an admissions policy that 1) establishes Pre-Kindergarten as a point of entry to the school system and eliminates the need for re-application for Kindergarten, 2) gives siblings priority for placement in a school, thereby reducing childcare, transportation, and economic burdens on families with multiple school-aged children and fostering parent involvement in schools attended by all siblings, and 3) provides mechanisms for admissions that assure the maximum diversity in all district schools. In its Contracts for Excellence Plan on July 5, 2007, the Department of Education (DOE) proposed spending only \$300,000 on Pre-Kindergarten education, only \$25,000 of which is currently allocated to District 1 although it has been a long-time policy that every elementary school has a full day Pre-Kindergarten program. Both planned expenditures must be significantly increased to attract the 20% of District 1 children who leave the district for other education alternatives. In addition, many schools in Community Board 3 are lacking proper gym facilities. This is a priority necessary to foster physical health and fitness at an early age, which will continue to be beneficial as these children become adults.

Family academic advisement and counseling, as well as tutoring and remediation, would benefit students in our district, particularly those seeking post-secondary education or job training opportunities. Further, there must be more diversity training for staff and students in our district to foster a safe and healthy environment for students of all ethnic backgrounds, economic status, sexual orientation and gender identity. The past year has seen an increase in teen crime in Community Board 3. This is reported to be

mostly geographically (turf) based and includes younger teens than usually seen in this activity. The NYPD, NYCHA, the District Attorney's office, and community non-profits are currently grappling with this problem. We have seen problem areas particularly at First Avenue and 14th Street, Campos Plaza, Smith Houses, Coleman Park, and in the vicinity of these locations.

All agencies working with this population agree that proactive programs are needed. The at risk youth particularly need employment opportunities and programs other than just sports programs. Families of these youth also are in need of intervention and support system programming.

### **Public Health/Hospitals/Seniors/Disabled**

There is no more urgent health concern in this community than the triple threat of city, state and federal budget cuts to healthcare funding, all at the same time. The proposed cuts must not only be restored, but funding should be increased to insure that essential services are available to everyone.

New York City budget cuts to the Health and Hospitals Corporation will limit funds to pay staff, cover affiliation costs, and purchase pharmaceutical and supplies. In addition, cuts will include money for child health clinics, dental clinics, programs to service substance abusers, mental health clinics, as well as out-patient pharmacies and HIV services.

State funds are needed to complete the modernization and expansion at Gouverneur Healthcare Services and Nursing Facility which would still leave Manhattan with far fewer nursing facility beds than is recommended by the Berger Commission Report.

Along with many cuts to Medicare and Medicaid funding, federal cuts would eliminate support for physician training. The Association of American Medical Colleges already predicts a shortage of 55,000 physicians by 2020. This one change would decimate our teaching hospitals and undercut the ability to train doctors in the future.

There are three major health concerns within this district: HIV/AIDS funding is being cut, yet the number of people living with HIV and AIDS in the black/Latino community is at epidemic levels. Already, the large agencies have been forced to lay off staff. Smaller CBO's will be devastated by additional cuts. Much more funding is needed for education, prevention, testing and counseling, as well as, food, nutrition and housing services.

The community cancer-related death rate is greater than the New York average, yet fewer area residents have cancer screenings than the New York City Department of Health suggests. There is a need for more education stressing the importance of early screening, especially for breast and prostate cancers.

Binge drinking has become a significant problem in Community Board 3, with men in this district binge drinking at a rate more than the City average.

Many residents, within this district, do not seek regular preventive medical care and one in four does not have a regular doctor. More than 16 per cent of Lower East Side and Chinatown residents are not insured or under insured. Many use emergency rooms as their first medical alternative, although the district has numerous other medical facilities. Gouverneur Healthcare has four satellite clinics in the area and Ryan-NENA, Betances, Charles B. Wang and Community Healthcare Network are other health centers within Community Board 3. Easily accessible to this district are New York Downtown, Beth Israel and Bellevue hospitals. With improved community education, all of the facilities could be better utilized by community residents for regular health care visits.

Health programs within the facilities must also be ready to respond to the large immigrant, non-English speaking and undocumented population within this area.

Community Board 3 supports the continuation of services that allow senior citizens to remain in their homes and communities by providing meals, health care, recreational activities and affordable housing. Super senior centers have been proposed for the future growth in seniors, however they should not be built at the expense of local neighborhood senior centers.

Abuse of the elderly, as well as child physical and sexual abuse and domestic violence are problem within this community that do not receive sufficient attention. Multilingual education about these problems is required in order to reach all of the populations within this district.

Continuation of WTC health related programs such as the WTC Health Registry, The WTC Environmental Health Center and others must continue to help the victims of the WTC disaster.

It is hoped that there will be sufficient vaccine for H1N1 and other viruses to prevent an epidemic in the City.

### **Public Safety**

Community Board 3 is within the jurisdiction of the 5th, 7th and 9th Precincts, Public Service Area 4 (PSA 4) and seven fire companies.

### **Police Department**

Community Board 3 is fully committed to maintaining good relations with the police officers working in our district. We currently work in a collaborative manner that allows us to be much more effective in serving the community. The Commanding Officers of all of the commands within this district are quick to respond to community and community board concerns. This relationship is very important to our work and much appreciated. Community Board 3 believes that individual officers must be held accountable for their actions and behavior. To this end, we continue to support the strengthening of the Civilian Complaint Review Board.

We strongly support both the Auxiliary Patrol Units and the multiple precincts covering specialized Rescue Units currently known as Auxiliary Police Support Unit (APSU) who are the auxiliary arm and adjuncts of the NYPD Emergency Service Unit (ESU). We urge their immediate reinstatement to their full emergency, lifesaving duties on the street and their complete revitalization and restoration of equipment, vehicles, training, status upgrade and medical care and NYPD ESU oversight for the Auxiliary Police Support Unit.

Finally, while we understand that realistic threats of terrorism continue to exist, this community board is seriously concerned about the loss of civil liberties in the wake of September 11, 2001. While this district was greatly affected by that tragedy, we do not believe it warrants the loss our civil liberties. In a democracy, democratic principles must prevail, even in difficult times.

### **Fire Department**

Seven fire companies currently serve Community Board 3. While the community board recognizes the need for complete fire coverage throughout the city, we do not believe that it should include the removal of firefighters from our companies to serve as replacements in other fire houses.

## **Environment**

The demands of climate change and environmental health needs require community participation in concert with a reorientation of government agencies towards environmental planning. Community Board 3 has few city resources allocated to reduce air pollutant exposure and asthma triggers despite a disproportionate amount of air pollution sources from the expanded 14th Street Con Edison fossil fuel power plant and vehicular congestion from its three bridges, transportation corridors (e.g., the FDR Drive and Canal Street), vehicle idling, and open air bus stations. Air pollutant exposure is compounded by the heat island effect of roads, artificial turf, and bare roofs, which raise temperatures and elevate ozone levels. Shockingly, unlike other areas of the City, the extent of these environmental health hazards within our district is largely undocumented.

Preliminary results of a NYCHA building survey provide evidence of pockets of an extraordinarily high level of asthma prevalence in the district. Air monitoring of suspected air pollutant hot spots with sensitive populations of the youth, the elderly and residents with poor health care are needed to focus air pollution reduction strategies and mitigation measures in areas of greatest need. CB3 requests that future field turf installation should be investigated to purchase the best possible turf to minimize ozone/carbon emissions. There is a need for more trees within the community, but special consideration should be given to selecting tree species that are least likely to cause allergies/asthma.

For PlaNYC 2030 to be successful, it must be implemented on the community level, as well as citywide improvements. There are plenty of solutions: sustainable business programs, HVAC retrofits and weatherization, permeable sidewalks and streets, building rainwater catchments, community supported agriculture, net metering with no caps, distributed renewable energy, green elder and hospice care, upgraded green building codes, energy start appliances (e.g., DHCR incentives), electric utility, service and retail (e.g., ice cream truck) vehicles, community based air monitoring, intensive integrated recycling systems. But we need environmental community education and communication at all levels, building, blocks, schools, neighborhoods and businesses facilitating community based environmental planning in coordination with city agencies to make it happen.

## **Sanitation / Health**

While sanitation service in the district has improved in recent years, Community Board 3 is still in great need of increased services. We are a very densely populated and still growing district in an area of old tenements without access to indoor storage or compactors. We need sanitation pickups five days a week and increased enforcement of existing regulations relating to the setting out of trash for curbside pickup. Our district is also saturated with night life, so on a typical weekend bags of garbage and overflowing trash baskets increase sidewalk congestion and attract rats. Therefore, weekend basket pickups must be increased and carting regulations must be enforced.

Additionally, Community Board 3 believes that it is a top priority for the City to adopt more proactive and ambitious goals for reducing the amount of garbage that is exported. We have resolved to embrace the goal of Zero Waste, realizing that this goal could be reached within twenty years. A zero waste program can be a powerful incentive for economic development and will also ensure that the money spent on managing our waste stream is circulated within the city's economy, instead of being used to pay the operator of a landfill in another state. The income tax, sales tax and business tax generated by the zero waste program and infrastructure will stay in the City to help fuel its growth and the value added through recycling will remain local.

Rat infestation continues to be a major problem in the district. There currently are intensive pest



control initiatives uptown and in the World Trade Center area, but not in Community Board 3. Community Board 3 is an old and densely populated area. There is not enough room to store garbage and not enough pickups of household garbage or corner receptacles. . The Department of Health has stated that the huge increase in eating and drinking establishments has contributed to the rodent problem. There is not enough monitoring and enforcement of private carters and private businesses. Community Board 3 needs the indexing initiative to deal with the situation proactively. Community Public education and regular inspections are also critical. The Rat Taskforce established by the Mayor's Office is very responsive and has also proved to be very valuable in dealing with emergency and multi-agency situations and should be continued. However, the Community Board needs to be able to have input into areas on the Taskforce agenda. The public also needs to be educated that feeding birds provides food for the rat population. Enforcement is needed for garbage storage and removal by street vendors. Policy concerning vendors must be reviewed and modified so that vendors are able to operate consistent with regulations. The relocation of produce vendors from Division Street to the bus layover area on Forsyth Street continues to be a serious health and safety problem.

## **Transportation**

The most important transportation problem within Community Board 3's boundaries is the lack of adequate public transportation; however, inadequate public transportation is exacerbated by the intense traffic congestion on our streets. The closure of Park Row and the congestion through and around Chatham Square continues to be a major challenge. Community Board 3 urges the City and its various agencies to improve the environment for public transportation within Community Board 3 by taking strong, creative measures to reduce traffic congestion.

## **Public Transportation**

The Community Board 3 district is underserved by public transportation. We continue to oppose cuts in service on any bus route within the district. Despite the district's density, many of our residents are poorly served by the subway system and live more than half a mile from the nearest subway stop. The Department of Transportation's (DOT) 1999 Manhattan East Side Alternatives (MESA) study group studied the long-term transportation needs of communities on the East Side of Manhattan. MESA proposed several options for our district including modifications to current bus service and new bus routes "to address long-standing gaps in the existing bus network." It is important to have bus routes that reach the FDR Drive on both Grand and Houston Streets, something that was not achieved by the particular proposals outlined by the MESA report. The eastern and southernmost residents of the district will continue to be denied public transportation until the MTA restores or extends cross-town bus routes on Grand and Houston Streets.

We strongly urge the return of the Grand Street cross-town bus. The key point in the MESA proposals was to avoid the surface congestion west of the Bowery by having a route on Grand Street that turned on Chrystie Street. A cross-town bus route, particularly in the absence of the Second Ave Subway, allows for vital west side access as well as east side access via connections with the M15 bus, the Grand Street subway station (B/D), the nearby Bowery station (J/M/Z), and the M103, M101, M102 and M6 buses. In their Chinatown Access and Circulation Study, the Lower Manhattan Development Corporation (LMDC) projects that there is a potential market size of 8,300 weekday trips on new cross-town bus routes. Full details of these MESA proposals can be found on page 20 of Chapter 2 of the MESA report.

Preservation of the endangered M21 route – Manhattan's southernmost cross-town bus route – is also a priority for Community Board 3. The M21 connects Community Board 3 neighborhoods

with the hospital corridor between 14th and 34th Streets and with workplace destinations on the west side below Canal and Houston Streets. We are concerned that a vicious cycle between reduced service and ridership is killing off the M21 route, as happened with the Grand Street route. Because the MTA has reduced the frequency of the M21 service, it has become impractical for customers to wait for the next bus. This leads to reduced ridership which in turn is used as an excuse for another round of service cuts. Because the M21 buses get caught in Holland Tunnel surface congestion on West Houston between Sixth Avenue and Varick Street, the M21 schedule is unreliable, which further discourages riders.

### **Private Bus and Van Services**

There has been a dramatic increase in the number of companies providing transportation services with coach buses using the streets in Chinatown and the surrounding neighborhoods to layover and to load and unload passengers. The use of passenger vans contributes to traffic and parking congestion, especially in Chinatown. The operation and idling of diesel buses on the narrow streets of the district creates health and safety problems.

Community Board 3 believes the city should limit the number of bus companies and buses allowed to operate in the area. In addition, locations for loading and unloading must be restricted and designated. Currently, bus stops that are allowed to exist in inappropriate locations cause safety problems that have necessitated the District Attorney's office becoming involved and instituting trespass affidavits with residential buildings to protect the tenants. The current lack of monitoring does not provide for inspection and enforcement of safety standards for the bus companies.

NYPD does not enforce idling laws and they cannot do so effectively. The city must have an enforcement mechanism that will focus and enforce idling regulations. Follow up of DEP violations for idling shows that these are often dismissed.

### **Public Access to Waterfront**

CB3 understands that the City plans to eliminate a couple problematic parking/layover areas that deprive residents of recreational access to our Waterfront. Reconstruction of the waterfront requires the removal of the bus layover zones from both sides of South Street from Clinton Street to the Brooklyn Bridge. The City had also promised to relocate the parking lot for private vehicles of City agency employees from the lower portion of the East River Esplanade from the Brooklyn Bridge almost to Catherine Street. Although CB3 applauds these commitments, we ask for an expedited timetable.

### **Illegal Parking**

Produce wholesalers and private limousines routinely violate parking regulations and monopolize small streets and sidewalks, causing sanitation, parking, safety and transportation problems.

Parked cars displaying dashboard placards from City agencies routinely saturate the streets of Chinatown and other locations in Community Board 3. The large number of these illegally parked cars threatens public safety by obstructing access for emergency responders, disrupts businesses by blocking deliveries and customers, and restricts disabled access. Enforcement of existing laws concerning placard parking is critical at fire hydrants, corners, crosswalks, curb cuts, on sidewalks, and in No Standing zones. The recent policy change whereby DOT issues parking placards for most city agencies has resulted in a significant decrease in the number of parking placards for "No Parking Except for Authorized Vehicles" spaces. CB3 needs NYPD, which continues to issue the

parking placards for the NYPD and the DA office, to devise and enforce policies that will eliminate illegal parking permit abuse. To that end, CB3 wants DOT to post permanent “No Permit Parking - Tow Away Zone” signage to reinforce existing regulations of the No Permit Area that contains Chinatown and the surrounding neighborhoods.

### **Sidewalk Congestion**

Sidewalks and curb cuts are in disrepair which is a particular hardship for people who rely on wheelchairs for mobility. Curb cuts that do not meet smoothly with the street bed should be repaired and missing curb cuts should be installed. The disorderly locking of bicycles should be addressed by expanding the CityRacks program to install even more bike racks in sensible, convenient locations.

Pedestrian traffic for shopping and nightlife has increased sidewalk congestion, especially at peak times, to the point that pedestrians resort to walking in the street, a very unsafe practice. Measures such as enforcing regulations regarding storefront use of sidewalk space and sidewalk vendors; revisiting licenses of sidewalk cafes in some areas; and the possibility of sidewalk expansions in some areas should be considered.

### **TLC Enforcement**

The destination nightlife areas in Community Board 3 have become areas of severe traffic congestion on the weekends, particularly Saturday nights. Much of this traffic is comprised of taxis and Community Board 3 has continued to receive numerous complaints of taxi horn honking that continues into the early morning hours and disturbs the quality of life of residents who cannot sleep. Also, the area around Water and Market Streets is burdened by car services that double park while waiting for calls from the Wall Street area, primarily on weekday evenings. Community Board 3 has worked with the Taxi Limousine Commission (TLC) on enforcement and made little progress. It is necessary for the TLC to collaborate with this community board and the NYPD and to assign enforcement when and where necessary, such as in several areas on weekend nights.

### **Truck Route Violations**

Community Board 3 has asked DOT to install positive directional signage on Grand, Delancey and Houston Streets directing truck operators to the designated truck routes on Pike, Allen and Chrystie Streets and on the Bowery. Trucks routinely violate the traffic laws by leaving these designated routes. They then become stuck on extremely narrow residential streets. Community Board 3 agrees with the recommendations of the 2005 DCP Delancey Street Transportation Study and asks that DOT also implement a similar truck signage program on the Houston and Grand Street corridors.

### **Bicycle Facilities**

There has been a significant increase of bicycling in recent years, so there is now a need for enforcement of traffic laws regarding dangerous and illegal cyclist behavior such as driving against traffic, sidewalk cycling, red light running and failure to yield to pedestrians. In order to help vehicles and bicycles share the streets safely, Community Board 3 asks that more of the routes developed in the 1997 NYC Bicycle Master Plan be installed with pavement markings and signage to provide linkage of the waterfront Greenway System with the Manhattan and Williamsburg Bridges and to provide north-south and east-west travel corridors. The reduction of pedestrian-cyclist conflicts must also be a design consideration of all DOT bicycle facilities.

The increased use of bicycles city-wide has given rise to the need for bike parking. The lack of adequate bike parking facilities is an impediment to bicycle usage and also results in bicycles chained to public street fixtures and obstruction of sidewalks. DOT should augment its CityRacks Program, which allows the public to request bicycle racks one at a time.

## **Nightlife and Licensing**

### **Nightlife**

The Lower Eastside and East Village have been identified by the media as nightlife destinations. As a result, there has been an exponential increase in the population of people who enter these neighborhoods to patronize nighttime businesses. Not only does this district now absorb an influx of people from outside of its borders but it also attracts people from outside of the City, State and Country. Eating and drinking establishments continue to open on avenues and on residential side streets whose commercial components previously only consisted of small retail businesses. Most of the residential businesses on residential side streets are not legally zoned but have been grandfathered as commercial use for small local retail needs. This unzoned commercial use on residential side streets has caused a great deal of tension between residents and nightlife businesses because of noise created by nighttime businesses and their patrons. Hundreds of restaurants and cafes, serving beer, wine and liquor with meals, now populate most of the streets in this district. Many of them provide a bar, lounge or music venue to retain patrons coming for dinner. Bars, lounges, clubs and multi-level venues with ancillary or no food service are now located in much of the East Village, Lower East Side and many parts of Chinatown. Numerous large and boutique hotels, which include restaurants, lounges, bars and outdoor spaces accessible to the public, are open or under construction in the East Village and within a two (2) block radius in the Lower East and are now relying on their public amenities to be destination locations as recessionary conditions have caused their occupancy rates to plummet below sixty percent. The outdoor spaces with liquor licenses now operating within feet of bedroom windows have caused additional tension between these businesses and residents. The poor economy has also caused an increase in the number of transfer applications for existing liquor licenses as eating and drinking establishments fail with greater frequency. There has also been an increase in applications to upgrade licenses from serving only beer and wine to serving alcohol, as well as applications to alter or expand the method of operating businesses in an effort to attract more patrons. These applications include the commercial use of outdoor space, such as backyards, side yards and rooftops.

Eating and drinking establishments contribute much needed revenue to the City and often provide employment for area residents. The result of so many establishments in such close proximity can cause overwhelming late night noise, increased vehicular and pedestrian traffic, increased rodent problems, overflowing garbage and other quality of life concerns that affect residents and other businesses. Furthermore, an increase in the number of sidewalk café permits issued to eating and drinking establishments in Community Board #3 has effectively pushed the growing patron population onto narrower sidewalks resulting in increased sidewalk congestion and noise and exacerbating the complaints of residents. CB3 has the second highest number of noise complaints for a community board in the City. Residents also complain to both the local police precincts and the community board about noise and congestion from patrons standing in front of nighttime businesses and traveling from one business to another, noise from music and people emanating from businesses, noise as a result of the commercial use of outdoor areas and sanitation issues associated with commercial locations.

The existing complaints of noise, disorderly conduct, traffic congestion and overcrowding are severely taxing the resources of our already overburdened City agencies, such as the New York Po-

lice Department, Department of Environmental Protection, Department of Sanitation and Department of Transportation, whose existing infrastructure cannot now adequately address the influx of people into this district. The City needs to implement more effective policies governing enforcement, as well as provide more staffing and resources to its agencies, including increasing police staffing at nights and on weekends, to address the growing noise and congestion resulting from the increase in nighttime businesses. The City should expedite the hearing of violations issued for noncompliant use of back and side yards and should increase penalties for such noncompliant use. The City must also create legislation to better regulate the use of the public sidewalks which have been at once overwhelmed by the increased patron population while becoming increasingly smaller as portions are permitted for the private use of businesses.

## **Licensing**

Community Board #3 spends a predominate amount of its resources evaluating approximately four hundred (400) liquor license applications yearly to provide opinions regarding proposed businesses to the New York State Liquor Authority. These opinions now include agreements negotiated between the community board and applicants which the New York State Liquor Authority recognizes as conditions of any approved liquor license.

The city should support cooperation between the New York State Liquor Authority and local community boards by urging the New York State Liquor Authority to support community and police requests for the investigation of poorly or illegally operated licenses. While Community Board #3 will attempt to resolve complaints about such businesses and will work with city agencies to enforce regulations, neither community board nor local city agencies have the resources necessary to continually address enforcement concerns. The City and the New York State Liquor Authority should work cooperatively toward more effective enforcement of licensed premises by creating a system for information regarding violations and SLA reports issued against businesses to be shared directly between the New York States Liquor Authority and local police precincts, as well as between local police precinct and community boards.

While sidewalk cafes add vitality and movement to streetscapes, Community Board #3 believes that bars and restaurants should contain their noise and activity inside to protect the quality of life of surrounding residents. Community Board #3 urges the City to create legislation to differentiate between businesses seeking to obtain permits to extend food service to sidewalk seating and those seeking to extend their bar space outdoors and requiring businesses who are permitted to operate on the sidewalk to create waiting areas within their perimeter. The Department of Consumer Affairs should also be provided the resources and staff necessary to increase weekend and evening inspections to ensure that sidewalk cafés are complying with their permits.

## **Housing and Land Use**

The crisis in affordable housing within Community Board 3 continues to worsen. Years of gentrification, rising rents, the opting out of Mitchell-Lama, limited dividend and project-based Section 8 housing for market-rate housing, and a shortage of Section 8 vouchers contributed to this problem as real estate prices soared. A sudden and severe recession in the last year, however, reversed real estate prices. Affordable housing projects and other housing programs are disappearing from our community.

Our country, state and city face incredible budget constraints brought on by this devastating recession, which has resulted directly in cut backs by government agencies. Fortunately, Community Board 3 has managed to avoid the widespread foreclosure crisis. Nevertheless, we must remain



aware of the possible problems should unemployment rates continue to rise and not entirely forget goals to attain additional affordable housing funds.

With new sources of affordable housing unlikely, the preservation of affordable, safe housing for low-income, moderate-income and middle-income families, and senior citizens remains a priority and is essential to preserve the diverse character of our community and the well-being of our residents. The City must redouble its efforts to focus its resources on protecting housing for its residents.

Adequate funding to community housing advocacy groups is essential to safeguard existing affordable housing. These groups provide essential assistance to tenants who are fighting the lack of basic services, building code violations, and threatened evictions that are part and parcel of concerted efforts to replace long-term neighborhood residents with market-rate tenants. This harassment harms rent regulated tenants. Because our community groups often work in concert with the Department of Housing, Preservation and Development, reduced funding to such groups prevents them – and HPD -- from staving off the displacement and homelessness of our residents and in the long-term forces the City to expend greater funds to find displaced residents alternative shelter.

Agencies can issue violations, but there are no other measures for the city to take corrective action. Landlords are receiving violations from the Department of Buildings, but are not correcting the violations. This is sometimes done to eventually create unsafe buildings that will necessitate vacates of tenants. This in turn allows the landlord to renovate the buildings for high-income tenants. Legislation is needed to force landlords to cure violations to ensure the safety of the tenants and also to preserve affordable housing.

New development has often favored large-scale development, including the construction of luxury housing and hotels, whose scale is contextually incompatible with surrounding buildings and fails to address community housing needs. The Department of Buildings (DOB) has increased fines for and monitoring of noncompliant development, but more effective plan examination and increased enforcement is necessary so that noncompliant development does not go unchecked. The lack of monitoring continues to threaten our community. Systemic change that will enable DOB to follow up on violations and ensure that violations are corrected, including follow up of Environmental Control Board violations, is essential to ensure that violations are not merely absorbed by developers as part of their cost of doing business.

To protect our existing housing, agencies must work cooperatively to ensure adequate code enforcement so that serious violations are promptly corrected. Strict code enforcement and multilingual outreach and services are vital. Community Board 3 recognizes that NYCHA is the largest provider of affordable housing within the City. Declining federal subsidies, the virtual elimination of state and city contributions towards operating expenses and mismanagement have contributed to mounting budget deficits. Although NYCHA residents must pay their fair share of expenses, they cannot be expected to shoulder the entire burden. NYCHA's increased fees for essential services such as garbage disposal and rising rents have created uncertainty for NYCHA residents who are unable to pay these extra expenses and fear that NYCHA is abandoning its mission of public housing in favor of privatization. Our city officials must effectively lobby state and federal governments to ensure that this does not happen.

This sole focus on luxury housing and hotels has other side effects. Over the last decade, small businesses in our neighborhood have shifted from serving the local community to become nightlife establishments: both bars and restaurants open until 4 AM. Nightlife establishments garner greater rents. While this has been good for landlords, it has reduced other businesses. Many storefronts

remain empty in Community Board 3. Government agencies and elected officials would be well served to find new vehicles to support diversity in local businesses.

At a time when housing costs continue to rise, the conversion of subsidized housing to market-rate housing decreases the availability of urgently needed affordable housing. Tenants who were previously the beneficiaries of state and city Mitchell-Lama programs and federal mortgage and rent subsidy programs, e.g. project-based Section 8, have lost such protections or are at increased risk of losing them. Although these projects may contain tenants of varied incomes, a large minority of tenants of subsidized housing are poor and low-income tenants. Absent such subsidies, many long-term tenants would be unable to remain in their homes or in our community. Specifically, we are opposed to any proposals to “block grant” the Section 8 Voucher Program. The diversity of our neighborhood must be maintained by ensuring that affordable housing is accessible. Community Board 3 opposes cuts or limitations of the Section 8 Voucher Program and other aid programs that increase the availability of affordable housing. As our district continues to struggle with finding a balance between its history and its growth, we must prioritize protecting affordable housing for our residents. This is a basic need for our community and will also protect the diversity and character of the neighborhood.

Although Community Board 3 is now located in the economic exclusion zone of the 421-a tax abatement program, we still support revisions to the program that would 1) eliminate the use of negotiable certificates and 2) mandate that developers provide 30 percent of affordable housing on site to qualify for property tax exemptions.

## **Economic Development, Zoning, & Planning**

### **Chinatown**

As one of the oldest neighborhoods in New York City and the country, Chinatown has been a traditional gateway for immigrants, particularly from East Asia. While Chinatown’s population and boundaries have grown dramatically over the past three decades due to reforms in national immigration quotas, it continues to struggle as a densely populated, low-income neighborhood with limited language access to mainstream services and programs. Chinatown’s economy suffered greatly in the period after September 11th due to restricted flow of commerce under the security zone, and more recently gentrification pressures from neighboring areas have contributed to a loss of affordable housing and dislocation of low income residents and small businesses.

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n late 2008, a planning body called the Chinatown Working Group was formed with Community Boards 1, 2, 3, and other local stakeholders to identify major issues of concern in Chinatown and to come up with ways to allow Chinatown to grow while protecting and retaining its historical character. The preliminary planning needs of Chinatown have focused around a few core issues, namely rezoning for preservation and creation of affordable housing that is affordable to existing Chinatown residents, combating tenant harassment and illegal eviction, support for small businesses and job creation for locals, developing more parks and usable open spaces, improving traffic flow and pedestrian safety, bolstering immigrant social services, creating spaces for local arts and culture, enhancing educational opportunities for youth and adults, and preservation of Chinatown’s unique immigrant culture and history.

CB3 urges a sound planning process for Chinatown, and supports CB3’s continued involvement in the Chinatown Working Group.

## **Seward Park Urban Renewal Area**

CB3 is working to build consensus around a plan for the Seward Park Urban Renewal Area. We ask that the city continue to work with us to achieve this goal. The remaining parts of SPURA have been empty lots for nearly five decades and now it is time for all to work together to develop a plan. CB3 will need technical assistance in this endeavor.

The following are the principles of the SPURA project that CB3 has agreed upon:

1. Preserve the mixed-use residential character (MURC) of the neighborhood.
2. Establish a district more in keeping with current planning principles of contextual design.
3. Stabilize the mixed-income character of the neighborhood through various forms of housing, including rental and home ownership. Any low, moderate, and middle-income housing component shall remain so in perpetuity.
4. Exemplify good design and sound environmental principles.
5. Develop the area to optimize its residential potential.
6. Anchor the community with cultural and civic amenities to benefit residents (community) of all ages.
7. Any commercial development shall promote a diversity of goods, services, and price points.
8. Consider the historical significance of the Essex Street Market and feasibility and purpose of preservation or adaptive reuse.
9. Prioritize housing for current CB3 residents.
10. Maximize the potential for local construction jobs.
11. First priority should be given to Tenants at Title Vesting (TATV) – the former site tenants. The city shall make diligent efforts to locate them.

## **Bowery Area**

CB3 recognizes that we are quickly losing the historic Bowery area. We support a new contextual zoning plan for the Bowery.

Because of the threat of over-scale development in the area, the Economic Development and Zoning Committee approves of the proposed rezoning of the area from Bowery to 4th Avenue and 9th to 13th Streets to C6-2A with a height cap of 120 feet on the avenues and request that the Department of City Planning reconsider the proposed zoning mid-block to lower FAR and height caps, while keeping inclusionary zoning and other provisions set forth in the existing C6-2A zone.

## **Community Board Office**

Community Board 3 is doing more with less, as are other community boards. The population has increased 8,000 since the last census. The Community Board continues to work even more closely

with the community and City agencies to better serve the community. We issue more challenges to new and major building plans, especially professionally certified plans, which has resulted in better monitoring and enforcement of regulations. The work of hearing and processing more liquor license and sidewalk café licenses application has increased. Along with the increased applications is the accompanying work of trying to resolve more complaints and working with City agencies to monitor and assess necessary city services. The district will have many City projects lasting a number of years: Brooklyn Bridge reconstruction, water main reconstruction in the north and south of the district, the Waterfront, Chatham Square, and the Astor Place reconstruction. The Community Board is managing to survive the Fiscal Year 2010 budget cut because it prepared in the preceding years by storing supplies and planning ahead. The Community Board cannot survive another year of cuts to its very small operational budget. Fiscal Year 2011 must see the restoration of the budget base lined at a minimum.

Sincerely,

A handwritten signature in black ink that reads "Dominic Pisciotta". The script is fluid and cursive, with the first letter 'D' being particularly large and stylized.

Dominic Pisciotta  
Board Chair  
Community Board 3, Manhattan