



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.ManhattanCB4.org

**JEAN-DANIEL NOLAND**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

**MANHATTAN COMMUNITY BOARD FOUR  
STATEMENT OF DISTRICT NEEDS**

Fiscal Year 2009  
*July 2008 - June 2009*

**DISTRICT OVERVIEW**

Manhattan Community District No. 4 is comprised of two West Side neighborhoods, Chelsea and Clinton/Hell's Kitchen. The District (CD4) generally covers the area between 14<sup>th</sup> and 59<sup>th</sup> streets - to the west of Eighth Avenue, north of 26<sup>th</sup> Street, and west of Sixth Avenue, south of 26<sup>th</sup> Street. CD4 shares borders with Greenwich Village, the Flatiron, the Upper West Side and the Midtown central business district. Portions of several other well-known areas exist within CD4's boundaries: Hudson Yards, the Garment District, the Flower District, the Gansevoort Meat Packing District, the Ladies' Mile Shopping District and the Theater District. Other notable sites in CD4 include Restaurant Row, the High Line, Columbus Circle, Maritime Piers 56 - 99 including the Passenger Ship Terminal (Piers 88, 90 and 92), the Farley Building/Moynihan Station and the northern half of Hudson River Park.

The total population of CD4 is approximately 100,000. Many residents are long time residents; others are relative newcomers. An estimated 10,000 new residents already occupy or are expected to move into housing developments completed or begun since the last Census. Chelsea and Clinton/Hell's Kitchen remain desirable residential neighborhoods for their streetscapes, building types and local institutions, as well as their proximity to world-class cultural resources and amenities. It is the diversity of residents, however, that is their greatest asset.

CD4 is central to Manhattan and the region's core. The physical character of CD4 is defined as much by its neighborhoods as by the infrastructure that supports the citywide economy. At the local level, transportation infrastructure exerts the greatest impact as it channels hundreds of thousands of visitors through CD4 every day. Streets and avenues are exceedingly congested, trucks are an increasing presence on residential streets, off-street facilities for all types of buses and commuter vans are inadequate and environmental pollution is a constant quality of life complaint and threat to public health. These problems are a condition of the sometimes competing goals of neighborhood protection and improvement and the efficient flow of traffic.

Currently, development of all types is considerable, but housing production is predominant. In-fill construction, building enlargements and substantial renovations have filled in gaps and improved the housing stock in core residential areas. Housing development activities in less dense areas have preserved and strengthened the character of existing neighborhoods (Hell's Kitchen South and the Clinton Urban Renewal Area) and created new population centers (42<sup>nd</sup> Street and far west 23<sup>rd</sup> Street).

A range of economic activities exists within CD4. Many reflect the area's historical development as an immigrant, working-class neighborhood once closely tied to an industrial waterfront and later serving as a "backstage" community for the theater industry. Local businesses and cultural organizations are vital to the community. Many provide essential services to the midtown central business district, the city's garment trades, or nearby entertainment and tourism industries. Neighborhood shops, restaurants and other enterprises serve area residents and workers, but also are widely known for high-quality goods and services and have become important destinations for art, culture and recreation.

As a result of recent rezonings, significant new commercial and residential development is now possible in formerly industrial districts in western Chelsea and southern Clinton/Hell's Kitchen. Local goals for growth have been developed with an eye toward balancing the redevelopment of these areas with the preservation and expansion of CD4's residential neighborhoods. Most important is strengthening our diversity by ensuring that new development produces permanent affordable housing.

The rejection of the proposed West Side Stadium requires the reconsideration of the planning goals of the Hudson Yards rezoning, especially those for the MTA rail yards and the Eleventh Avenue corridor. Development of other large scale proposals for the corridor between 30<sup>th</sup> and 35<sup>th</sup> street - an additional trans-Hudson River rail tunnel, the conversion of the Farley Post Office into the new Moynihan Train Station, and the expansion of the Jacob K. Javits Convention Center - will similarly require an approach that balances local and regional needs.

## **DISTRICT PRIORITIES**

CD4 is defined by its homegrown, unique characteristics, both physical and social; its symbiotic relationships with surrounding neighborhoods; and our communities' reaction to the unique characteristics, both physical and social, of those surrounding neighborhoods. In the current setting of growth and development, Manhattan Community Board No. 4's priorities are (1) preventing displacement, (2) maintaining neighborhood character, stability and quality of life, and (3) attracting development that enhances diversity and positive neighborhood relations among disparate groups. Concrete efforts to realize these priorities include advocacy for increased supply and access to affordable housing, improvement of the area's physical infrastructure, and adequate delivery of social and public services.

## **LAND USE PLANNING**

CD4 is experiencing intensive development activity as a result of the Hudson Yards and West Chelsea rezonings, the large amount of undeveloped property in the district, and the surging real estate market. Keeping up with this activity and planning well for the future requires a significant commitment of City resources.

Our overarching need is for increased City subsidies for the inclusion of affordable housing in new developments. This is discussed in greater detail under "Housing" below.

## **Hell's Kitchen/Hudson Yards Follow-Up**

A number of items that were agreed to by the Administration and the City Council in connection with the 2005 Hudson Yards Rezoning await completion, and need the commitment of staff and other resources from DCP, HPD and the other relevant agencies to bring them to completion. For the most part, the need is for increased planning resources in the current fiscal year and capital commitments in future years. The items awaiting completion include:

- Additional Follow-Up Corrective Actions Text Amendment. The initial amendment was completed in December 2005 and added several items of great importance to this community, in particular the addition of a harassment and cure provision to the Special Hudson Yards District text, updating of the harassment and cure provisions of the Special Clinton District text, and prohibition of conversion of ground floor residential uses in the Hell's Kitchen mid-blocks. A further text amendment is required, and has been agreed to by the local Councilmember and the Commissioner of HPD, to make the central provisions of the Special Clinton District, Special Hudson Yards District and the P2 portion of the Special Garment Center District more consistent. This further amendment should also include reform of the Theater Row bonus text amendment and reinforcement of contextual zoning in the Hell's Kitchen mid-blocks.
- Development on "Site M" located on the west side of Tenth Avenue between 40<sup>th</sup> and 41<sup>st</sup> streets of 150 affordable housing units as detailed in the letter agreement between the Administration and the City Council.
- Development on the "NYCHA Harborview Site" located at 56<sup>th</sup> Street just west of Eleventh Avenue of 155 affordable housing units. HPD issued a Request for Proposals for this site in December 2006, responses have been received, but a developer has not yet been selected.
- Development on the "Studio City Site" (now referred to as the "PS 51 Site") located between 44<sup>th</sup> and 45<sup>th</sup> Streets, between Tenth and Eleventh Avenues of 600 affordable housing units and an expanded elementary school (see letter agreement for details, and the Board's letter dated March 3, 2005). This development should also include the Morgenthau Police Athletic League Community Center.
- Creation of an affordable housing fund from proceeds of the disposition of the Studio City Site.
- Rezoning of the northwest corner of 42<sup>nd</sup> Street and Eighth Avenue.
- Establishment of a taskforce to work toward creating open space on Port Authority sites in the Hell's Kitchen mid-blocks (see letter agreement for details). We continue to believe that this open space should be created through a combination of land acquisition and long-term development strategies, as well as street tree plantings and use of DPR's Green Streets program in the immediate term (see our letter to DCP dated March 5, 2005 for further details).

Enhanced relocation assistance is required for a small number of residential tenants and businesses being affected by the Hudson Yards condemnations that are now underway. Except for the acquisition of Block 675, those condemnations are not necessary. See the Board's letter dated July 8, 2005 to the Law Department.

Several other matters still require attention in order to complete the Hudson Yards planning process, including planning for a new consolidated bus parking facility with direct access to the ramp system of the Port Authority Bus Terminal and the Lincoln Tunnel, and Landmark Preservation Commission protection of the principal architectural historic resources that will be affected by the Hudson Yards rezoning. (See our letter to our local elected officials dated June 14, 2006 for a more complete discussion of Hudson Yards "unfinished business.")

### **Construction Coordination and Management**

Many large construction projects are now underway, and far more are in the planning stages. Active construction has a significant effect on traffic flow and quality of life. We need a commitment from the a host of City agencies, including the Department of Buildings, the Department of Environmental Protection, the Department of Transportation and the Police Department to coordinate enforcement efforts to ensure that our neighborhoods are not overwhelmed by the inevitable impacts of construction.

### **Clinton/Hell's Kitchen**

The explosion of commercial and residential development in Clinton/Hell's Kitchen has created opportunities in some areas, such as the accelerated pace of redevelopment in the Clinton Urban Renewal Area, and challenges in others, such as the increased pressure on affordable and contextual residential properties in the Special Clinton District.

#### *Clinton Urban Renewal Area*

The Clinton Urban Renewal Area (CURA), which has long been the focus of the Board's land use efforts in Clinton/Hell's Kitchen, continues to be part of this development boom. The recent, substantial progress toward completion of redevelopment in the CURA reflects the cooperation that has developed between CB4 and HPD with the assistance of DCP. The Board also acknowledges the ongoing assistance of the Clinton CURA Coordinating Committee, a coalition of not-for profits, in developing and sponsoring affordable housing in this area. The coalition includes Clinton Housing Association, Clinton Association for a Renewed Environment, Clinton Housing Development Company, Encore Community Services and Housing Conservation Coordinators.

A dwindling number of City-owned sites await redevelopment: Sites 7E, 7F and 7G (portions of which are now planned to be combined into a single project), the undeveloped portions of Site 9A, and Site 9C-1 (500-508 W. 52<sup>nd</sup> Street). Development plans are moving forward for each of these sites. We look forward to continued cooperation by the City, the Board and the Coordinating Committee to redevelop these sites without delay.

Consistent with the Board's past positions, we maintain that all city-owned property developed in the CURA should maximize the number of units dedicated to affordable housing. Other CURA

principles adopted by the Board include a new mixed-use zone to accommodate existing commercial, light manufacturing, cultural and non-profit institutions on site; urban design controls to reconcile the community's need for more housing with the preservation tradition and limits of the Special Clinton District; and the maintenance and development of only low-rise buildings on the west side of Tenth Avenue to match the low-rise character of the District to the east. Any action by HPD to facilitate development in the CURA must reflect these principles.

In addition, we note that the only acquisition parcel that has yet to be acquired by the City in the CURA is Site 6, which is the western portion of block 1082, on Eleventh Avenue between 53<sup>rd</sup> and 54<sup>th</sup> Streets. As such, this property is not subject to the development restrictions of the Clinton Urban Renewal Plan and, because it is located within the CURA boundary, it is also excluded from the height and bulk restrictions of the Special Clinton District. This site has been acquired by Two Trees, which has filed ULURP applications for its development plan. This Board will oppose any future request to permit redevelopment of Site 6 for a use inconsistent with residential use or at a density that exceeds what is allowed in an R8A zoning district (FAR 6.02).

#### *Special Clinton District - Other Area*

The western area of the Special Clinton District beyond the boundary of the Preservation Area is primarily zoned for light or medium industrial uses. The Board has for several years supported a rezoning of this area to create a mid-rise residential corridor along both sides of Eleventh Avenue and preserve industrial uses west of that corridor. The rezoning should the elements set forth in Attachment A. We are pleased that the Mayor's Office and DCP have agreed with Council Speaker Quinn to conduct a planning study of a portion of this area, which will include an examination of our land use proposals, and to work jointly with this Board towards the development of a set of planning recommendations.

#### *Special Clinton District - Preservation Area*

The development boom throughout Clinton has put considerable pressure on the Special Clinton District, which was established in 1973 to, among other things, preserve and strengthen the residential character of the community, and permit rehabilitation and new development in character with the existing scale of the community and at rental levels which would not substantially alter the mixture of income groups then residing in the area. Continued attention must be paid to enforcement of the protective provisions of the Preservation Area of the Special Clinton District, the neighborhood's residential core. Building permit applications should be reviewed by DOB plan examiners; self-certification has been abused in too many recent cases. The proper training and assignment of inspectors with detailed local knowledge is also a must. Without adequate and informed enforcement, the district goals will not be fulfilled.

Ninth Avenue is thriving as the main commercial corridor of the Special Clinton District and the Hell's Kitchen neighborhood extending south to 34th Street. We request streetscape improvements such as better lighting and more street trees to improve the pedestrian experience and create a stronger connection above and below the Port Authority Bus Terminal.

## Chelsea

The Chelsea 197-a Plan created by this Board for the protection of the traditional core of Chelsea east of Tenth Avenue together with the rezoning that implemented it have now been supplemented by the West Chelsea Rezoning for most of the area west of Tenth Avenue.

This action centers on the preservation and conversion of the High Line into a park, but has major implications for land use in the area. Actual acquisition of the High Line, final design, and construction of the first segment including access to it are only the beginning of a long process to which we are glad to see the City appears fully committed. There also are a number of land-use related items that require follow up, requiring action by a variety of agencies and the City Council. In many cases prompt action is required to attain the desired goals.

Carrying to completion the numerous provisions supporting creation and preservation of affordable housing within the action itself or listed as “Points of Agreement” in a letter from the Office of the Mayor is essential:

- Extending the demolition restrictions developed for the Hudson Yards into appropriate areas of the rezoning;
- Implementing the proposals for creation of affordable housing by HPD on two NYCHA sites: in Elliott-Chelsea Houses at the northwest corner of West 25<sup>th</sup> Street and Ninth Avenue, and in Fulton Houses on West 18<sup>th</sup> Street between Ninth and Tenth Avenues. Residents of these Projects and other affected community members must be included in the planning and design of structures on these sites;
- Constructing affordable housing on the underused Department of Sanitation lot on West 20<sup>th</sup> Street between Sixth and Seventh Avenues, or failing that, on another site in Chelsea. Relocation of the existing uses must be a priority: the few office spaces seem manageable, but relocating the section station may be difficult and DSNY must cooperate in the task;
- Permitting City, State, and Federal programs in the inclusionary programs in order to provide greater incentives and ensure permanent affordability of the housing produced;
- Tiering of inclusionary bonuses to include higher income levels;
- Creating a West Chelsea Affordable Housing Fund to produce more affordable housing in Community District 4. Provisions must be found to ensure this Fund is actually funded and produces affordable housing in the West Chelsea area;
- Ensuring a community preference of 50% in the bulk of affordable housing created;
- Introducing provisions for an Inclusionary Housing Bonus for conversions mirroring those for new construction.

The number and complexity of these provisions and the pressure for immediate development will require long-term monitoring, first to ensure they are promptly finalized and adopted, and then to ensure their effective use over time. The official position of the Community Board and the expertise of its membership and staff indicate that it is the appropriate body to take the leading role in this process. A special committee of members of the Board and the community has been set up for this purpose.

The Board is concerned that most of the proposals for development in West Chelsea, as in many other areas, are planned to produce luxury condominiums rather than the rental units on which the provisions for affordable housing are based. This appears likely to reduce the number of affordable units actually produced. Future development in the area needs to be monitored to see if revisions will be required to produce the projected number of affordable units.

Two other commitments listed as “Further Study” will require prompt action and timely follow up on the results to ensure that the development of West Chelsea takes place in appropriate fashion. Otherwise changes directly or indirectly stemming from the rezoning may well change the situation on the ground beyond recall.

- The first is described as “Study by the Department of City Planning of areas west and south of the rezoning area with an eye to future actions appropriate for the neighborhood.” The purpose of this is to insure studying the areas between Eleventh and Twelfth Avenues north of 22<sup>nd</sup> Street and other areas near the High Line further south with the goal of including them in the Special West Chelsea District and making other appropriate changes designed to preserve neighborhood character in this portion of West Chelsea, including the important area near the Gansevoort Market.
- Study by the Landmarks Preservation Commission of the proposals put forward by Community Board 4 and production of recommendations concerning the proposed West Chelsea Waterfront Industrial Historic District as well as individual landmarks. The report, which was not completed by its due date preceding the time of adoption of this Statement, will be meaningless unless timely action is taken on its recommendations to protect the identified historic resources in an area undergoing major changes.

The Board also again reminds the Department of City Planning that its long delayed commitment to study rezoning at an appropriate scale of the blocks of West 14<sup>th</sup> Street between Seventh and Ninth Avenues on the basis of the proposals in the original Chelsea Plan is likely to be overtaken by events as the area becomes more and more desirable; and the potentially glorious old brownstones and the buildings once housing the center of the first Latino community in the city risk being lost. Loss of the historic character of this area would affect as well the character of the Gansevoort Market nearby.

## **TRANSPORTATION**

More and more vehicles crowd our streets and avenues each year. This creates high levels of congestion, increases pollution, and leads to dangerous situations for pedestrians at street crossings, which impairs the ability for cyclists to safely travel, and raises competition for the limited curbside parking space on neighborhood blocks. There are no easy solutions. A real sense of partnership between the community and the DOT, NYPD and the Port Authority is required to

make progress and enable a more livable community. We should devote increased resources and develop more creative strategies to encourage use of mass transit and car-pooling and create new pedestrian and bicycle friendly corridors.

### **Hudson Yards – Lincoln Tunnel Construction Zone**

The Access to the Region Core DEIS appropriately identifies the many concurrent large scale projects actively planned or under construction in this area with a duration of at least 80 months. This activity is concentrated on the Lincoln Tunnel approaches – in some case requiring closure of the tunnel lanes – and heavily dependant on the same tunnel to evacuate construction debris in a timely manner. The Lincoln Tunnel system, including its approaches, already routinely experiences twenty minutes delays at peak hours.

Community Board 4 has requested the urgent implementation of a mitigation plan that will:

- 1). apply to the whole construction zone, similar to the one conceived for the Financial District,
- 2). be independent of each project schedule, and
- 3). protect Lincoln Tunnel priority users in spite of a further constrained capacity.

We suggest considering implementing a policy of High Occupancy Vehicles in the Lincoln Tunnel at peak hours during the construction period to maintain commuter buses current level of service and provide timely rotations to construction trucks.

### **Pedestrian –Bicycle Safety**

From 14<sup>th</sup> Street to 59<sup>th</sup> Street, Ninth Avenue is the neighborhood-serving commercial center for residents and thus an important pedestrian corridor. However, increased development, traffic and congestion are diminishing the neighborhood and pedestrian orientation of Ninth Avenue. During the last year, CB4 has made several recommendations to address the situation and improve Ninth Avenue pedestrian access as well as reduce unsafe congestion.

In the first 6 months of 2007 three pedestrians were killed on 9<sup>th</sup> Avenue and two were severely injured. Over 800 pedestrians have been injured on Ninth Avenue between 14<sup>th</sup> Street and 57<sup>th</sup> Street during the last five years. The Community Board has made several recommendations to improve the situation, only a few of which have been acted upon to date.

We are delighted that the DOT installed a traffic light on 43<sup>rd</sup> Street across Holy Cross, the second most dangerous school to walk to in Manhattan.

We also appreciate the initiation of a federally funded comprehensive study of the Lincoln Tunnel entrances with a particular focus on pedestrian safety and Ninth Avenue. We expect that it will study the issues raised by the Community Board and the feasibility of proposals included in the Community Based study “9<sup>th</sup> Avenue Renaissance”.

However we still request that the short term actions we have requested not be delayed any further:

- The balance of recommended measures for Holy Cross School still must be implemented:



lead pedestrian intervals at Eighth and Ninth Avenue; removal of charter bus layover signs and rebuilding of the north sidewalk. A crossing agent was also to be placed at 9<sup>th</sup> Avenue and 43<sup>rd</sup> Street.

- Although two pedestrians were killed at the same locations on 45<sup>th</sup> Street, no measures have been suggested. A prompt analysis of that intersection is warranted to prevent further fatalities.
- At 37<sup>th</sup> Street where many pedestrians have been injured, Community Board 4 is on record for requesting to add a sign on 37<sup>th</sup> Street, near the corner of Ninth Avenue indicating no left turn into Lincoln Tunnel entry lanes.
- At 34<sup>th</sup> Street, senior pedestrians have requested more time to cross the south segment of the Avenue where they are in conflict with turning cars.

As the primary entry/exit route of the Lincoln Tunnel, Dyer Avenue receives heavy traffic and requires special attention to ensure pedestrian safety. These basic concerns must be addressed:

- Intersection of Dyer Avenue and 40<sup>th</sup> Street. Pedestrian signals have been installed at this location; however, pedestrian crossings are still problematic. Two pedestrians have been killed at this intersection since 2001. Crosswalks should be realigned to avoid the columns of the ramp leading to the Port Authority Bus Terminal. In addition, improved signage is required to alert drivers that they have left the Tunnel and entered the New York City street grid.
- 35<sup>th</sup> Street and Dyer Avenue. Not all pedestrian crossings are striped; none are hatched. Vehicles associated with the Midtown South Police Precinct are often parked in pedestrian crossing lanes

Between 28<sup>th</sup> street and 23<sup>rd</sup> street where a fatality occurred this year, a study has been undertaken to dedicate exclusive crossing time to pedestrians on the east side of the Avenue (barn dances). We are looking forward to the results of that study.

Community Board 4 is very appreciative that the DOT has implemented an interim one-way and pedestrian plaza between 14<sup>th</sup> and 16<sup>th</sup> Streets. We look forward to completing with the DOT the community-based permanent solution and adding its construction to the 2009 Capital Budget.

Our long standing request to widen the west side of the Eighth Avenue sidewalk between 30<sup>th</sup> and 38<sup>th</sup> streets by 6 feet is now a critical mitigation for the increase in traffic expected from the new ARC train station. Currently the pedestrian level of service there is "F" (the lowest possible rating) during the morning and evening peak periods. It is often so crowded that hundreds of people end up walking in the street, creating very dangerous conditions. It is crucial that the capital funding for this mitigation be included in the ARC project budget.

Most of the pedestrian ramps remain either non compliant with ADA guidelines or are in very poor shape. We have submitted a very long list of intersections that need urgent attention in this regard.

We urge DOT to improve the pedestrian experience and environment in several parts of the district. Other pedestrian improvements, in consultation with the Community Board, for the two major neighborhood retail areas for the Chelsea (Eighth Avenue from 30<sup>th</sup> Street to 14<sup>th</sup> Street) and Hell's Kitchen (Ninth Avenue from West 34<sup>th</sup> to West 57<sup>th</sup> Street) communities.

During any future roadway work, DOT should widen sidewalks within CD4 as much as possible, especially at corners to create "bulb-outs." Bulb-outs increase pedestrian safety by increasing the turning radius around corners, thus slowing motor vehicles. Bulb-outs also shorten the crossing distance for pedestrians. The pedestrians who use them welcome bulb-outs that were already created at various intersections in the 40.

In fact, now that all lanes on 9<sup>th</sup> Avenue, between 14<sup>th</sup> and 16<sup>th</sup> Streets have recently been configured, using temporary measures, to move traffic southbound only, capital funds are needed for permanent street re-alignments, sidewalk widening, and streetscape improvements CB4 expects DOT to work openly and collaboratively with us and relevant community groups in planning for these permanent capital improvements.

We also note the safety issues related to vehicular uses along the Hudson River Park. The recent death of a bicyclist highlights our concern. We encourage DOT to install improved and additional electronic signage along the pedestrian/bicycle path of the Hudson River Park.

Enforcing all laws regarding the proper use of bicycles substantially contributes to pedestrian safety. NYPD should increase enforcement of laws prohibiting bicycle riding on the sidewalk and target restaurant take-out businesses that are repeat offenders.

### **Gridlock– Trucks – Bus routes**

- Encourage use of Eleventh Avenue as an alternative for entrance into the Lincoln Tunnel, including making Eleventh Avenue above 42<sup>nd</sup> Street southbound only
- Enforce the ban on bus traffic on 45<sup>th</sup> Street between Eighth and Ninth Avenues: Community residents have noticed bus parking and bus traffic on this street, despite the no-bus policy. Bus turning and bus crossing of Ninth Avenue at 45<sup>th</sup> Street disrupts both Ninth Avenue and 45<sup>th</sup> Street traffic and full enforcement of this policy is needed
- Reopen 41<sup>st</sup> Street to Bus Traffic to alleviate the detour by residential side streets, 42<sup>nd</sup> and 41<sup>st</sup> Streets to reach the Tunnel entrance.
- Perform a truck study to identify proper truck routes to Lincoln Tunnel entrances away from residential streets.
- 15<sup>th</sup> Street between 5<sup>th</sup> and 9<sup>th</sup> Avenue is residential. However it is routinely used by heavy trucks instead of 14<sup>th</sup> Street, as the most direct route to the West Side Highway. A study of various measures (neck downs signage enforcement) must be undertaken to redirect the traffic to the proper truck route. In addition the 2009 capital budget should include the rebuilding of the street bed which has been rendered unstable by the heavy traffic and houses a main gas pipe.

- The Community Board is appreciative that an officer has recently been stationed at West 37<sup>th</sup> Street and Ninth Avenue during rush hour (and has noticed a difference in reducing traffic congestion north of that corner and safety at that corner). However, additional officers are needed, for evenings and week ends at that intersection. Other intersections that are critically gridlocked at peak hours are : Ninth Avenue and 41<sup>st</sup> to 47<sup>th</sup> Streets, with 42<sup>nd</sup> and 41<sup>st</sup> Street requiring Week end enforcement as well
- Placement of no-honking signs and increased enforcement of that policy on Ninth Avenue between 47<sup>th</sup> and 46<sup>th</sup> and between 43<sup>rd</sup> and 42<sup>nd</sup> Street as well as on 37<sup>th</sup> Street between Eighth and Ninth Avenues. Constant car horn honking has become the norm on Ninth Avenue during rush hours. The placement of signs and their enforcement would likely improve that situation.

### **Vans and Buses Parking**

There is a pressing need for additional off-street parking sites for tourist and commuter buses and vans. The parking and standing of these vehicles on our residential streets on 50 to 55<sup>th</sup> street between 9<sup>th</sup> and 11<sup>th</sup> Avenue, and around the Port Authority and, brings with it serious delays in MTA bus services and pollution problems. There should be increased enforcement to prevent illegal on-street parking of buses and vans. A comprehensive plan for off-street parking for buses, van services and waiting "black cars" should be devised.

We support the Port Authority plan to build to a new bus garage in the area. However to be effective, this garage must be located on Gavin Plaza on 11<sup>th</sup> Avenue and be large enough to harbor the chartered buses. A plan for commuter vans still must be designed and we hope the DOT study under way will address this issue as well

### **Mass Transit: *Improving service***

Much of CD4's population uses mass transit. Keeping the City's system operating at an optimal level is therefore a continuing basic need. In addition to efficient movement of surface traffic, the accessibility of bus stops and subway stations contribute materially to the usability of public transit. Subway stations must be designed to be as accessible and friendly as possible for all riders. Bus stops should have clear signage.

The conflict between Lincoln Tunnel queuing and the M11 down 9<sup>th</sup> Avenue makes this line unreliable if not completely unusable during major parts of the day. The M42 bus lane on 42<sup>nd</sup> street is completely blocked daily by commuter vans. It is critical that parking enforcement restore priority to this vital mass transportation. We note that new development along the waterfront and in the far west reaches of the district has created new demands for bus service in those areas, especially on Eleventh Avenue.

The Board and the surrounding community must be kept apprised of temporary and emergency changes in bus routes, subway station closings, and schedule changes. Recently a number of bus stops relocations adversely affected transfers at 7<sup>th</sup> Avenue and 42<sup>nd</sup> Street making travel difficult especially for our disabled members. We urge the MTA to continue to reconsider those changes and consult with Community Boards before implementation of permanent changes in types of equipment used, schedule modifications, and bus stop relocations.

## **QUALITY OF LIFE**

### **Police Department**

CD4 is served by four New York City Police Precincts: Midtown North, Midtown South, the Tenth, and the 13<sup>th</sup>.

We commend the achievements in major crime reduction achieved by NYPD. Effective community policing strategies, close attention to the problems in our District, and cooperation with this Board and our Precinct Councils have had a major impact on the decrease in the major crime categories.

Quality of life issues, however, continue to bedevil us. Given PD's reduction of major crime, we now have an opportunity for increased enforcement of quality of life regulations. We are under no illusion that police enforcement on its own can entirely solve complex quality of life issues. We believe, however, that much can be done.

Midtown South, Midtown North, and the Tenth Precincts are responsible for a vital part of the City's residential, commercial, tourist, and entertainment areas. It is critical that staffing levels at these precincts be brought up to full strength.

The Tenth Precinct must have sufficient capability to manage the thousands of patrons arriving nightly at and leaving from the large number of clubs in west Chelsea. It also must be given all the support it requires to manage the traffic mayhem resulting from taxis and limos discharging and collecting these thousands of patrons.

The Midtown South Precinct must have enough officers to deal with the increasingly dangerous traffic situation in the vicinity of Port Authority.

Traffic enforcement especially in the primarily residential parts of the district is of vital importance. PD and Traffic Enforcement must assiduously address the daily traffic congestion at the entrance routes to the Lincoln Tunnel and on Ninth Avenue above these entrances. Regulations prohibiting illegal parking, standing, and idling in all parts of the District and especially in the West 40s and 50s where many tourist buses illegally park after evacuating their passengers in midtown, must be enforced on a regular and continual basis.

We request that the Manhattan South Borough Command closely monitor the needs of precincts containing public housing previously policed by the NYCHAP. These precincts may be facing a burden out of proportion with their current staffing levels.

This Board feels that it is vital to improve communications technology capabilities at all our precincts. At the very least, more cell phone accounts are needed for Community Affairs and Community Police officers. Cell phones play an increasingly important role in managing demonstrations, parades, and public events and in responding to emergency situations. Cell phones also enable officers to respond quickly to calls from community members.

We note, with pride, that our District is a diverse one. People of many backgrounds, religions,

and lifestyles live, work, and visit our neighborhoods. Bias crimes cannot be tolerated. We commend our precincts for their continuing sensitivity to these issues.

### **Office of Midtown Enforcement**

This Board has consistently requested support for OME. It is the one agency that can best deal with a range of complex issues which arise particularly in our District, from the proliferation of Adult DVD stores in Clinton/Hell's Kitchen to the storage in or next to residential building of the gas containers in food carts, to problem clubs in Chelsea.

And more is being asked of it. The investigation of illegal "hotels" on the West side is another task OME has been assigned. Fortunately, through the efforts of Councilmember Gale A. Brewer, the Administration has allocated funding to OME for an additional staff member to investigate illegal hotel activity. More needs to be done.

For more than 25 years, Midtown Enforcement was a multi-agency task force of attorneys, inspectors, investigators and police officers that addressed quality of life issues often harmful to both the District's businesses and residents.

However, OME's budget has been cut severely and basically has been subsumed into the Criminal Justice Coordinator's Office. OME is no longer a stand-alone agency and, because of drastic cuts in personnel, can no longer address all of the problems that it became famous for solving.

This unit of the Mayor's Office was an active partner with community groups and business groups in our District. It used to be able to quickly respond not only through its own enforcement efforts, but also by ensuring that other City agencies did what is necessary on behalf of this community. It responded the way a city agency should. CB4 strongly urges that OME be restored to its previous personnel and budgetary strength.

### **Air Quality**

Air quality is directly and negatively affected by emissions from motor vehicles, especially from diesel engines in trucks and buses. As both the Lincoln Tunnel and the Port Authority Bus Terminal lie in our District, we are concerned about our air quality and the health risks associated with these emissions. While we recognize that attributing a direct causality is better left to the experts, we note with some alarm that according to the NYC Department of Health and Mental Hygiene, our community, compared to the City as a whole, suffers a 25% higher incidence of chronic lung disease. We are not reassured by assessments by the EPA that the City is in violation of new air quality health standards.

Given these concerns, we would like to review any long and short term studies about the effects on air quality of increasing vehicular traffic in our District and the impact of air quality on our health. If there are no such studies, we urge they be undertaken.

In the short term, all our precincts, especially Midtown South and the Tenth, as well as Traffic Enforcement need to be aware of DOT's new truck routes, which mandate that long haul trucks keep to major cross-town arteries such as 57<sup>th</sup>, 34<sup>th</sup>, 23<sup>rd</sup>, and 14<sup>th</sup> Streets and keep off of

residential side streets. Enforcement of idling laws, which carry substantial penalties, must be given a priority, considering the negative effect the idling internal combustion engine has on air quality.

## **Noise**

Noise complaints from CD4 consistently rank among the highest registered by DEP and are rising in the Board area, especially at night. We hope the new noise code will help in reducing sound from construction and offer a more flexible standard and enforcement schedule for bars, clubs, and cabarets. We also hope that a couple of critical components of the Revised Code which were left out, including the consideration of the human voice at full cry — shouting, yelling, and braying — will be considered for future inclusion.

We note, with appreciation, that DEP has been consistently responsive about inspecting HVAC systems, nightclubs, and other sources of commercial noise. It is critical that these resources be maintained, given the level of relevant business development in this area. We'd ask that consideration be given to supplementary funding for additional initiatives in the area of sound mitigation, perhaps through a study of best practices or an effort to develop strengthened regulations.

## **Sanitation**

We applaud the increase in litter and trash pickup and commend sanitation workers for their consistently good marks in achieving their mandated goals. Concerns remain, however, about illegal household dumping, restaurant garbage on the sidewalks, and the accumulation of construction site debris in the District.

We also are concerned about the reduction in the number of sanitation police officers. A community/sanitation district may have only one police officer and that officer may have to cover more than one district. With the current lack of a maintenance facility in our District, the sanitation police assigned to CD4 are headquartered outside our neighborhoods. Even, apparently, outside our borough. Given the large number of restaurants in CD4 and the increasing commercial and residential development, we believe that, at very least, one Sanitation Police Officer should be assigned solely to and stationed in, our District. And we request that additional funds be allocated to designate and train more sanitation police officers.

## **CULTURE, EDUCATION, AND LIBRARIES**

### **Cultural Affairs**

CB4 Applauds the fact that funds for the Department of Cultural Affairs have been restored from past budget cuts. However, there still is concern about funding for small theatrical companies within our community. Small theatrical arts groups develop new talent in areas of writing, performing, and directing. Many of these groups have their offices and creative spaces in the Board 4 District. An increasing number of these groups have lost or are losing their homes as development pressures originating from the Hudson Yards and Chelsea rezoning changes impact the value of real estate.

Support services for theater and other artistic services within CB4 in the areas of rental storage space for art, costumes, scenery, lighting, and rehearsal studios have long been located throughout Chelsea and Clinton/Hell's Kitchen. These services are also losing viable space due to development and real estate costs. The money generated from these industries provides employment and maintains the artistic life of the city. CB4 is also concerned with the loss of artists' studios in the District and the displacement of working artists.

An increase in the overall budget of the Department of Cultural Affairs with a subsidy program that could ensure permanent locations for existing and displaced nonprofit arts entities is an ongoing need for this community.

## **Schools**

CD4 has many schools of all grades serving local children as well as children from other school districts and boroughs. We have always supported education and are committed to developing and maintaining high standards for teachers as well as students. We must also provide assurances to parents that their children are in safe and healthy environments, both during the school day and during after school programs; this means on the streets as well as indoors.

There exists a heavy concentration of high schools within CD4; therefore, we would like to be consulted when new schools (provided through either new construction or space rental) are planned. The reason for this provision can best be seen in the case of Park West High School and Graphic Communication Arts, which are within one block of each other. The 3,500 students attending these schools come from all five boroughs. This has led to clogged neighborhood streets at varying arrival and dismissal times, problems at subways and at other transportation points, and disruptive situations affecting our residents and businesses.

In addition, greater consideration should be given to community residents in terms of their needs, which include better sanitation around schools, and cleaner and safer streets for pedestrians. Joint planning between the Department of Education and CB4 can result in a more harmonious relationship, which will lead to a better educational environment.

In regard to the schools' challenge to recruit and retain qualified teachers, and the severe levels of turnover, this Board supports efforts to increase teachers' salaries to levels in parity with the surrounding suburban areas.

There has been an ongoing experiment by the Department of Education to have schools running from kindergarten through high school in order to improve the educational environment. The results of this experimentation are not conclusive. We are concerned that the large high schools in our district will suffer from possible reductions in funding for this experiment.

## **Libraries**

We are happy that six day funding for libraries has changed for the better: currently, the libraries are not at risk of losing their base funding.

We support increasing branch library funding to bridge the "digital divide" through free computer training and broad access to the Internet. Ninety-eight percent of all free public access

computers in the City are in public libraries. We strongly urge the City to maintain funding so our libraries remain open on Saturdays for those residents who are unable to use them during the week.

CB4 also believes library funding for expanded hours and technology training and services should be increased. This Board seeks funding for building and technology infrastructure, which would serve to protect the investment that the City has made in computers and electronic information resources while ensuring well-maintained and secure libraries.

In regard to the libraries' challenge to recruit and retain qualified librarians, and the severe levels of turnover, this Board supports efforts to increase librarian salaries to levels in parity with the surrounding suburban areas.

## **HOUSING**

CB4 is committed to the preservation and expansion of new affordable housing within our district. It is the Board's policy that 30% of all units in new residential developments be affordable to a range of low, moderate and middle income households. Those units developed must be affordable to a range of incomes. Specifically, 20% be for those earning up to 80% AMI, 50% for up to 125% AMI and 30% for up to 165% AMI to meet the current needs of our diverse population.

Today, CD4 is a mixed-income community offering a range of services and resources to people of lower income that are not available elsewhere. Since its inception, the Board has worked to create a community open to people of all income levels. Unfortunately, the economic upswing of the past ten years has made tenants in Clinton/Hell's Kitchen and Chelsea vulnerable to rising rents and displacement. The Board requests that the City recognize the long-term benefits associated with mixed-income neighborhoods and mixed-income buildings when considering the best use for the remaining government-owned property within the district as well as when reviewing any zoning changes, variance requests or development plans.

The District's diversity is in danger. CD4 is primarily a rental community that relies heavily on rent regulations, government subsidies and public housing to maintain its affordable housing stock. To date, rent regulations have played a large role in maintaining our economic diversity. However, changes in the rent regulations enacted by the NYS legislature have led to widespread deregulation of previously affordable units and a significant loss of our affordable housing stock. In CD4, units that now become vacant are inevitably decontrolled and no longer are affordable.

In addition, CD4 stands to lose a significant amount of affordable housing due to expiring uses in the immediate future. Section 8 contracts on two properties will expire in the next year and the property owners are considering opting out of the programs. Furthermore, the 20% affordable component in many 80-20 (80% market-rate-20% affordable) developments will soon approach expiration, and those apartments will revert to market-rate. The City must work to achieve a permanent solution and to develop a long term strategy to prevent the displacement of these households. In the short term, the City must ensure that rental subsidies (Section 8 Certificates or other programs) are in place to meet the needs of those tenants faced with displacement by their inability to afford increased rent due to opt outs.



The loss of rent regulated units to illegal use persists as an escalating problem. For example, residential units are often leased to corporations; bed and breakfast operations are created in long-term residential units; residential apartments are used for commercial use; others are illegally subdivided for multiple occupancy; SRO units are now used for tourist occupancy and other short term rentals. Illegal hotel and bed/breakfast use of apartments has grown significantly over the past year. Such uses violate a number of City codes, creates security and quality of life problems for neighboring tenants, and removes apartments that would otherwise be rent regulated from the market.

CB4 supports increasing the annual income limits for both the Senior and Disabled Rent Increase Exemption programs (SCRIE and DRIE) from \$25,000 per year to \$32,000 per year to reflect today's economics. Recent annual adjustments, while appreciated, are not adequate to meet escalating costs. Seniors who receive both social security and pensions often earn slightly more than \$25,000, are ineligible for SCRIE, but are unable to afford their rents.

CB4 believes significant government attention and creative investment are required to ensure new permanently affordable (low, moderate, and middle-income) housing is built in our community. We are encouraged by the City's commitment to develop affordable housing in the Hudson Yards and Chelsea districts and are hopeful this will lead to varied and creative new mechanisms to support this goal.

Little, if any, new affordable housing has been constructed in recent years outside of the 80-20 Housing Program. We are concerned that recent development in our district has included a significant number of market-rate condominium and cooperative development that provide no mechanism for an affordable housing component, depriving our community of units that could otherwise be affordable to low, middle and moderate-income residents. Even the 80-20 program, in which the affordable component is time-limited, offers no long term benefit to the community, and does not respond to the need for permanent housing affordable to a range of low, moderate and middle-income residents. We strongly believe that this program is not the best use of public funds. Furthermore, the City must develop and share with each community board a database that tracks all government-subsidized affordable units (including those developed under the 80-20 program), to ensure on-going occupancy and compliance with affordability restrictions.

Since the long-ago demise of the Mitchell-Lama Program, most government funding opportunities have not addressed the needs of middle-income housing. In a community with a minimal supply of publicly-owned land, the best use for the remaining government-owned property within the district must be affordable housing. New means of creating and encouraging affordable housing on privately-owned property must also be considered. Text and map modifications of the Zoning Resolution, new funding mechanisms, and innovations in housing type/construction must be explored.

### **Department of Housing Preservation & Development**

CB4 continues to support HPD programs that fund the rehabilitation of buildings, prevent evictions and improve the living conditions of those who live there. The current needs of our District, including the significant loss of privately-owned affordable housing and the increasing need for housing that is affordable to a range of incomes (low, middle and moderate), however, require new creative approaches.

Over the last ten years, most city-owned residential property within CD4 has been transferred to non-profit and tenant-ownership programs that have provided opportunities for preserving and increasing the supply of decent, affordable housing. As the supply of city-owned housing diminishes, the City must work with the Board to develop creative approaches that meet CB4's desperate need for affordable housing. In addition to the specific sites identified for affordable housing in the recent Hudson Yards and west Chelsea rezonings, flexible programs that provide for property acquisition and mixed-income housing are needed throughout the District.

CB4 continues to support capital programs such as HPD's Neighborhood Revitalization Program (NRP), which funds the rehabilitation of city-owned buildings. Not-for-profit rental buildings are a long-term stabilizing force in our neighborhood. CB4 also supports the continued use of the Supportive Housing Program to preserve and expand the supply of affordable SRO housing for homeless persons and community residents. This housing, with on-site supportive services for tenants, has been a successful model in housing very low-income persons. It is the sole HPD program that provides funds for acquisition of privately-owned property for conversion to affordable housing, and provides a means to expand the supply beyond currently publicly owned land.

CB4 strongly supports the expansion of service programs, such as the Community Consultant Contracts and Anti-Illegal Eviction Legal Services, which preserve affordable housing through eviction prevention and improvement of living conditions. These programs, among others, are critical to several community groups in our district working to preserve and increase affordable housing. Our community-based groups have utilized these programs to restore deteriorated buildings to excellent, long-term affordable housing and the rights of tenants have been protected. Their funding sources, which are always in danger, should be increased.

#### *General Code Enforcement*

Residents of Chelsea and Clinton/Hell's Kitchen continue to experience the negative impact of insufficient government response to conditions that threaten life, health and safety. In the 1980s, there were 685 housing code inspectors citywide. There are many fewer today. CB4 requests that HPD increase the number of its inspectors; fill the vacancies in its Litigation Bureau; and step up code enforcement as well as increase the number and timeliness of litigation against the most egregious violators of the housing codes. We also request that HPD, DOB, and Corporation Counsel pursue with due diligence the collection of outstanding fines owed by repeat violators, ensuring better enforcement and creating badly needed income for the City. An atmosphere of lawlessness now exists because corrupt landlords know there will be few consequences for disregarding relevant statutes and codes.

DOB and HPD inspectors and those assigned to the Mayor's Office of Midtown Enforcement (OME), do essential work in our area. Their work is particularly important within the Special Clinton District (SCD), where we depend on their skills to enforce arcane, but essential provisions of the SCD. The Board continues to see cases where owners have made renovations in SCD buildings without first applying for a required Certificate of No Harassment. The Board is concerned that the spread of self-certification by architects and engineers in applications to DOB and other agencies has led to a lowering and evasion of standards, particularly in areas like the SCD where special zoning regulations apply. Close monitoring of the effect of self-certification

is essential. The city must continue to work closely with CB4 to establish the Hudson Yards special district and to set up a workable enforcement mechanism. Finally, while CB4 applauds the Mayor's commitment to increase funding for OME to provide one inspector dedicated to enforcing violations for illegal use, we foresee that additional inspectors will be necessary to properly address this situation.

Regulations are only as effective as the system in place to enforce them. We therefore request that DOB, HPD and the OME dedicate specific inspectors to concentrate on SCD enforcement and illegal use violations. These inspectors must receive rigorous and adequate training to ensure that they have the particular knowledge essential to preventing the flagrant disregard of SCD regulations that continue to occur too frequently. We also commit to taking such actions as are appropriate and necessary to stop illegal conversions, and to ensure that tenants are not harassed. We also call upon the DOB's Legal Department, Corporation Counsel and HPD to begin prosecuting the most flagrant violators of the regulations of the SCD and other housing codes and regulations. It is crucial that an on-going procedure be implemented by DOB to meet regularly with the Board and the community regarding these issues.

### *Single Room Occupancy Housing (SROs)*

A large number of SROs (including rooming houses, SRO hotels, and converted tenements) exist in our District. However, SROs continue to disappear from the neighborhood at an alarming rate, due to either legal and illegal conversions to transient hotels or other uses. SROs have become the single most important source of affordable housing for single adults and an important resource for the prevention of homelessness. Affordable housing within our District is critical to house the diverse population of artists, students, minimum wage earners and those on fixed incomes. This mixed population includes the backbone of the service and cultural economy of the city, as well as many of the most frail and isolated members of our community.

The largest concentration of SRO housing in our community lies between Eighth and Ninth avenues from 42<sup>nd</sup> Street to 57<sup>th</sup> Street. In that area, there are 62 buildings that contain nearly 2,200 SRO units. The majority of those units are found on 51<sup>st</sup> Street where twelve buildings contain 574 units. Forty-sixth Street is home to the largest concentration of SRO buildings, with 21 buildings housing 289 units.

CB4 supports the acquisition, renovation and new construction of sensitively-sited supportive housing developments to preserve and expand the SRO housing stock. The OME and HPD must strengthen the SRO anti-harassment laws and enforce them to protect this valuable and essential community resource. Continued funding of the efforts of the West Side SRO Law Project to protect tenants' rights and to preserve SRO housing is essential.

### **New York City Housing Authority**

Security and enforcement are issues facing all property owners in the city. In particular, the Board is concerned about security concerns at Harborview Terrace, a senior NYCHA complex in Clinton. As reported in the New York Times, residents report drug dealing, elder abuse and threats from a number of younger people who are illegally occupying units at the complex. Similar security concerns are raised regarding the Elliot Chelsea Houses. We encourage NYCHA to work with CB4 to help coordinate solutions using a community-wide strategy

instead of isolating developments and the people living within from the resources that surround them.

CB4 is extremely concerned over the proposed maintenance increases and new fees to be incurred by residents for specific services. Public Housing is home to those in our community with the lowest incomes, who can least afford to pay extra costs for services.

### *Fulton Houses*

Some capital needs are:

-- Grounds: Outdoor lighting, black top, playgrounds, sprinkler systems, some fencing, and benches,

-- Buildings: replacement tiles in the hallways, additional cameras in the stairways and roof landings, roof doors, new terrace doors, roof tank housing, pointing low rises, stair hall door low rises.

## **HEALTH & HUMAN SERVICES**

With major rezonings in West Chelsea and on the Far West Side, CD4 anticipates a substantial increase in the residential population. However, CD4's public infrastructure and human service programs are insufficient to meet the needs of the current population, and cannot be stretched to cover the anticipated growth. CB4 firmly believes that any new residential or commercial development in the area must be supported by adequate growth in public resources and facilities including public schools, health care facilities, and core support for organizations serving young people, homeless adults and families, working families and senior citizens.

### **Homelessness**

Tragically, homelessness continues to be a terrible problem citywide and a particularly visible one in the CB4 area. We continue to appreciate the City's various efforts over the past few years to address the root causes of homelessness and, especially, the new resources devoted to the production of additional units of critically needed affordable and supportive housing.

Nonetheless, street homelessness remains a very visible problem in our district - actually increasing over the past few years. Over the years, efforts to "clean up" Midtown and other "high visibility" areas have only driven a larger number of homeless people into other parts of our community. Large public facilities located within our district, such as the Port Authority Bus Terminal, are also a natural gathering place for people without homes. Many homeless people need social services, in particular drug treatment and/or mental health services. Inclusion of these services is essential to any effort to address New York's homelessness situation.

Currently, two of the twelve citywide drop-in centers for homeless individuals are located within CD4. We encourage the City to continue funding these centers, as well as to maintain and expand funding for effective outreach, to ensure that the comprehensive interventions that are needed can be provided. We are also deeply concerned about the inadequacy of family shelter slots, especially for victims of domestic violence, as well as the lack of adequate resources for homeless youth. It is especially troubling that the needs of women, children and youth at risk are still far from being met.

## **Supportive Housing**

CB4 recognizes the need for residential facilities and has consistently welcomed them into our neighborhoods, but we also realize that they can only be successful if they are well planned and staffed and appropriate for the location and population served.

Again, we are pleased to see the Mayor's plan focus on the provision of permanent housing. We believe that, whenever possible, such projects should mix supportive housing units with other low and moderate-income units. Community boards must be given an opportunity to assess any proposal for residential facilities in terms of the needs for specific facilities, the adequacy of the plan, and the quality of the provider. The City should work with the community to determine the size, site and design of each facility. Any facility must provide adequate and essential social services as well as access to health services and other necessary support services.

## **HIV / AIDS**

New York City continues to account for a major proportion of the nation's AIDS cases; CD4 is home to the nation's largest percentage of people with AIDS. In order to slow and hopefully stop the spread of this disease, we actively support educational programs, condom distribution and needle exchanges. For our neighbors who are stricken with this disease, we welcome community-based care facilities, supportive housing and other programs geared towards people with AIDS. HIV/AIDS infection rates have long been increasing especially within communities of color, and among women and youth, however, funding for prevention and services to these communities has not kept pace.

## **Core Support for the Young and the Old**

CB4 is concerned that the youngest and the oldest among us have adequate access to services necessary to assure their health, safety and security. For young children, adequate, supportive, licensed and affordable child care must be available for all those eligible, especially those newly moving into employment. Easily accessible and responsive health services for children and pregnant women are essential. For the elderly, a comprehensive range of services, including community centers, in-home supports, transportation, supportive housing, and preventive health and social services, are essential to assuring that they can live out their lives with dignity within their home communities.

## **Accessibility**

We call upon the city Human Rights Commission to increase funding for more inspectors to investigate and enforce disabled accessibility building code compliance. We continue to receive complaints about deficiencies in various aspects of the paratransit system, including serious limitations in Access-a-Ride service.

## **Environment and Health**

### *Hospital Care*

CD4 lacks a municipally funded hospital. The nearest ones are Bellevue Hospital in CD6 and Gouverneur Hospital in CD3. With the Chelsea rezoning and Hudson Yards plans, the population of our district will increase significantly. Therefore a reassessment of community health care needs is necessary. It is anticipated that the voluntary sector will meet the needs of new residents with health care coverage or in self-pay status. However, there is concern for our Medicaid and Medicare-only reliant residents and those who lack any health care coverage who are often referred to the municipal hospital system. Our board is opposed to any cuts to health care service in the district and/or the imposition of increased co-pay requirements for these patients. We also feel the elimination of existing hospital beds will impact negatively on our community.

The closing of St. Vincent's Midtown, located on 52<sup>nd</sup> Street between 9<sup>th</sup> and 10<sup>th</sup> Avenue, on August 31, 2007, causes serious concern particularly the problems that we foresee in losing Emergency Room (ER) services in our district and its outpatient care. We foresee major problems in overburdened ER rooms that will now service our residents, midtown workers & tourists. And also the enormous problem in being able to quickly access either Roosevelt Hospital on 10<sup>th</sup> Avenue between 58<sup>th</sup> and 59<sup>th</sup> Street or St. Vincent's Manhattan downtown, because of the serious traffic problems in our neighborhood.

### *Substance Abuse*

CB4 is concerned about reports that the use of crystal methamphetamine is gaining a foothold in our community. In addition to other health and mental health dangers, use of this drug has been associated with increased use of other illicit drugs and sexual practices that enhance chances of contracting HIV and other sexually transmitted diseases. CB4 feels strongly that the Department of Health and Mental Hygiene needs to increase funding for education, prevention, treatment and rehabilitation programs to address the growing use of crystal meth.

### *Other Health Concerns*

Residents of Clinton/Hell's Kitchen and Chelsea are faced with a variety of other health and environmental concerns. We continue to be concerned about the need for adequate pest control and urge maintenance of funding for this critical service. Similarly, we are concerned that sufficient resources be focused on addressing issues of maintaining, repairing, and upgrading the sewer and storm drainage system, especially west of Ninth Avenue. This has been the source of chronic problems in the past that are likely to be exacerbated by new construction and needs constant monitoring from the DEP and DOT.

## **YOUTH SERVICES**

The Chelsea and Clinton/Hell's Kitchen community is home to more than 8,400 children under 18 years of age, more than 17% of whom receive public assistance and more than 77% of whom receive emergency food assistance. Youth services in our district have been woefully under funded for many years. While we appreciate the recent attention given to the issue of youth

services citywide, the changes implemented through the Out of School Time (OST) process left us with serious concerns regarding the overall adequacy of available funds to create and sustain high quality programs and to reach all those in need of such services.

More specifically, we are extremely distressed by the dramatic reduction in general youth services funds for school-age children and teens that was allocated to our district through the OST process. The design of the RFP rendered organizations in our district virtually ineligible to receive funding. We feel that this is due to a misperception that the number of young people in CD4 is not substantial enough to warrant public support for youth services.

Despite what aggregate statistics might suggest, this is a district with a large low-income population - especially concentrated in several local public housing developments, several severely underperforming schools, and significant social needs, as evidenced by measures such as substance abuse and child abuse and neglect. The planned elimination of ACS school-age classrooms in the district compounds this problem and leaves little, if any, safe, affordable, year-round child care for working parents. In neighborhoods such as ours, which include many low-income working families, quality, publicly-funded day care - including school-age child care - is a primary concern.

Four percent of our older youth, ages 16 to 19, are not enrolled in school and are not working. While there are a number of reputable community providers trying to address the needs of this population through alternative schools and the provision of employment training and other support services, these organizations are under-funded and have already exceeded their program capacity. We are concerned that the City's clear preference for funding school-based OST programs does not address the needs of this population.

While we are encouraged by the City's increased attention to workforce development and employment initiatives, we continue to be distressed by the decline in funding for the Youth Employment Program (YEP) overall. Across the City, an overwhelming number of older youth are not prepared to finish high school or to enter the workforce. Through YEP, these young people gain valuable vocational and soft skills, discipline and leadership. We feel strongly that funds should be restored to the level available as of four years ago.

We have experienced a decline in the availability of program slots for summer youth programs. In May of 2004, the Chelsea Recreation Center opened in our district. While this facility is available to all ages, over half of its summer members are under the age of 21. The Center is in need of additional staffing, specifically playground assistants and other youth workers, to coordinate youth activities. Recreation Center members also have voiced the desire for services to be expanded to include Sundays, but have been informed that budgetary constraints do not permit this expansion.

With regard to other youth needs, we urge that housing for homeless and run-away youth be maintained and expanded, and that alternative to violence and creative justice programs, as well as job training and placement programs, be maintained and expanded.

## **CULTURE & EDUCATION**

### **Schools**

CD4 has many schools of all grades serving local children as well as children from other school districts and boroughs. We have always supported education and are committed to developing and maintaining high standards for teachers as well as students. We must also provide assurances to parents that their children are in safe and healthy environments, both during the school day and during after school programs; this means on the streets as well as indoors.

There exists a heavy concentration of high schools within CD4; therefore, we would like to be consulted when new schools (provided through either new construction or space rental) are planned. The reason for this provision can best be seen in the case of Park West High School and Graphic Communication Arts, which are within one block of each other. The 3,500 students attending these schools come from all five boroughs. This has led to clogged neighborhood streets at varying arrival and dismissal times, problems at subways and at other transportation points, and disruptive situations affecting our residents and businesses.

In addition, greater consideration should be given to community residents in terms of their needs, which include better sanitation around schools, cleaner and safer streets for pedestrians, etc. Joint planning between the Department of Education and CB4 can result in a more harmonious relationship, which will lead to a better educational environment.

In regard to the schools' challenge to recruit and retain qualified teachers, and the severe levels of turnover, this Board supports efforts to increase teachers' salaries to levels in parity with the surrounding suburban areas.

### **WATERFRONT & PARKS**

CD4 is home to about 100,000 residents who share 700 acres of dense city blocks. Yet the District has only 3 significant parks and 11 pocket parks or playgrounds, totaling less than 16 acres in all. We also have a long narrow strip of Hudson River Park that still is under development nine years after the Hudson River Park Act was signed, and with no firm timetable set for the development of the more than 50% of it within CD4. Delays in the development of key parts of Hudson River Park (in particular Pier 97, still home to DOS garbage trucks, and Pier 76, still Manhattan's tow pound - not to mention Gansevoort Peninsula, at the southern edge of CD4) mean that this imbalance will continue for at least a few more years, and will only improve marginally at best.

Further, expense and capital budget cuts and the dramatically low staffing levels of the Department of Parks and Recreation (DPR) make it harder and harder for the Department to maintain the few parks we have, threatening the quality of life. Over the past 30 years, the DPR budget has fallen sharply. As a result of reduced funding, DPR now has less than half of the full time staff that it did ten years earlier and parks are cleaned less frequently, fewer recreational programs are offered and less security is provided.



CB4 strongly urges that the administration make a greater commitment to open space in our community by restoring the Parks Department budget. In particular, several areas need special attention:

- Each park in our district should have a full-time, on-site park keeper to address constituents' concerns, provide security and perform routine maintenance of that park alone;
- Funding must be directed towards full-time gardeners, maintenance workers, PEP officers, as well as seasonal aides and playground associates for the summer;
- Funding for requirements contracts should be increased so the Parks Department can maintain the parks in the best fashion;
- Funding must be dedicated to support Green Thumb Community Gardens and pruning for street trees;
- Hudson River Park must be completed as planned as soon as possible.

### *Waterfront*

Hudson River Park remains the one bright star on the horizon - but for many parts of the park it has been far too long on the horizon. Happily, Pier 84 opened in the fall of 2006 and Pier 66 also opened. Work is now proceeding in the Chelsea segment, including the balance of Chelsea Waterside Park. But, as mentioned above, significant portions of the park (Pier 97, Pier 76 and Gansevoort) are still being used for municipal purposes despite the terms of the Hudson River Park Act. And the illegal heliport at West 30th Street continues to plague park users with noise and fumes, not to mention the danger of an accident as this heliport is a scant few feet away from a heavily used bike and walk way. And even as we wonder when these portions will eventually become parkland (or 50% parkland in the case of Pier 76), a plan to build a new transfer station for recycled trash at Gansevoort Peninsula plus the conversion of Pier 99 to commercial waste, was recently approved by the City Council and Mayor. We cannot lose sight of the vision of a complete Hudson River Park. Here are several areas of concern:

### *Piers 92 - 97*

The newly opened Clinton Cove Park is delightful - but small. Pier 97 needs to be vacated by DOS as soon as possible as per the terms of the Hudson River Park Act. The northern stub of the Pier 94 head house must be reclaimed for public space, especially now as the city contemplates the use of both Piers 94 and 92 as a midsize convention center. A pedestrian bridge between Dewitt Clinton and Clinton Cove Parks is needed for both safety and convenience in crossing the busiest section of Route 9A.

### *Passenger Ship Terminal*

The new design for the Passenger Ship Terminal must be inclusive of, and sensitive to, park visitors to the maximum extent possible. Traffic flow must be dramatically improved. Waterfront access must also be improved as the terminal is being redesigned. Security measures must be

sensitive to visual access and its setting within a park. And finally, the design must relate to Hudson River Park which surrounds it.

### *Piers 81 and 83*

A resolution must be found with Circle Line/World Yacht parking areas in order to free the upland area of Piers 81 and 83. For several years, CB4 has supported the building of a garage on Pier 81 to accomplish this in exchange for Circle Line voluntarily relinquishing its lease on these upland areas.

### *Heliport*

CB4 remains opposed to any tourist flights within Hudson River Park, which are illegal, and calls for the heliport in the vicinity of 30th Street to be closed immediately so that park construction can proceed in that area. The outer end of a reconstructed Pier 72 might be considered as a location for a business/emergency heliport only, but not Pier 76 as it is designated to become 50% parkland at a minimum.

### *Chelsea Waterside Park*

The planned comfort station and café building in Chelsea Waterside Park has never been built. Funds to accomplish this should be allocated as soon as possible.

### *Pier 76*

The tow pound at Pier 76 must be relocated as soon as possible so that this pier can be developed with 50% allocated to new park space. The fact that the Mounted Unit has been relocated there on a temporary basis must not slow down this effort. A permanent home for the Mounted Unit must be identified (preferably within CD4) as well as a new home for the tow pound so that this pier can be developed as called for by the Hudson River Park Act. Additionally, the city should seriously consider the use of Pier 76 as a combined alternative to both the Gansevoort and 59th Street MTS uses proposed by the city. Such a plan could free up Pier 99 for park use and provide nearly 100% of Pier 76's rooftop as a new park.

### *Gansevoort Peninsula*

The Hudson River Park Act requires that the salt pile at Gansevoort Peninsula be removed by December 2003, and that remaining DOS uses be vacated as soon as possible. Further, some significant mitigation for the continued occupation of Gansevoort is expected. The notion that a new use not permitted by the Hudson River Park Act be placed there – a transfer station for recycled trash – is simply unacceptable for what is the most desirable location in the Hudson River Park.

### *Inland Parks and Recreation Centers*

Inland parks within CD4 are a mixture of good news and ongoing problems and challenges. The good news includes the restoration of Hell's Kitchen Park and the recent allocation of significant funds for the playing fields at DeWitt Clinton Park, both due in great part to the efforts of the

new Speaker of the City Council, Christine Quinn. In addition, we are pleased about the continued progress on the new High Line Park. It also seems that progress is being made toward the restoration of the 59th Street Recreation Center. But attention needs to be paid to the following areas:

#### *Clement Clark Moore Park*

Maintenance is an issue at Clement Clark Moore Park. The park needs a horticultural master plan and the park's trees desperately need pruning. One corner of the park near a gate that is permanently padlocked should be reused. Finally, the community has requested that the 22nd Street gate be permanently locked so small children cannot get out that way

#### *Chelsea Park*

The stone columns, which date back to Tammany days, should be moved to a more appropriate location than the current random spot. Long term solutions for homeless in this area are still needed.

#### *Dewitt Clinton Park*

CB4 was pleased to hear about the \$3.2 million set aside to renovate the ballfields at Dewitt Clinton Park. These fields are heavily utilized by leagues, colleges, and the local community and are in grave need of repair. CB4 believes, however, that the entire park is in need of major renovation including play areas, fully functioning restrooms, the steps at the western end of the park, and seating areas. CB4 continues to make the restoration of this park a priority. Lighting and drainage remain serious health and safety concerns and need to be addressed immediately.

#### *Hell's Kitchen Park*

Our only disappointment with Hell's Kitchen Park is the lack of a comfort station which was originally planned. Unfortunately the children's water feature at the southwest corner of the park has poor drainage and needs repairs as soon as possible. We continue to hope that the DEP site across the avenue can be developed as additional parkland (dubbed "Hells' Kitchen Park West") as soon as possible, with much needed comfort stations.

#### *High Line*

Now that the High Line Park is moving in a positive direction, the City must ensure that this important project is funded and completed. We also strongly hope that portion of the High Line north of 30th Street, with its extraordinary vistas, can be included in the park as it provides the best views of the river and the opportunity for a real connection to Hudson River Park as well as the Javits Convention Center and the redevelopment planned for the rail yards.

#### *Chelsea Recreation Center*

Staff cuts at the Chelsea Recreation Center should be restored as soon as possible.

### *New Parkland*

CB4 continues to pursue potential sites for new parkland including 49th Street and Tenth Avenue, (“Hells’ Kitchen Park West” mentioned above) and the Ninth Avenue frontage of MTA's Rail Control Center Project between 53rd and 54th streets, which is no longer needed by MTA. More parkland for the Chelsea neighborhood needs to be identified and secured such as the DOS parking lot on the south-side of 20th Street between Sixth and Seventh avenues. Furthermore, Hell's Kitchen Park South, shown in the City's Hudson Yards plan, must be created with a combination of public and private funds for land acquisition and long-term development strategies.

### *Street Trees*

More street trees, a major influence on the quality of life in Chelsea and Clinton, and more Green Streets are needed in CD4. Street trees should be planted on Ninth Avenue from 34th to 42nd Streets and between Ninth and Tenth Avenues from 35th to 41st Streets. DPR's Green Streets program should be used on Port Authority marginal land adjacent to Dyer Avenue and the Lincoln Tunnel approaches. More trees are also needed on Ninth Avenue from 42nd up to 57th Street, as well as other locations. DPR should share its tree census data with CD4 so that further locations can be identified.

August 2007



Jean-Daniel Noland  
Chair  
Manhattan Community Board Four



Robert J. Benfatto, Jr.  
District Manager  
Manhattan Community Board Four

## ATTACHMENT A

### West Clinton Re-Zoning

The western area of the Special Clinton District beyond the boundary of the Preservation Area is primarily zoned for light or medium industrial uses. As the Special Hudson Yards District and the West Side Rail Yards are slated for development of extraordinary density, unprecedented development pressure is expected on the core residential area of the Special Clinton District. In order to preserve the low-rise, mixed income character of the Hell's Kitchen/Clinton community, plans for development in the southern portion of the district must be coupled with an expanded commitment to preserve the core of the community north of the 42<sup>nd</sup> Street Corridor.

By the time of the Hudson Yards rezoning in January 2005, Eleventh Avenue had attracted significant interest by real estate developers, and a number of large projects, primarily residential but also commercial, were in the planning stage. This caused the Board to establish, in June 2005, its own priorities for development in the area. Since then, development pressures have continued to increase, the area has also attracted interest by the nightlife industry, and the Department of City Planning has undertaken work on a framework for development that shares many of our goals.

In anticipation of zoning and other regulatory applications in the area, the Board now wishes to remind itself and others of its basic position for the area. The following statement, which was approved by the Board in June 2005, is hereby confirmed:

*The Board supports a rezoning of the western area of the Special Clinton District to create a mid-rise residential corridor along both sides of Eleventh Avenue and preserve industrial uses west of that corridor. The rezoning would contain the following elements:*

- *Extend R-8 zoning west to Eleventh Avenue between 43rd and 55th Streets*
  - *FAR 6.02 within 100 feet of Eleventh Avenue*
  - *FAR 4.2 from 100 feet east of Eleventh Avenue to present R-8 boundary*
  
- *Extend Preservation Area boundary west to 100 feet east of Eleventh Avenue*
  
- *Create MX zoning district west of Eleventh Avenue from 43 rd to 57th Streets, allowing residential uses along the Eleventh Avenue blockfronts and surrounding DeWitt Clinton Park, and preserving industrial uses throughout the district, particularly those that serve the theater district and other midtown businesses and residents*
  - *FAR 6.02 within 100 feet of Eleventh Avenue*
  - *FAR 5.0 from 100 feet west of Eleventh Avenue to Twelfth Avenue*
  - *Industrial retention mechanisms (to be developed)*
  
- *To preserve existing loft character of Eleventh Avenue and avoid blocking Preservation Area core from the waterfront:*
  - *Limit street-walls on 11<sup>th</sup> Ave to 150 feet, and overall building height to 180 feet*
  - *Developments occupying most of an Eleventh Avenue blockfront require lowered street-walls for 25 to 30 percent of the Eleventh Avenue frontage*
  
- *Allow ground floor commercial uses on Eleventh Avenue that serve area residents*
  
- *Limit clubs and adult uses*
  
- *Pedestrian bridge over Route 9A from DeWitt Clinton Park to Hudson River Park*