



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

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Community Board 3 Manhattan District Needs Statement for Fiscal Year 2010

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 and south and Fourth Avenue and Bowery on the west, extending to Baxter and Pearl Streets and the Brooklyn Bridge 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 164,000 people, 43,000 of whom require 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family-owned stores, especially those that serve local retail needs, arts businesses, and nonprofits have closed and been replaced by an ever growing number of bars and restaurants that do not serve the local community. 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.

As the district continues to struggle with finding a balance between its history and its growth, Community Board 3 will continue to support policies and programs that protect our residents and provide opportunities for economic development in ways that benefit all members of our community and serve our needs.

Nightlife and Economic Development

Nightlife

Many of the most densely residential areas within Community Board 3 have become nightlife destinations, attracting patrons from within and outside of the district. Licensed businesses continue to open on side streets, avenues, and in areas once comprised only of residences and businesses that served local retail needs. Restaurants and cafes serving beer, wine and liquor with meals heavily populate most of our streets. Bars, lounges and clubs, with little or no food service, and multi-level venues comprised of lounges with ancillary eating areas abound in the far East Village and the Lower East Side and are growing in number in Chinatown. Numerous large and boutique hotels have opened or are under construction and include restaurant and lounge and bar space open to the public and designed to be destination locations. Transfers of existing licenses continue to increase because of the exponential turnover of these businesses. Applications to upgrade, alter and expand existing liquor licenses are also growing as businesses strive to maintain and broaden their clientele in the increasingly competitive nightlife industry. Restaurants that formerly served only wine and beer with food are upgrading licenses to full liquor and may also operate as a lounge after restaurant hours to be able to afford the ever-escalating rents.

These businesses have displaced many necessary services that serve local retail needs of residents and have inundated this district with late night noise, vehicular and pedestrian traffic, and various quality of life concerns that affect residents and other businesses and severely tax the resources of our already overburdened City agencies. Community Board 3 residents from many areas persistently complain about noise in front of, in the backyards of and emanating from businesses. Patrons, lining the sidewalks to smoke, socialize, and wait to enter crowded establishments overwhelm the sidewalks and degrade the quality of life of pedestrians and surrounding residents.

Community Board 3 continues to work cooperatively with its police precincts and other City agencies to coordinate and increase services and inspections to address these conditions but none of these agencies has the resources or legal support necessary to continually address these significant concerns. The City needs more effective policies and legislation governing enforcement and zoning to address the growing noise and congestion resulting from the increase in licensed businesses. The City must provide the appropriate resources and staffing to the New York Police Department (NYPD) and the Department of Environmental Protection (DEP) to vigorously enforce the new noise code. Currently, the police do not even have the tools necessary to monitor and enforce the new noise code. The City must also create legislation to better regulate the use of public sidewalks. This necessary public space is presently overwhelmed by the patrons, noise and sanitation of private establishments. In an effort to respond to the growing conditions on our streets, our police precincts have assumed much of the responsibility for enforcement. They are continually expanding their cabaret and quality of life units. They have closed streets during the weekends to limit and control pedestrian and vehicular traffic in specific areas. Without the City's support through an expansion of resources to both police precincts and other City agencies, our police officers will continue to be overtaxed by the growing burden of nightlife monitoring and enforcement.

Licensing

Within the past year, Community Board 3 has reviewed nearly 400 new or upgraded liquor license applications. Community Board 3 invests countless hours in such evaluations to encourage

the growth of responsible business and to ensure that potential business owners understand our longheld position that it is not appropriate to approve liquor license applications in areas already overly congested with the people, traffic and noise attendant to existing licensed businesses, where there are already too many licensed businesses within 500 feet or where the area itself is not appropriate for licensed businesses. There are presently fourteen areas that Community Board 3 has determined are inappropriate locations for additional or upgraded licenses based on one or more of these criteria.

The New York State Liquor Authority has made considerable efforts within the past year to consider these circumstances in evaluating license applications. It has worked cooperatively with Community Board 3 to allow the community to have a greater voice in the evaluation process. It now adds as conditions of the licenses it issues any agreements regarding operation that have been constructed by the community board and applicants. It has also more comprehensively investigated complaints about existing businesses. The City and the State Liquor Authority should increase their joint operations for enforcement and should improve the communication between city and state agencies for more effective enforcement. Currently, the local precincts may not even be informed if a licensed has been revoked. Direct communication between the state and local precincts instead of with One Police Plaza would greatly enhance information sharing.

Sidewalk Cafes

Community Board 3 continues to receive numerous requests for sidewalk cafés. Many of the businesses requesting these permits are liquor-licensed establishments that often generate large crowds and noise. Of these businesses, a growing number serve alcohol as their primary or sole means of revenue. Community Board 3 continues to urge 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 in residential areas. An area that especially causes problems to residents with families that try to put their children to sleep at reasonable hours are restaurants on residential side streets within the 100-foot commercial overlay wraparound from the avenues. While sidewalk cafes add vitality and movement to streetscapes, Community Board 3 believes that bars should contain their noise and activity inside to protect the quality of life of surrounding residents. Furthermore, the Department of Consumer Affairs should increase funding for weekend and evening inspections or institute flex time policies to ensure that sidewalk cafés are in compliance with their permits. City regulations need to be modified to better accommodate pedestrians on increasingly overcrowded sidewalks. The minimum eight feet allotted for pedestrian traffic often includes signage, parking meters, and other street furniture but does not allow enough room for the growing crowds of passersby now using our sidewalks.

Commercial Use of Backyards

The commercial use of backyards and other private outdoor space, such as side yards and rooftops, by nighttime establishments continues to increase. This has occurred on both avenues and side streets, resulting in numerous complaints from people whose homes overlook these areas. Currently, noncompliant commercial use of back and side yards can be issued violations, but these ECB violations take months to hear and result in costs that are an insignificant cost of doing business. . The City must find methods to strictly enforce noncompliant use. The City should also enact legislation to regulate the hours of commercial use in back and side yards and on rooftops to minimize the negative impacts of these private uses of outdoor space on the quality of life of surrounding residents.

Small Businesses

The commercial overlay on many of the avenues in this district was created to accommodate the local retail needs of the community. However, as landlords are able to inflate rents for commercial space, small businesses providing necessary services to residents are being displaced by restaurants, bars and clubs. Community Board 3 has requested a zoning text change for this district which would prohibit the replacement of a noncompliant grandfathered retail use (Use Group 6) that is not an eating and drinking establishment from becoming an eating/drinking establishment.

Many small businesses are suffering from loss of businesses due to on-going construction. It may be in the form of a sidewalk café permitted by a very expensive license that cannot be used due to after-hour construction that prohibits use of outside space. Or, it may be businesses on small streets that are so overwhelmed with construction that they have a hard time receiving deliveries and the negative impacts of construction, including machinery on the streets, dust, and construction noise drive customers away to other areas. The City goes to great lengths to accommodate private development, but does nothing to mitigate the construction impacts and provide support for the existing businesses. Many of these local mom-and-pop businesses are suffering from the escalating rents previously described, and precariously just managing to stay in business.

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 day and to the surrounding community. 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 are overrun with rats. This is aggravated by the large amount of construction in the area and by some specific conditions, such as the underground space beneath Peter Cooper Park. The Parks Department has only one exterminator, which does not allow for adequate baiting. This does not protect the health and public safety of the community. Parks must find better means to deal with the rodent problem. 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. Two 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 information 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 one of the longest standing needs are the toilets in Corlears Hook Park. 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. In 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.

Finally, Community Board 3 continues to anticipate that a lease for the proposed use of a portion of Pier 36 by Basketball City will be submitted shortly. The Board has previously approved the ULURP for this proposed use and awaits the proposed lease from the Department of Small Business Services.

New York City Libraries

Community Board 3 has five branches of the New York Public Library (NYPL) system. While we appreciate the renovation of our libraries, private donations and discretionary funds from our elected officials have paid for much of the work. As Community Board 3 branches have the highest levels of use in the City, we urge the City to increase funding for the maintenance and improvement of all NYPL facilities in our district, including funding for expansion of collections, automation, staffing, and programming. This includes having all our branch libraries open six days a week; specifically: Hamilton Fish should be open on Tuesdays, Ottendorfer on Saturdays, and Tompkins Square on Thursdays.

Among the wealth of resources provided by the NYPL is free internet access for library users. This service has opened a world of previously inaccessible resources. As demand continues to increase, it will certainly be necessary to increase access.

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 will be removed to provide for a beach area, but the improvement and stabilization of the underpinnings of the Pier are crucially important and costly. 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.

Housing

The crisis in affordable housing within Community Board 3 continues to worsen. 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 contribute to this problem. The preservation and production 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 Seward Park Urban Renewal Area (SPURA) remains the largest tract of undeveloped city owned land in Manhattan south of 96th Street. Community Board 3 supports the appropriate redevelopment of SPURA because it presents the single best opportunity for the creation of affordable housing. The Community Board 197 Task Force, in which, numerous significant stakeholders collaborated, provides a model for the type of collaborative planning that should be used in redeveloping SPURA.

Large scale development, including the construction of luxury housing and hotels, whose scale is contextually incompatible with surrounding buildings and which fails to address community hous-

ing needs, is entirely out of control. 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. While more stringent regulations have been created to stem developer abuse of the “self-certification” program, much more needs to be done to eliminate this problem. Although DOB has been given resources for additional plan examiners and inspectors, the increasing development has made it difficult for DOB to adequately monitor compliance with the resources it currently has. This lack of monitoring continues to threaten our community, as exemplified by the recent crane collapses. Systemic change that will enable DOB to follow up on violations, including Environmental Control Board violations, is essential to ensure that violations are not merely absorbed by developers as part of their cost of doing business.

DOB must not allow developers and architects who have previously violated existing regulations to self certify plans. Applications by those who routinely violate regulations must be examined with greater scrutiny. DOB has improved monitoring and penalties for such individuals but they continue to destroy our community by continuing to professionally certify plans that are not compliant. DOB should also have a system that does not allow developers to continue building while their plans are being audited. Allowing developers to finish the construction of buildings that should not have been certified and “cure” their violations later has resulted in completed buildings that should not have been built.

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 is 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.

Although Community Board 3 is now included 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.

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 consist of poor and low-income tenants. Absent such subsidies, many long-term tenants would be unable to remain in their homes or in our community. Community Board 3 opposes cuts or limitations of the Section 8 Voucher Program and other aid programs that increase the availability of affordable housing. 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.

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. Reduced funding to such groups prevents them 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.

Over the past year, Community Board 3 has seen a dramatic increase in owners seeking to apply for demolition permits even though they do not intend to demolish their buildings. DHCR has allowed these owners to engage in phony demolition that has resulted in the evictions of area residents. Revisions to the DHCR regulations are necessary to ensure that these phony demolitions do not continue to occur.

Harassment is an ongoing problem for low-income tenants in our community. Owners use the court system and individuals to intimidate and harass low-income tenants, which often results in their quitting their rent regulated apartments. Laws must be enacted, such as those in the Special Clinton District that punish owners who engage in harassment. Furthermore, laws must be strengthened to fight harassment of this vulnerable population.

Community Board 3 believes that although much of our 11-point plan has been included in the new zoning, that points 1,2, and 11 still need to be addressed:

- 1) Anti-harassment set forth in the Special Clinton District and anti-demolition of sound residential buildings provisions provided for in the zoning text for the entire rezoning area. Special enforcement and oversight provisions to prevent harassment, displacement and demolition for all Inclusionary Zoning [IZ] developments. Displacement analysis and evaluation in EIS for all rezoning area;
- 2) Community Board 3 and the City of New York agree that at least 30 percent of the floor area developed of the projected increase in built residential FAR will be for permanently affordable housing available to households at or below 80 percent of the area median income under a tiered system where lower income households will also be accommodated in fair proportion. If mutually agreed upon estimates of the private development that is likely to occur under this zoning indicates that this minimum will not be achieved, the City will make available development or preservation sites in the study area to achieve this overall percentage;
- 3) A legal service fund for enforcement of anti-harassment and anti-demolition provisions and prevent illegal evictions

Our desire for the future is that DCP and CB3 must agree to immediately begin a process to review the zoning of parts of our district not included in this plan, and, in consultation with the residents, civic leaders, community organizations, business and other stakeholders of those areas and CB#3, develop locally appropriate planning initiatives to 1) prevent overdevelopment, speculation, and displacement, 2) encourage affordable housing and 3) preserve the building character in those areas.

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 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 of 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. We are concerned that the multiple construction sites located on single blocks does not allow for emergency response, especially fire engines.

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 produce a heat island effect, raising temperatures and elevating 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 youth 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.

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, com-

munity 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

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.

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. Public education and regular inspections are critical. The Department of Health (DOH) has discontinued its effective program of having an exterminator assigned to our district which provided us with necessary feedback and monitoring that we now lack. The Rat Taskforce established by the Mayor's Office 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. We recommend that DOT discuss with Community Board 2 possible measures to eliminate left turns from the right lane of this stretch of West Houston in order to increase traffic flow. Appropriate signage could be posted. A row of flexible plastic delineators to divide the lanes would be more emphatic and effective.

Private Bus and Van Services

The use of passenger vans duplicates existing bus and subway service and has contributed to traffic and parking congestion, especially in Chinatown. There has also 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 operation and idling of diesel buses on the narrow streets of the district creates health and safety problems. These situations need stricter monitoring and enforcement and a cap should be put on the number of buses and vans that are allowed in any given area. Buses and vans should not be allowed to layover, pickup and discharge passengers at will, but only in designated areas.

Both sides of South Street from Clinton Street to the Brooklyn Bridge are being used as a bus layover zone, which Community Board 3 finds highly objectionable since it deprives us of recreational access to our waterfront and creates unsafe and unhealthy conditions. At a minimum, the bus layover zone should be restricted to midblock sections to open up sightlines and pedestrian

crossings where the streets intersect with South Street. The NYPD and the Department of Environmental Protection must also strictly enforce the three-minute diesel idling laws.

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 by law enforcement employees. 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. Community Board 3 understands that the use of the lower portion of the East River Esplanade from the Brooklyn Bridge almost to Catherine Street for the private vehicles of city agency employees, which limits public access to and enjoyment of the East River waterfront, will be eliminated so that productive community amenities can be added. We applaud this move and ask for an expedited timetable. We encourage the City to pursue the parking inventory that would determine the number of necessary spaces for city-authorized placard parking.

Sidewalk Congestion

In late 2003, DOT replaced parallel parking against the wall of Sara D. Roosevelt Park with angle parking against the sidewalks on the eastern side of Forsyth Street. Since these sidewalks are very narrow, cars back up until their tires hit the curb creating a safety hazard to pedestrians. For several years, Community Board 3’s top budget priority was to have sidewalks built adjacent to the park wall and restore parallel parking to the park side of Forsyth Street. Because of assurances that DOT and Parks were committed to this project, this was listed as “Continued Support” in our FY’09 Capital Budget Priorities.

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 streetbed 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.

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 Saturday 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) with planning effort to identify suitable locations throughout a neighborhood. This type of comprehensive planning was recently done in the area of East Third and Fourth Streets and Second Avenue and the Bowery, and the racks are very well used. Installations near subway entrances and central bus stops should be a priority, since this placement encourages both bicycling and transit use.

Youth & Education

Community Board 3 has an increasing need for youth and education programs ranging from preschool programs to after-school programs for adolescents and teens to youth employment programs and the addition of more middle schools 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.

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.

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 newly increased Universal Pre-Kindergarten funding will change the funding structures for Community Board 3 daycare centers. It is too soon to tell how this funding will impact the existing centers as they must have time to reorganize if necessary and to apply for the funding. Community Board 3 recognizes that there is still a lack of daycare funded by the Administration for Children's Services in the large area between Houston Street and 14th Street and west of Avenue D. Toddler daycare is also needed throughout the district which would allow young siblings to remain together. ACS must be willing to work with and salvage those remaining daycare centers by trying to resolve their problems rather than by closing them.

The young people of this district would benefit from expanded employment opportunities, training and mentoring for youth, more DYCD BEACON and OST programs, alternative schools and trade schools. Further, there should be increased funding to teen programs to address mental health and health related issues, such as depression, psychosocial issues, poverty, AIDS, asthma and sexually transmitted diseases. Computer and new technology training programs must also be expanded to help prepare students for employment in the growing economy but they also need recreational programs that foster their creative urges and refocus their energy.

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.

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 health care 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 for everyone.

The Lower East Side/Chinatown death rate is 5 percent lower than for New York City as a whole. However, according to the New York City Health and Hospital Corporation (HHC), the death rate from AIDS in this area is 70 percent higher (one of the highest in the city), than all of NYC. Under NYC budget cuts HHC will be limited in funds to pay staff, cover affiliation costs, and purchase pharmaceuticals and supplies. Base funding will not include Child Health Clinics, programs to service substance abuse, mental health, etc., out-patient pharmacy fees 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.

Federal cuts would eliminate all Medicaid 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. Although the death rate from HIV has decreased in this community during the past decade, it is still over 50 percent higher than the City overall yet only 19% of area residents have been screened for HIV within the past year and 25% of those testing positive have already contracted AIDS by the time they are tested.

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

Community cancer-related deaths are greater than City deaths overall yet fewer area residents have cancer screenings than the New York City Department of Health suggests.

Many residents within this district do not seek regular preventative medical care and one in four does not have a regular doctor. More than 16% of Lower East Side and Chinatown residents are not insured or under insured. Many use the emergency room as their first medical alternative although the district has numerous other medical facilities. Gouverneur Healthcare has four satellite clinics in this area and Ryan-NENA, Betances, Charles B. Wang and Community Healthcare Network are other health centers within Community Board 3. Area hospitals include New York Downtown, Beth Israel and Bellevue. With improved community education, all of these facilities could be better utilized by community residents for regular health visits. Health programs within these facilities must also be tailored to respond to the needs of the large immigrant, non-English speaking and undocumented population within this district.

Community Board 3 also supports the continuation of services that allow senior citizens to remain in their homes and communities by providing meals, recreational activities and affordable housing, as well as access to transportation through improved and expanded Access-a-Ride programs. Abuse of the elderly, as well as child physical and sexual abuse and domestic violence are problems 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.

With the New York City Housing Authority proposing to close some of its senior programs, the need for the Department for the Aging to accommodate these programs is urgent.

Seven years after the World Trade Center attack, many residents, who were dramatically affected by the disaster and its aftermath because of their close proximity to the World Trade Center, continue to suffer from associated physical and mental health conditions and substance abuse

problems. School-age children are the largest group of individuals who may need mental health services because they may develop long-term problems related to posttraumatic stress disorder. While the data on the effects of the disaster on respiratory disease in this community has not yet been made available, there is every expectation that it has worsened existing problems. Individuals who were exposed to debris, dust, smoke and fumes from the site may develop respiratory illnesses and reflux disease. Because physical and mental health conditions are often intertwined, residents need long-term coordinated treatment and monitoring of all of their conditions.

Communications/311

Residents and community boards have become dependent on 311. Information from 311 statistics is necessary for community boards to be able to construct long-term plans for their communities and for daily planning with city agencies for service delivery. 311 has been making every effort to work with community boards, which benefits all.

Legacy systems need to be integrated and mapping information needs to be provided. The City is planning to do this and we look forward to continuing to work collaboratively with 311 to improve systems that will allow agencies and community boards to better monitor and deliver services.

August 4, 2008

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

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

Susan Stetzer
District Manager