

## Manhattan Community Board Five

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### MANHATTAN COMMUNITY BOARD 5 DISTRICT NEEDS STATEMENT FISCAL YEAR 2014

#### INTRODUCTION

Community Board Five represents the heart of Manhattan. Its boundaries are largely from Lexington to 8<sup>th</sup> Avenues and from 14<sup>th</sup> Street to 59<sup>th</sup> Street. Encompassing the midtown central business district, it includes world-class cultural institutions and tourist destinations, major universities, retail flagships, major industries and a growing residential population. Taken together, these diverse institutions and groups increasingly place demands upon the District's resources. Given that the City's three largest regional transportation hubs -- Grand Central Terminal, Penn Station, and the Port Authority Bus Terminal -- are either contained within, or border, our district, commuters and travelers add to the vibrancy and density but also to the needs of Manhattan Community District 5.

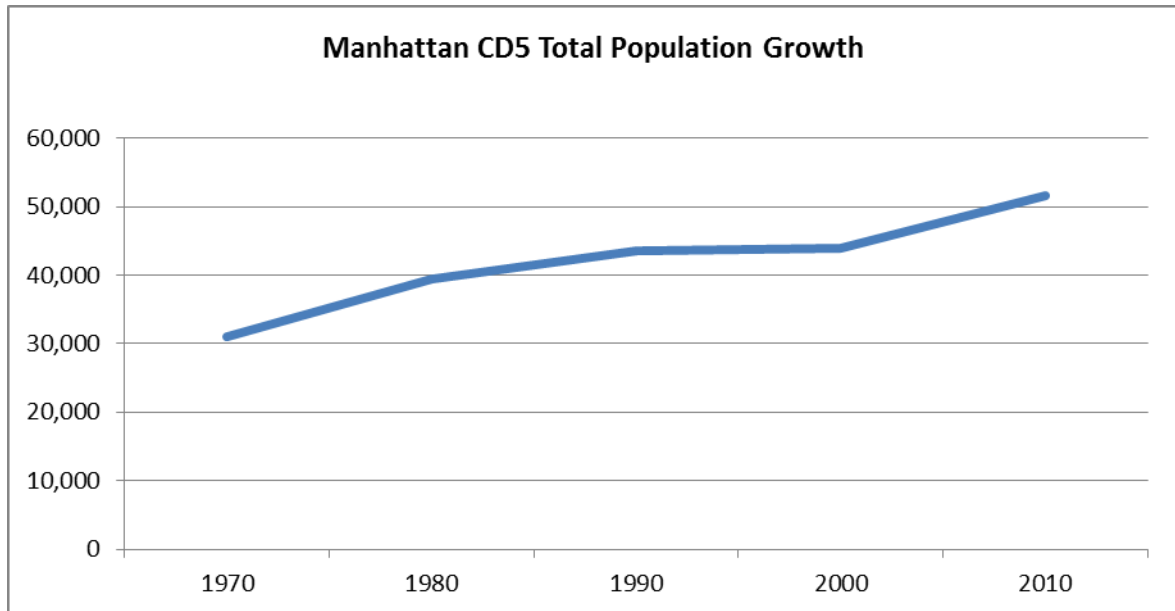
It is vital that we protect, develop and serve the key constituencies that make our District great—namely tourism, business and retail, restaurants, residential populations and educational institutions. Balancing these needs is a difficult task at any time, but especially so given the challenges of the current fiscal environment. NYC, however, cannot afford a repeat of the disinvestment seen in the 1970's. Despite the decrease in fiscal revenues, we reject the notion that the economic downturn necessitates diminished services and disinvestment in our City's future. Firstly, efficiency should be sought through cost cutting. There is still significant waste in government that can be identified and be eliminated. Secondly, revenues should be generated to cover the expense needs for those services most vital to our community. Downturns are especially the time to invest in capital projects since interest rates are low and we therefore would like to see an expansion of the City's capital plan to suit the needs outlined in this document.

Our District is a vibrant center for business and retail and contributes significantly to the tax base of the City of New York. For this reason, it is imprudent for the City to cut service levels. Without thriving businesses and a population that can be at a decent standard of living in our Community District, the City would have far fewer resources with which to tackle such challenges as environmental degradation, homelessness,

historic preservation and the education achievement gap throughout the City through a diminished tax base.

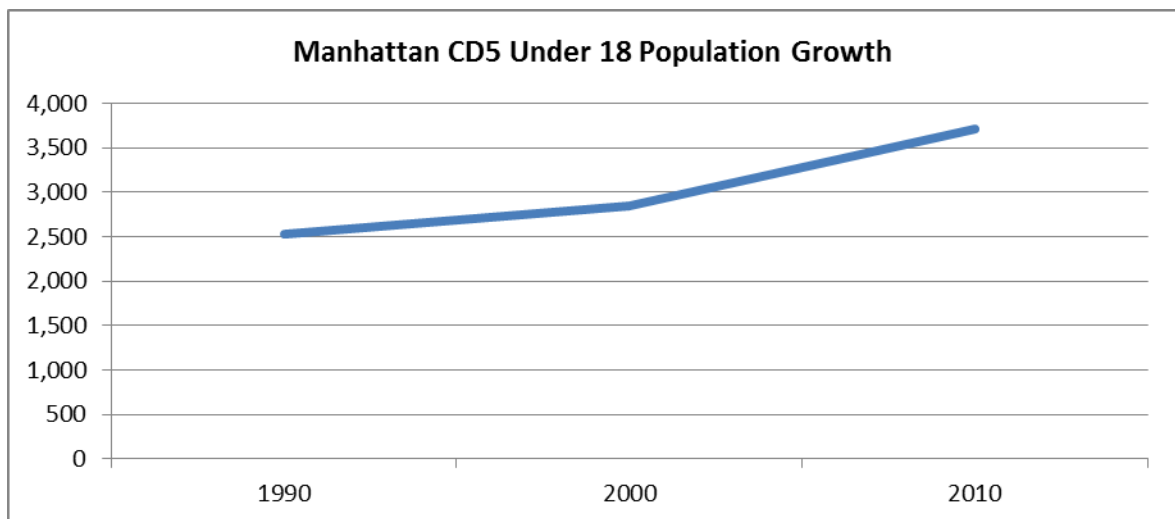
In the past decade, the residential population within CB5 has grown substantially at 17.36%.<sup>1</sup> This is far higher than the overall 2.08% citywide rate of residential growth between 2000 and 2010. The number of children has grown even more substantially—at a 31.89% increase.<sup>2</sup> Growth puts a strain on resources, but of course is far from inherently bad. As one of the densest neighborhoods in the City, growth here reduces the demand for all types of growth that would come through eco-harmful sprawl. At the same

<sup>1</sup>



Source: Decennial Census from the U.S. Census Bureau; all future demographic graphics are from the same source unless otherwise noted.

<sup>2</sup>



time, improvements are essential to ensure that quality of life for residents, workers and visitors is not jeopardized. Therefore, the city must provide basic services to all segments of our population – additional public school capacity, library access, well maintained parks, recreational centers, primary health care centers, senior centers, affordable housing, and family assistance.

Despite our District and City's overall health, cuts and threatened cuts to the services that serve our communities most vulnerable are alarming. Items like after school programs and programs to help move homeless families out of the shelter system to stable housing should not be subject to the political dance that occurs at the start of each summer.

Our District is plagued with vehicular and pedestrian congestion daily. During peak-hours, both pedestrian and automobile traffic exceed sidewalk and street capacity. To maintain a reasonable quality of life for our residents, and to maintain businesses and a positive impression on visitors, all relevant city services must focus on minimizing this congestion and related negative effects. We support developing a comprehensive surface transportation plan with specific recommendations for the allocation of all street space for the area between 14<sup>th</sup> Street and 60<sup>th</sup> Street. The most effective and immediate solutions are simple and practical: finding ways to improve traffic control, exploring ways of limiting emissions from trucks and buses for improved air quality, investigating potential pedestrian flow improvements, and better enforcement laws/regulations regarding parking, and street peddling.

While we welcome our District as a nightlife destination, noise is also a problem about which CB5's office receives complaints. While laws to deal with these issues are welcomed, additional funding for enforcement is greatly needed. Recently, our District has seen an explosion of operations with outdoor - especially rooftop - space. The uncontained noise created by these outdoor operations, from amplified music to patron noise, has created an exceptional disturbance to the quality of life in the District. Special enforcement of existing laws and additional legislation – perhaps to limit the hours of outdoor operation of unenclosed venues - is required to reduce the extraordinary disturbance caused by these venues.

In recent years, midtown has seen record construction and we anticipate even more growth as residential and office towers continue to be built on Sixth, Seventh and Eighth Avenues. We commend current efforts to improve construction safety but also see the need for improving sanitation and pedestrian and traffic flow when new development is underway.

New York City's tourism industry is centered in our district: Times Square (including the theater district and Off Broadway Theatres), the Empire State Building, MOMA, various smaller museums, and cultural institutions, destination libraries (the 42<sup>nd</sup> Street and Morgan Libraries), and several landmark hotels. Our District plays host for restaurants

and nightlife as well. In 2010 about 49 million tourists spent about \$31 billion in New York City, generating \$17 billion in wages (source: [www.nycvisit.com](http://www.nycvisit.com)) in New York City, and close to 80 percent of them visited Times Square (source: [www.timessquarenyc.org](http://www.timessquarenyc.org)). Tourism has remained steady during this economic downturn; however it is our goal to insure that it continues to develop.

Community Board Five recognizes the need for safety and security within our district. We commend the heroic efforts of the Fire and Police Departments in dealing with the countless challenges they face every day. We believe that these departments focus on using additional security cameras and technology and other resources to help achieve this goal.

Please see our specific issues outlined in the following pages.

## **DEPARTMENT OF ENVIRONMENTAL PROTECTION**

### *Noise Code*

Noise pollution in our district is a serious problem, ranging from private commercial sanitation trucks in the early morning to construction noise and the roars of non-muffled motorcycles. CB5 welcomes the new and stronger code provisions regarding permitted noise levels. We urge the Department to engage other relevant city agencies (like DOB for construction-related noise and NYPD for commercial noise) and civic organizations in discussions regarding enforcement issues in the new regulations regarding noise.

All 311-noise complaints should be routed to DEP. A significant increase in the number of inspectors is needed to ensure compliance with noise code. Inspectors are also needed on weekends and evenings to address complaints. Special enforcement of existing laws and additional legislation – perhaps to limit the hours of outdoor operation of unenclosed venues - is required to reduce the extraordinary disturbance caused by these venues.

### *Air Quality*

We feel that the new regulations regarding active vehicle idling have addressed our community's need. It is important to follow through with enforcement.

### *Maintenance*

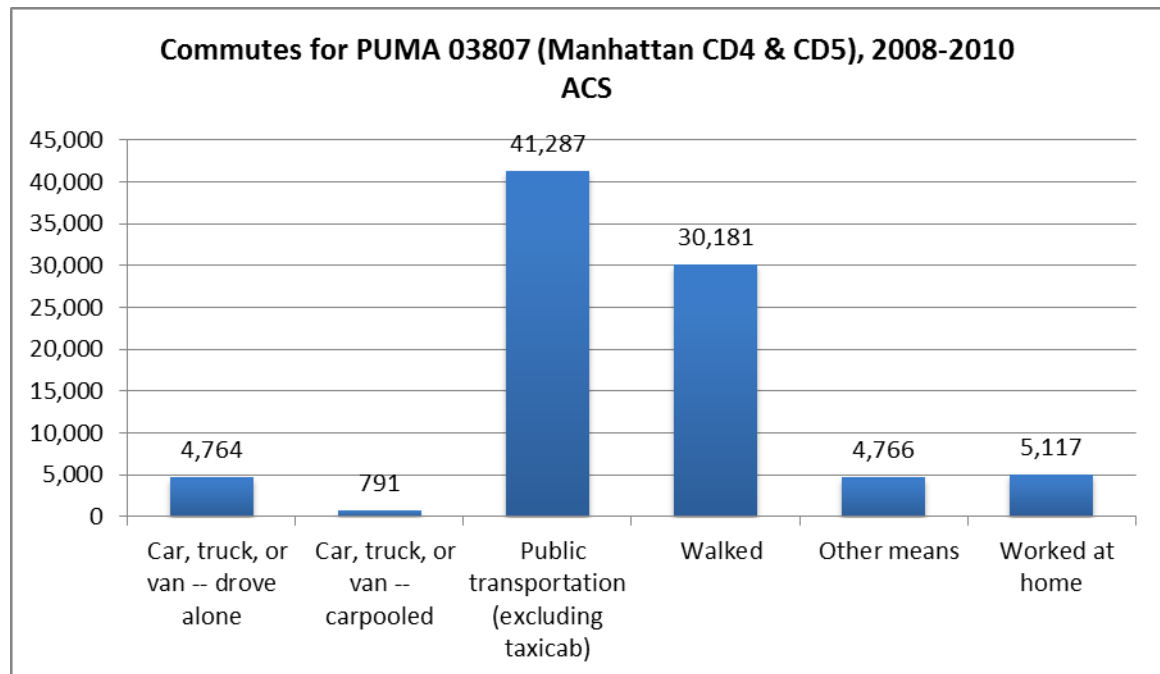
Our underground infrastructure is under constant stress from street activity and construction. Ongoing maintenance is extremely important given the related wear and tear. Water main breaks in particular cause extensive damage often resulting in millions of dollars' worth of damage, significant loss of business, and disruptions to daily life.

### *Safety*

Millions drink our water and breathe our air and protecting both is vital. While CB5 is not a center for heavy industry, we are concerned with both incidental and malicious contamination. We must secure our water source through additional land buffers and security. Air quality monitoring should be constant throughout the district. We support the restrictions on hydraulic fracturing in order to protect our District's clean water supply.

## DEPARTMENT OF TRANSPORTATION

The District community uses a diverse array of transportation modes and it is important to strike a balance between these modes of transportation. To understand how residents travel to work, we look at data from the American Community Survey administered by the U.S. Census Bureau.



### *Traffic*

The explosion in low-cost inter-city bus travel has created an ever-increasing demand for bus stops. CB5 is now in need of a new bus terminal. The ensuing demands placed on sidewalks causes circulation conflicts between passengers, residents and pedestrians. We

urge the city and the Port Authority of NY and NJ to explore immediate ways of increasing off-street bus loading and unloading as well as bus storage.

We support developing a comprehensive surface transportation plan with specific recommendations for all right-of-way space within the boundaries of Community District Five. The purposes of such a plan is to better understand the needs of all members of our community and how people and goods arrive at, move within, and travels through midtown, and to make recommendations for improving the safety and efficiency of our roadways. This comprehensive master plan should be part of a multi-agency endeavor encompassing all street, sidewalk and building related activities, such as location of street furniture, bus stop locations and their impacts upon sidewalks, newsstands, bus lanes and how City Planning and zoning can potentially have a role.

The City should continue to explore creative programs aimed at regulating the use of private vehicles in midtown Manhattan during peak travel times in a manner that disincentives the use of driving at given times as London and Singapore have done. Mobility strategies should be directed, in part, at reducing the volume and duration of motorized trips within midtown, and improving the efficiency of movement for necessary vehicular traffic, particularly commercial vehicles, taxis, and vehicles for the elderly and disabled populations. At the same time we need to promote and facilitate additional public and human-powered transportation options with a keen eye towards public transit.

Dedicated bus lanes and wider sidewalks on key streets and avenues could greatly improve motorized and non-motorized flow and safety. We support the New York City Department of Transportation (DOT) in continuing to explore new vehicle models that reduce congestion and/or pollution such as hybrid and double-decker buses. We also support DOT establishing an efficient and organized allocation of bus stop locations for private and chartered bus services, which would help mitigate adverse impacts on vehicular and pedestrian flow efficiencies.

We greatly acknowledge the city's willingness to create pilot programs to experiment with what will be the least disruptive traffic patterns, particularly along Broadway. The closing of particular segments of Broadway to vehicular traffic seems to be a favorable program.

There is also still a pressing need for more traffic and parking control agents and police officers. At the same time, the permitting process for parking space usage by individuals with physical disabilities needs to be compressed and simplified.

The City should limit hours of operation and access to certain streets for large trucks in midtown; this would reduce peak hour congestion and air pollution. We support the expansion of commercial metered parking as a means of alleviating congestion.

The muni-meter program has been well received in our district and we support expansion of this program, which has potential to reduce cost, improve enforcement and increase revenue.

### *Pedestrian Circulation*

CB5 has three major transportation hubs, the theater district, a major sports arena, and commercial enterprises that cause a high influx of commuters and patrons. The City must study and develop a long-term strategy to ease pedestrian congestion and related safety issues. Wider sidewalks are desperately needed on many portions of 7th and 8th Avenues, as well as some of the more congested streets in the West 40's and throughout east midtown.

Bollards, planters and pedestrian barrier fences often complicate pedestrian circulation problems and often force pedestrians into dangerous conflicts with vehicles. Planters in front of the Port Authority, for instance, force pedestrians onto West 42nd Street and 8th Avenue at the height of rush hour. Pedestrian circulation barriers along 8th Avenue north of 42nd Street force pedestrians to take over a lane of traffic during the evening rush hour virtually every night.

We need a more consistent and rational approach to pedestrian and vehicular barriers that balances security concerns and pedestrian safety. The preliminary design by DOT for the 34<sup>th</sup> Street Transitway appears to be a step in the right direction, although issues regarding impact on the environment, vehicular congestion and curbside access to residential loading zones, need additional analysis. CB5 continues to object to over-sized phone banks on midtown streets. The DOT should work with the Department of Consumer Affairs to put together a coherent master plan for the locations of the 50 additional newsstands expected within the borough of Manhattan. Street vendors rightly desire to be located where foot traffic is high but these sidewalks are also where barriers to flow are least desirable. When striking this balance we want to ensure the latter is considered.

### *Street Repairs*

Prompt repair of potholes, cracks, replacement of street signs and the painting of lane markings are essential and should not be delayed. The funding for these items throughout the District continues to be important. Repairs should take place during off-peak travel times.

### *Bicycles*

Providing safe and convenient bike lanes and bike racks for residents, commuters and shoppers is a vital need for our district. It helps to reduce traffic congestion and we are appreciative that DOT has worked with us in exploring crosstown routes this past year. As supporters of Bike Share, we request that the City ensure adequate service levels of this new transportation option for our community. At the same time, lax enforcement of traffic laws threaten pedestrians, motorists and cyclists. Frequently cyclists ride in the wrong direction or on sidewalks and motorists frequently drive or stand in bike lanes. These sorts of occurrences are inadequately addressed by the authorities despite posing serious safety hazards to the community. We call on DOT to work closely with the police to ensure that violators of all types of traffic infractions are enforced in an effort to keep our streets moving quickly and safely.

### *Black Cars / Tourist Buses*

The City should also institute and enforce policies regarding black car services and tourist buses, especially with regard to double parking, idling, and blocking bus stop space.

We encourage experiments with express bus service and dedicated bus lanes, but as we mentioned with regard to the noise code, the latter is not much use without proper enforcement.

### *Street Fairs*

CB5 is disproportionately burdened with the number of street fairs in comparison to other areas in the Borough. We believe that the overall number of eponymous fairs should be reduced in size and number and should bear some relationship with the local community and the street fair theme. We would like to see the traffic impact and the impact on local businesses weighed more heavily when reviewing these events for permits. We would like to see greater transparency in the finances in the street fairs as well as the cost to the City for providing services to these events.

### *Late Night Towing*

CB5 has a continuing problem of noise and traffic caused by the proliferation of bars and nightclubs. We support nighttime parking regulations that allow nighttime towing and ticketing as a successful strategy to address the problems created by the City's nightlife



## **PARKS**

CB5 continues to place a high priority on our parks. This is especially important as the major parks within our district – including Bryant Park, Union Square, Madison Square Park, Father Duffy Square – are among the most utilized by residents and tourists and among the most requested for special events and programs in the city. Given the strong amount of traffic and usage of all CD5's parks experience, it is critical that they are well maintained and that issues that arise in these parks be addressed quickly and efficiently.

As an essential City resource, as well as a source of revenue due to special requests for use, they should be fully funded by the City for both their upkeep and their programs, which is not currently the case.

The Board of CB5 strongly believes the use of our parks requires a carefully developed strategy that reduces the commercial use of these parks while recognizing the funding and recreation opportunities that some of these events provide. We have undertaken both research and the development of recommendations for the use of these parks commercially, especially Union Square, Madison Square Park and Bryant Park, and recommend a master plan that carefully regulates the number, duration and size of commercial events. For those commercial events that result in a strong benefit to the individual park and/or the neighboring community, the resulting funding should be directed to the specific park where the event takes place and not to the city's general fund.

It is also imperative that CD5's parks that receive private funding not have their existing funding lowered on account of their having received such funds.

CB5 also believes that, due to the usage of its parks for much more than their primary purposes, and most especially for uses that include short-term physical changes to the parks and extremely high traffic, additional support be provided for sanitation, security and other needs as requested by the entity responsible for each park.

## **POLICE**

Despite a great improvement in crime reduction over the past decade, we must continue to strive to keep our streets safe, particularly in this economic environment. In addition to individual crimes against persons and property, we are concerned about terrorism. We support expanded use of security cameras and technology that would aid in any deterrence.

### *Enforcement/Regulation*

The NYPD has enormous baseline responsibilities and must also handle issues such as traffic and vending enforcement. CB5 would like to see the Paid Detail Unit (PDU) program expanded to include nightlife establishments with liquor licenses. We are also concerned with the impact of street vending on pedestrian congestion and on commercial store operators. Recent changes in street vending laws have made enforcement difficult, at best. Strong enforcement is critical to reduce sidewalk congestion and to protect legitimate merchants. We urge aggressive enforcement of laws regarding bicyclists and bike lanes; police bicycle officers should be increased to combat this problem.

There is a pressing need for an increase in the number of traffic control agents and effective training. Direction of traffic and traffic enforcement, with particular emphasis on the problems of double parking and illegal bus lane use and standing, must become a top priority throughout our district. We also urge stricter enforcement of traffic violations, particularly the running of red lights and other violations that endanger pedestrians. Likewise, we encourage towing when doing so will improve safety and/or traffic flow.

### **FIRE DEPARTMENT**

As with the Police Department, communication and logistical systems must be integrated between all emergency responders making essential teamwork possible in the event of another terrorist attack or large scale natural disaster. Likewise, we believe HAZMAT would play a key role in a large-scale integrated emergency response and support funding for related equipment and training.

There is also need for improved training for personnel in the emergency (911) system. Existing firehouses are essential to public safety and protecting property. Any firehouse closings would threaten the safety of our densely populated district. Firehouse maintenance and upgrades/renovations are essential and all should have emergency power. We also encourage low cost prevention programs such as the distribution of fire detectors and CPR kits.

### **DEPARTMENT OF BUILDINGS**

#### *Safety*

We encourage DOB to vigorously pursue the collection of fines from violators through increased inspection and additional plan examiners. Construction safety is paramount—

particularly on those sites using cranes and must receive special attention to prevent further accidents and fatalities.

CB5 feels that a comprehensive overhaul of construction regulations is needed to bring the building code concerning construction activity up-to-date. Inspection and enforcement of work sites is critical to reduce collapse and scaffold failures in our district.

### *Construction-Related Issues*

There are numerous construction-related matters that can have a major impact on safety and quality of life. For example, temporary scaffolding and site walls often lend themselves to graffiti and illegal signage. Removal must be enforced and fines levied when appropriate. We do not support the use of oversized signage in mixed-use areas.

Construction sites can also become open “trash cans” filled with both construction debris and household trash. This is blight on the neighborhood and creates unsafe conditions. Hazardous material handling enforcement is needed in our district.

One of the last frontiers of development for hoteliers and other liquor licensees -- and an area of incredible recent growth -- is on rooftops (and to a lesser extent in rear patios/yards). These outdoor drinking, eating, and nightlife establishments, while welcome amenities to neighborhoods, have begun to create significant noise and traffic impacts to surrounding residents. The rules governing such establishments are still evolving, making it difficult for Community Boards to evaluate and monitor compliance, and with licensees constantly advocating for operating hours beyond what is reasonable for any kind of outdoor operation. Therefore, we call on the DOB and the State Liquor Authority to develop strict capacity and operational guidelines for such outdoor eating and drinking establishments, including mandated closing hours, music regulations, and security requirements.

## **DEPARTMENT OF CITY PLANNING**

### *District Master Plan*

We encourage the Department of City Planning to take a lead role in creating a comprehensive master plan for our district—with other agencies-- that would include all street-scape and street furniture related issues, including the impacts of mass transit, both surface and underground, upon the streetscape and tie these in to their more traditional role of zoning. This master plan should also address schools and other large institutional buildings that have the potential to impact street congestion.

## *Buildings*

Despite the recent changes in safety and other code provisions, the zoning and building regulations for new construction remain inadequate for modern building usage, particularly for large commercial projects. Zoning regulations should be modified and are inadequate for dealing with modern building usage and do not reflect the accommodations necessary for integration of new buildings into the midtown environment.

- Current regulations do not provide for any accommodation for the many small and large trucks and vans that clog our streets by double parking. Large new buildings should include adequate off-street loading and unloading facilities as well as enough room for large trucks to turn around onsite. Vendor carts using garage space for parking also create congestion, which needs to be addressed. Many large tenants employ fleets of car service vehicles, which line the streets waiting for their designated passengers. New buildings should be required to accommodate this usage with on-site facilities and a plan to minimize traffic disruption.
- All buildings must be designed to accommodate present-day recycling requirements including on-site accommodation for sorting, separation and storage as well as adequate off-street loading facilities. Delis and other casual eateries should be required to provide patrons with the opportunity to recycle and this should be enforced. This should reduce the sorting effort and thus increase compliance with existing recycling rules. Loading facilities should accommodate trucks with 75-foot trailers and provide ample room to turn around inside the building so that trucks can both head in and head out for deliveries and pick-ups.

## *Public Plazas*

Midtown is crowded with tall skyscrapers that received a zoning bonus in exchange for providing a public plaza. Many of these plazas are treated like private spaces and the public is not welcome in the areas. Building owners have a responsibility to provide a useable and welcome public space. We believe several pitfalls could be prevented with better due diligence during the design and approval process and enforcement once built. At the least, public plaza rules should be vigorously enforced. We encourage the trend of creating seating and plantings in the plazas.

## *Pedestrian Circulation*

Pedestrian circulation requirements should be strengthened and expanded. All new large buildings (including “as-of-right” developments) should undergo a discretionary review process designed to ensure that pedestrian and vehicle traffic will not be adversely affected by the new development. Included in this review should be a greater emphasis on the needs of persons with disabilities. Mid-block pedestrian passageways with appropriate safeguards should be a goal for every standard block in midtown.

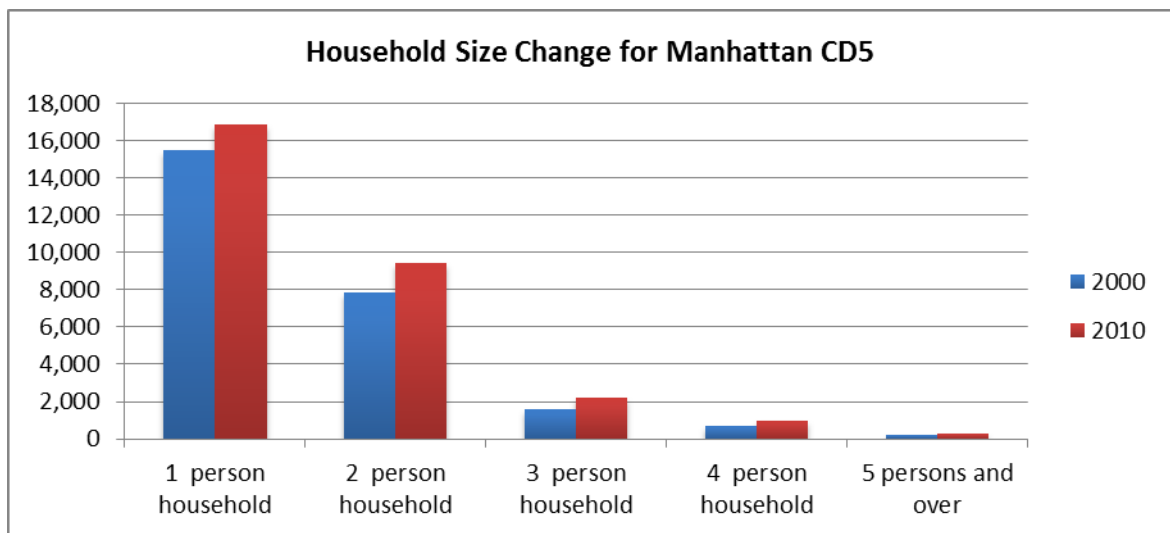
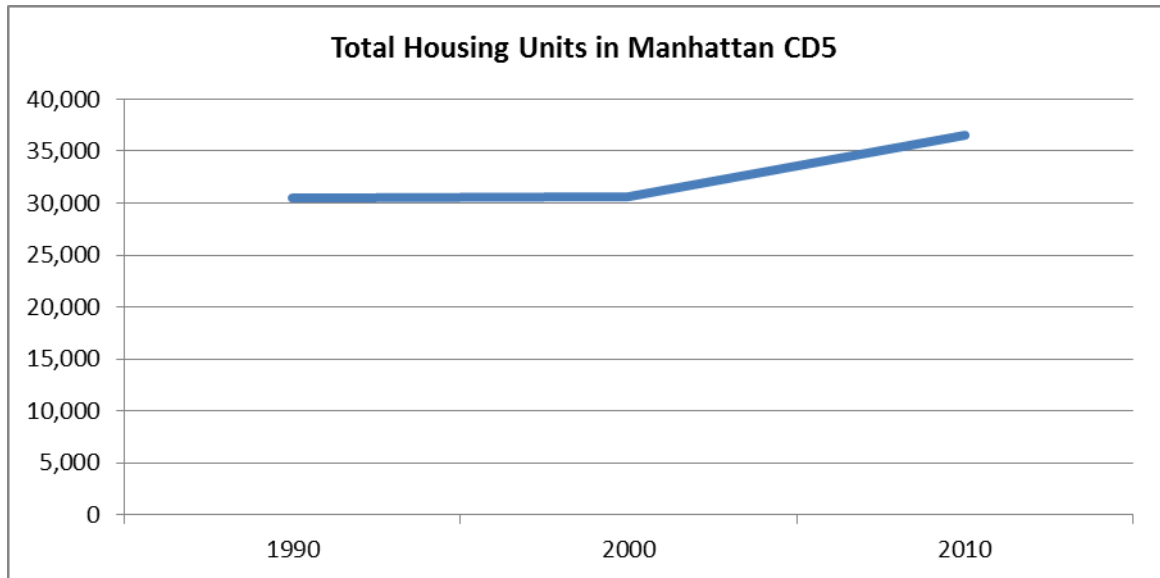
Regulations to ensure that existing mid-block passageways remain open and visible to the public should be strictly enforced. We encourage increasing space at cross-walks by creating new bulb-outs where problems exist.

### *Pedestrian Traffic*

With increased pedestrian usage in our district comes the need for more sidewalk area at construction sites. At many hours of the day, midtown sidewalks are overcrowded, creating a safety hazard. Coordination with the Department of Transportation and the Department of Buildings is needed to ensure that construction in crowded areas includes increased pedestrian circulation provisions at the street level to allow for more sidewalk space. As already stated we encourage a comprehensive master plan that also identifies the need for schools and appropriate locations for them.

### *New School Capacity*

There is a lack of coordinated planning between DCP, SCA and DOE to ensure enough school seats resulting from residential growth. There was just a 0.5% increase of housing units between 1990 and 2000, but a mammoth 19.49% increase between 2000 and 2010. A more detailed explanation of our need for schools will be presented later.



## LIBRARIES

The New York Public Library continues to need additional funding to meet the demand for increased materials and hours of service. More user-friendly hours should be considered. Funding for capital improvements is critical as many libraries in our district are housed in aging buildings.

We are concerned that with the recent budget cuts, many libraries may either have to close or reduce staff and or hours. In this economic downturn where many New Yorkers are out of work, demand for library services has grown considerably. Therefore, we ask the City to fund the NYPL to maintain existing service levels and invest in an expansion of resources to serve the entire community.

With the increased technology services offered by the library, funds are continually needed for computer equipment, maintenance, support and public training. In addition, sufficient funding levels for library building maintenance and security are essential, particularly the installation of a new book theft detection system.

## **SANITATION**

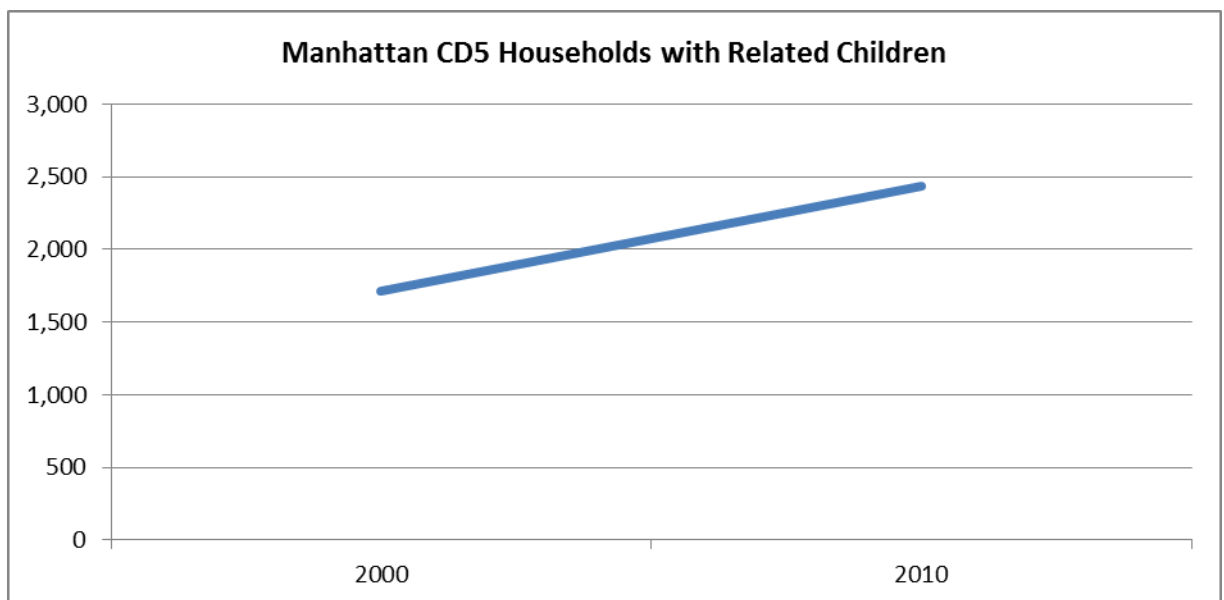
CB5 requires constant street sweep-up and basket trucks because of its high concentration of commercial activity, public areas, traffic congestion and escalating residential population. Streets in the non-BID sections of midtown are unacceptably dirty. Trash baskets continue to overflow or are missing. More litter baskets will help keep the area cleaner as well. Damaged litter baskets should be replaced throughout the district with rodent-proof receptacles. We believe that additional basket trucks and crews are necessary in the CB5 area. We advocate for more Big Belly Trash cans.

CB5 continues to support recycling efforts including the new Plastic Carryout Bag Recycling Law. The Department of Sanitation should look for ways to make recycling more economically sound. Strict enforcement of pick-up rules must be imposed to prevent diversion of trash to illegal operators. Waste prevention should be vigorously pursued. The City should look for ways to reduce the proliferation of non-degradable packaging. In addition, we believe all small grocers and delis should have a recycling bin and policy visible to the patrons. The City should study practical uses of waste materials and vigorously pursue utilization of recycled materials by City agencies that will allow the Department of Sanitation to realize significant savings in the cost of waste pick-up and disposal, and allow the reinstatement of full recycling. There is a critical need for more frequent and better publicized recycling of electronic and computer equipment.

Additional sanitation enforcement agents and sanitation officers are needed. Since enforcement positions are revenue producing, it is economically advantageous to increase their numbers. The lack of enforcement is a particular problem at our many construction sites. The Board is also concerned that there is a lack of enforcement with respect to the amount of time garbage can be left on the street before it is scheduled to be picked up.

## EDUCATION

We are pleased that the DOE has identified and purchased a building within our district to house a high school and middle school and that the Foundling school is coming online shortly. However, given the 42.51% growth in the number of family households between 2000 and 2010, the City has insufficiently planned to keep up with increased demand for public schools seats. The continuing population growth in the CB5 area in the next few years and the current absence of existing capacity, we strongly urge the Department of Education to continue to seek out appropriate locations for the creation of new elementary and middle schools serving the needs of Manhattan Community District 5 residents.



Since the city has passed a five-year capital plan, which underfunds our public schools, we urge that more school funding be found and allocated in this next year's Capital Plan. We call for an increase especially given that interest rates are lower now and our demand for school seats is very high.

Supporting evidence:

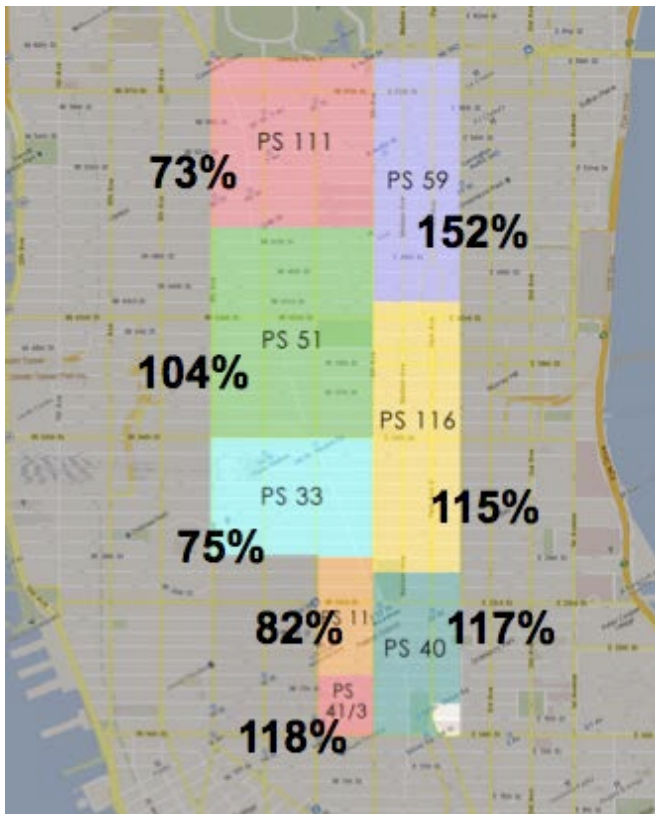
- CB5 named as 1 of 4 “high-risk” neighborhoods for school seat shortage vs. residential growth in Manhattan Borough President Scott Stringer’s report “Crowded Out.”
- Between 538 and 762 new students were added to CB5 from 2000-2007 with no new school seats added



- A fair amount of residential growth in CB5 comes from conversion, which was not captured in Borough President Stringer's report

The release of the 2010 Census data helps us to see exactly what the increase in youth population looks like. Between 2000 and 2010, there was a 30.89% increase in the number of children from 2,839 to 3,716. This is nearly double the percent increase of the total District population—17.36%. There has been significant growth in the past 10 years—especially along the 6<sup>th</sup> Avenue corridor between 23<sup>rd</sup> and 30<sup>th</sup> streets, conversion of commercial and light manufacturing in the 20s and 30s, emerging residential neighborhoods of NoMad and Park Avenue South and the cumulative effect of as-of-right buildings and special permits.

We already know that the schools serving our children are overcrowded. This graphic created by Manhattan Community Board 5 demonstrates the current state of stress in capacity:



While there might appear to be excess capacity on the west side, a closer look reveals that there is far more need than even apparent. The M1-6D rezoning's EIS reveals that new

construction will eliminate excess capacity. The New PS 59 is already overcrowded. The waiting list for Kindergarten (despite the increase from 4 classes of 20 to 5 classes of 25). PS 11 has space "on the books," but its K-2 classes are packed and will fill school to capacity in two years. Foundling school (PS 340) comes online in 2014, but only provides relief in our district if zoning extends north and east. The New PS 281 may be K-5 or K-8, and its impact will be radically different in each case. On the day the Con Ed development is completed, PS 281 will be overcrowded.

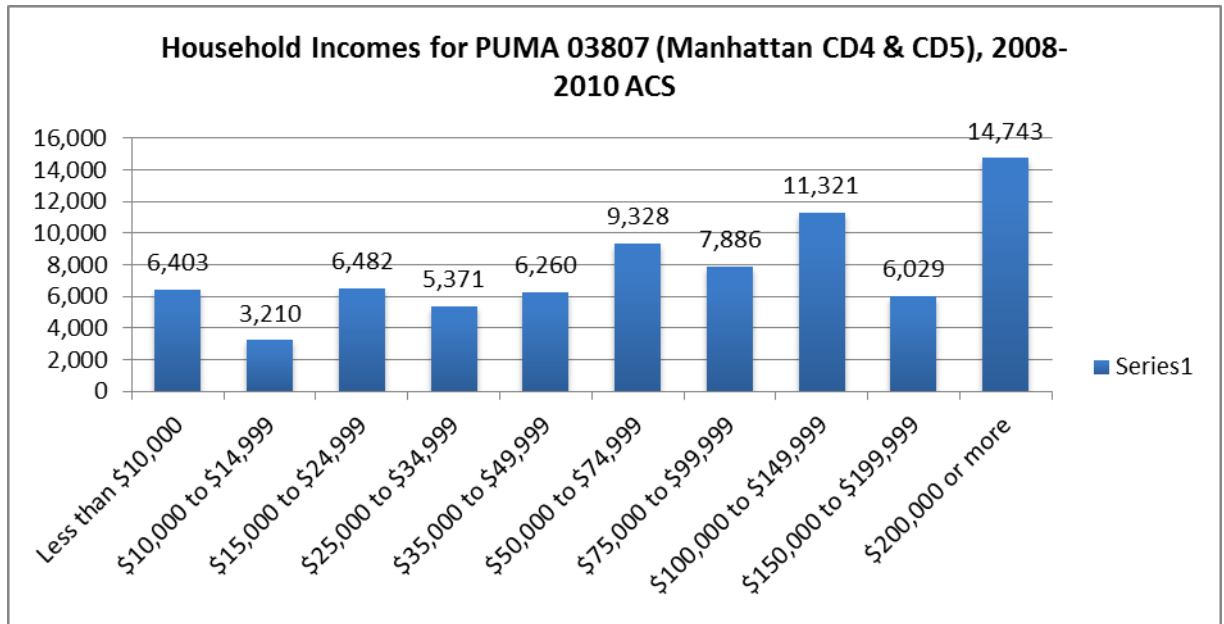
To understand our need for new schools, it is unwise to simply look backwards. For this reason, we have combed through all building department records pertaining to new residential development in our District. Original analysis by Manhattan Community Board Five reveals that as of Winter 2012, there were 2,794 new residential units or conversion units going through the DOB permit approval process. By the City's own City Environmental Quality Review formula, which Manhattan CB5 believes to underestimate demand, this residential increase will bring demand for 335 new public elementary school seats and 112 new middle school seats.

The overall success of the City's schools has a great impact on our community and the lives of all New Yorkers. Adequate funds for qualified teachers in all classrooms, after-school enhancement programs, E.S.L. initiatives, and tutoring at the primary level are necessary. Now that kindergarten is compulsory we want the City to ensure that funding and the space is available. Class size should be kept small enough to allow learning. We also support an increase in funds for art, music, sports, vocational training and related assistance, nutrition, and sex education.

#### **HUMAN RESOURCES ADMINISTRATION, DEPARTMENT FOR THE AGING, DEPARTMENT OF YOUTH AND COMMUNITY DEVELOPMENT AND ADMINISTRATION FOR CHILDRENS SERVICES**

**Data from the U.S. Census Bureau tells us that while many** in our community are fortunate to be financially sound, a significant portion face an array of challenges that our City and its partners in the non-profit sector must address. With over 10% of our PUMA district's households earning below \$15,000, there is demonstrated need for provision of social services in the District.

There is a continuing need for basic services for homeless individuals and families, including housing, career training and placement, mental health services (especially for the elderly), childcare, afterschool, foster care, drop-in-centers, outreach programs, centralized food courts, and improved shelter programs.



## DEPARTMENT OF HOMELESS SERVICES

Assessing the homeless need in our district is challenging given the sizable number of street homeless. DHS informs us that it is not possible to get a breakdown of the street homeless in our district from their census do to the methodology they employ. There is a need for more comprehensive metrics to evaluate the street homeless by district, and we look forward to working with DHS on attaining such metrics in the future. While we do not have district figures, we know that 110,000 different homeless New Yorkers slept in the shelter system last year and on any given night, 43,000 will sleep in emergency shelter (not supportive housing) including 17,000 children and 10,000 families. Within our District, 96 families were sheltered at the Children’s Rescue Fund House on the night of July 2<sup>nd</sup>, 2012. These community members should be given pathways out of the shelter system into affordable or supportive housing if need be.

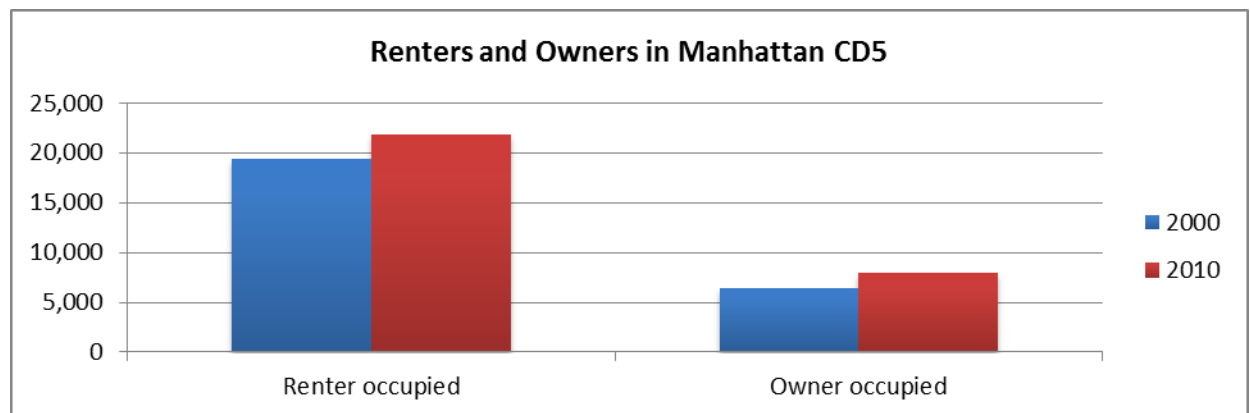
In light of the lack of statistics on street homeless, we believe that Supreme Court Justice Potter Stewart's famous dictum regarding what constitutes obscene material is appropriate to invoke—"I know it when I see it." We as a Board know there is an increasing street homeless population because we see it grow year-by-year. By DHS’s own count, we know it is growing in the borough. In their 2012 count, the City estimates that 906 New Yorkers slept on the streets of Manhattan—a 120 person and 15% increase from one year prior. We think that many of these are concentrated in our district. Are all of these street homeless native New Yorkers who have just fallen on hard times—assuredly not. Though many may be transient, they are nevertheless a population with our district whose needs are unmet.

In America's greatest city and one of this City's most prosperous districts, the City has failed to provide a safe and humane way of addressing the needs of this vulnerable population. We are particularly concerned about the reemerging homeless issue in Times Square, Madison Square Park and Union Square. Increased funding to serve this population is absolutely essential.

Perhaps the most alarming decision made by the City has been the de-facto eviction of 24 Manhattan Community District 5 families and 14,000 Citywide families from apartments they were living through the Advantage voucher program. While the City issued no eviction notices, these formerly homeless families required the DHS-provided voucher to make rent payments, and the City has ended the program, claiming that it is no longer affordable due to the state's withdrawal of support. Though shelter costs for homeless families are far more expensive than the Advantage voucher program or permanent supportive housing (by magnitudes that can exceed 300%), the City is able to get reimbursed for shelter costs through Federal and State programs whereas the city must generally incur a proportionately higher cost for investment in affordable housing. While we understand the City's calculation, serving the homeless population with long-term affordable and supportive housing options must be a top priority for the City.

## DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

As the 2010 Census shows, the District is comprised of mainly rental units. Such units are subject to price volatility and it is important to ensure that there is sufficient affordable housing for the community.



Such housing options are key to ensuring that our District and City have a diverse mixture of populations. We are in support of HPD's New Housing Marketplace Plan, and while understanding the shift toward preservation in this economic downturn, we would like to see further development through the variety of tools at HPD's disposal—especially given low interest rates. Furthermore, there is a need for increased development of supportive housing. We ask that the 2005 New York / New York Agreement III be fully funded.

One key method of increasing the number of affordable housing units that requires no government outlays is to alter the regulatory framework for encouraging a more diverse array of housing options. This can include more mixed-use development and can also come in the form of smaller dwellings by removing some regulatory constraints. We are encouraged by the micro-unit pilot being designed by HPD, called adAPT, that will waive certain existing regulatory requirements to encourage the development of small apartments. Our district has a need for more flexible and affordable living arrangements and we look forward to working with HPD and other agencies to meet this need in our District.

#### **HEALTH (Health and Hospitals Corporation and Dept. of Health & Mental Hygiene)**

We rely on the public hospitals in the City during crises and to provide essential healthcare. These hospitals must be funded appropriately. The 2010 loss of St. Vincent's Medical Center makes this need even more acute especially as far as HIV-related care is concerned.

Being in the catchment's area for Bellevue Hospital, CB5's district depends upon this hospital for a wide range of services including emergency and outpatient care. Bellevue also has specialized programs to deal with health problems associated with an urban demographic, such as asthma. Our immigrant population means health education is also essential. We want to ensure Bellevue maintains adequate funding and equipment. To that end, we ask that the City support Community Board Six's resolution to create a sub-acute facility in the Bellevue corridor. And again, the recent closing of St. Vincent's makes this Bellevue facility even more critical.

With the growth of New York's elderly population, we would like to see more funding go to social services that affect the elderly, including home care, assisted living facilities, and programs to enable seniors on limited fixed incomes to remain at home. Maintaining funding and not closing senior centers should be a priority.

Rodents represent a serious health issue in midtown. All our garbage from residential, commercial, and food establishments have caused the rodent population to grow and multiply and our construction displaces them – sometimes forcing them into neighboring residential buildings. This problem is also aggravated by organizations dropping food for the growing homeless population.

## **CULTURAL AFFAIRS**

In this recent city budget this agency has had its budget cut substantially. It is important realize that these cuts negatively affect the economic engine of the arts and cultural organizations, but also all of the related businesses that rely on these organizations for support, such as restaurants, bars, nightclubs and shops. Continually cutting funding for this agency causes additional distress to these communities and their ability to maintain small businesses. The City needs to better understand the economic multiplier associated with this funding and explain to us how this disinvestment serves the City.

## **DEPARTMENT OF CONSUMER AFFAIRS**

DCA must be more selective in licensing and more aggressively inspecting sidewalk cafes, street vendors and cabarets.

### ***Newsstands and Street Furniture***

Manhattan Community District 5 has a very high level of pedestrian congestion. We urge DCA to work with the Department of Transportation and other agencies to develop a comprehensive and coherent master plan for the locations of newsstands and processing expected within the borough of Manhattan and other street furniture such as phone booths, kiosks, bollards, lighting poles and planters. This will ensure that pedestrian traffic moves smoothly and safely, particularly in the Times Square, Herald Square and Union Square areas.

We also call on DCA to address the issue of late-night mobile food vending, which has proliferated widely in the last year and grown into a very problematic and unregulated “attractive nuisance.” Since mobile food vendors can set up almost wherever and whenever they like, many situate themselves immediately outside clubs and other late-night establishments, attempting to draw patrons as they exit for the night. This causes

terrible noise and traffic issues well after midnight in neighborhoods where residents and liquor-license operators would otherwise coexist peacefully.

Moreover, while the deleterious impacts of food “trucks” and food “carts” are virtually the same, the two types of mobile food vendors are not subject to the same rules, only exacerbating the situation. We call on DCA to bring both kinds of mobile food vendors under its auspices and create strict regulations governing where and when these vendors can sell their goods, paying particular attention to the curtailing of late-night operations.

## **DEPARTMENT OF SMALL BUSINESS SERVICES**

We are fortunate to have more Business Improvement Districts (BIDs) in our district than any other community board and we feel they have been successful in providing better services within their borders. We endorse the BIDs and the work they have been doing and are encouraged by the Mayor’s willingness to allow increases in the BID budgets. However, the City should not reduce service in the BID areas in expectation that the BIDs will cover any shortfalls or basic city services. Instead, BIDs should provide supplemental services to those already provided by the City. Many areas within our district, which are not covered by the BIDs, are poorly maintained and unacceptably dirty. These areas should be provided with additional trash baskets, improved trash basket pickup, more frequent street cleaning and better sanitation enforcement.

## **LANDMARKS**

CB5 is home to many significant landmark buildings and several Historic Districts. We are requesting increased funding for inspections and strict enforcement. We especially asked a comprehensive inventory of landmarks and potential landmarks in proposed rezoning areas. We also support increased funding for research staff to review applications for alterations as well as to consider new buildings and districts for landmark status.

## **ECONOMIC DEVELOPMENT**

New York needs an economic development plan that considers all segments of our diversified local economy. To strengthen entrepreneurship and innovation, programs that provide startups and emerging companies with seed funding, other forms of capital, and mentorships should be expanded. To encourage an inclusive economy, one that creates jobs for the unemployed and for those New York City residents lacking higher education, New York needs to identify and strengthen those sectors that provide entry-level jobs in

urban manufacturing and craft fields. For corporations receiving retention subsidies, ongoing monitoring and reporting should be required to determine all obligations promised by the corporation are met. Failure to meet these obligations should result in penalties equal to the tax-payer subsidized benefits provided to the corporation. Training Programs for welfare recipients moving to work are essential to integrating this group into the workforce.

## **COMMUNITY BOARDS**

Community Boards serve a vital, unique and irreplaceable role. They address citizen complaints, mediate community issues, coordinate with city agencies, and provide valuable exchanges of information with elected officials. It would be difficult for this Board to fulfill its responsibilities were funding to be reduced below current levels.

## **CLOSING**

Community Board Five appreciates the opportunity to present this evaluation of our district needs for the fiscal year 2014.

Respectfully submitted,



Vikki Barbero,  
Chair

Eric Stern  
Committee Chair



Wally Rubin  
District Manager