



East New York Community Land Trust

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Thank you Chair Riley and members of the Subcommittee for the opportunity to testify regarding the Herkimer-Williams rezoning application. My name is Jakob Kendall Schneider and I am the Senior Program Manager, Research & Policy at the East New York Community Land Trust.

The East New York CLT is a membership-based organization that works to prevent displacement and real estate speculation in the neighborhoods of East New York and Brownsville. We do this through community organizing and providing permanently affordable CLT housing on community-owned and democratically-governed land.

We are against this rezoning, unless Totem and the City take significant steps to meet the demands I outline below which will ensure that the project meets the needs and desires of East New York and Brownsville residents. Our written testimony provides greater detail on the problems this project presents to our communities and our demands.

In our membership meetings and other events, we heard that there are real fears that this rezoning — coupled with recent and forthcoming public and private investment in addition to the prospect of the Interborough Expressway — will displace many long-time residents of East New York and Brownsville. Like the 2016 rezoning, we anticipate that we will see a wave of predatory real estate speculation that will displace residents and continue to drive up property values making the neighborhoods unaffordable.

Regarding the project, we need to see the developer address the following concerns:

- **Affordable housing must be affordable to area residents.** 60% of the units must be below 50% AMI with affordability reaching to 20% AMI where possible. 40% of units must be between 50-80% AMI. There should be no market rate units included in the project.
- **Affordable housing units must be sized for families.** At least 75% of housing units must be 1-3 bedrooms and some larger units should be provided.
- **Affordable homeownership units must be part of the project.** The developer needs to provide at least 200 units for affordable homeownership.
- **The amount of commercial office space must be reduced.** There should be no more than 300,000 square feet of office space.
- **Building heights must be lowered.** Building heights should not exceed 20-stories, ideally less.
- **Below market-rate rental space must be provided for small businesses.** Totem must commit to providing smaller retail space at below-market rents to small businesses.

If this rezoning is approved, we are asking the City and Totem to ensure that the project does not contribute to displacement. This can be achieved through the following measures:

- **Totem and the City must create an Anti-Displacement Fund and commit sufficient resources to it.** Funding should be directed to local CBOs that provide permanently affordable housing so they can purchase homes from property owners looking to cash-in.
- **The City must Increase funding for Partners in Preservation and the Homeowner Helpdesk.** These programs will address some of the problems the project will produce, including tenant harassment and predatory real estate scams targeting homeowners.
- **Provide rent relief to tenants.** Investors and landlords will try to capitalize on the influx of investment in the area by raising rents on tenants in unregulated units. A rent relief program should be created by the City to ensure tenants are not displaced.
- **Provide property tax relief to homeowners.** Many homeowners in the area have lower incomes, are on fixed-incomes, or are otherwise financially strained. The City must work with Albany to provide homeowners in 1-3 family homes with a partial tax exemption that offsets increased tax bills that result from this project.
- **Commitments made by Totem must be memorialized in a Restrictive Declaration on the site.** This will ensure that area residents are not subject to a “bait-and-switch” that results in uses not in the interest of area residents.

The rezoning request before the Subcommittee will exacerbate displacement pressures in East New York and Brownsville. It should not be approved unless the City and Totem commit to offsetting the impacts it will have.

Thank you.