



**Testimony by New York State Senator Brad Hoylman  
& Assembly Housing Committee Chair Keith L.T. Wright  
Before the New York City Council Committee on Public Housing  
Regarding a Resolution in Support of the “NYCHA Real Property Public Review Act”**

**May 17, 2013**

Our names are Brad Hoylman and Keith Wright and we represent New York State’s 27<sup>th</sup> Senate District and 70<sup>th</sup> Assembly District, respectively. Together, our districts include thirteen New York City Housing Authority (NYCHA) developments, including Campos Plaza I and II, which have been targeted for infill development by NYCHA under the land lease proposal.

We would like to thank New York City Council Speaker Christine Quinn and Committee on Public Housing Chair Rosie Mendez for holding this hearing, as well as Councilmembers Margaret Chin and Melissa Mark-Viverito for introducing a resolution calling upon the New York State Legislature to enact our bill in Albany, the *NYCHA Real Property Public Review Act*. Your leadership on behalf of NYCHA residents, whose concerns are not always heard in the halls of government, is admirable.

As you know, NYCHA plans to lease fourteen parcels of infill land in eight developments to private developers for the construction of new high-rise apartment towers in which 80% of the units would be market rate. Our legislation will require that any disposition of land or buildings by NYCHA, including this proposed infill development, be subject to New York City’s Uniform Land Use Review Procedure (ULURP), the same review process that city agencies must adhere to when redeveloping public land. Regrettably, despite calls by residents, elected officials and other community stakeholders for full transparency, NYCHA’s efforts to solicit public input on infill development have been woefully inadequate.

While the Authority will likely meet and even exceed the requirements for community consultation set forth by Section 18 of the Housing Act of 1937 – the only relevant requirements to which NYCHA is bound – this law is generically designed to apply to every state in the country and is clearly insufficient for a dense urban environment like New York City. We have introduced our legislation in order to address this problem and bring NYCHA into line with other mayoral agencies.

We recognize that NYCHA’s infill development proposal, based on current projections, has the potential to generate revenue to pay for some long-overdue capital projects, but the Authority will only truly benefit the communities it serves by listening to residents and advocates before

determining whether and how to proceed. Why should NYCHA residents be entitled to anything less?

Our legislation will ensure that any time NYCHA seeks to sell or lease its land or buildings, public housing residents and the broader communities of which they are a part can help shape the future of their neighborhoods through a fair and transparent process. It will also enable public housing residents to avail themselves of the same community planning resources that residents of private housing use to evaluate major land use actions in their backyards. In addition, it will require City Council approval for any privatization of NYCHA's publicly-owned land, which is a key part of the existing land use review process for private development.

It is important to note this infill development proposal and the eight targeted sites are likely only the beginning of a program that could spread to numerous other NYCHA developments across the city. According to an August 2008 report by Manhattan Borough President Scott Stringer entitled "Land Rich, Pocket Poor," there are 30.5 million square feet of unused development rights in NYCHA developments throughout Manhattan alone. We must act now before a single square foot is offered up for lease or sale.

We would like once again to thank Speaker Quinn, Chairperson Mendez and Councilmembers Chin and Mark-Viverito for holding this hearing and for inviting us to testify on this resolution. Thanks also to our co-sponsors of the *NYCHA Real Property Public Review Act*, including Senators Parker, Serrano and Squadron, and Assembly Members Kavanagh, Barron and Rodriguez.

My name is Genora Johnson and I am a Caring Resident of Public Housing, Public Housing Team Leader of Community Voices Heard. My family and I reside at Frederick Douglass Houses, one of developments in which the land infill is cited to take place. In the 1950's the urban redevelopment was the most important public policy undertaken by NYC. It transformed the city physically and morally with local subsidies, backed by millions in federal funds. The city leveled huge sections of Manhattan to make room for middle income housing.

By 1959, sixteen Title 1 projects were built and near completion when they replaced tenements occupied by at least 100,000 low-income people--nearly 40% of them both african-american & hispanic. It's clear that redevelopment proceeded on the backs of the poor and produced a city increasingly divided by income, race and cleverly-unsound reasoning. It is 2013, and we are right back there where we started, but on more sophisticated terms. I'm here in support of a resolution calling upon the New York State Legislature to revise the NYCHA Real Property Public Review Act, an act which requires any disposition of land or building by the New York City Housing be subject to and comply with the provisions of the ULURP( Uniform Land Use Review Procedure).

- This means the applicant must file a standardized Land Use Review Application and all required documentation with the Department of City Planning.
- Certification meaning the Department of City Planning be responsible for certifying that the application is complete.
- That the Community Board within 60 days of receiving the certified application be required to hold a public hearing and adopt and submit written recommendation.
- Borough President Review.
- City Council Review.
- Mayoral Review.

- This covers everything to have stakeholders involved in what goes on in our communities. This especially give us, as residents the right to publicly be informed. To bring more transparency to NYCHA.
- Due to the fact we had a recent meeting in our surrounding community there was a finding of high levels of LEAD found in the parking lots of Park West Village and also Douglass Houses it is important to have an Environmental study done.
- Right now NYCHA is following Section 18 guidelines which states engagement and resident consultation. The process is a sham. First meeting was a dictation with a presentation of what they are going to do. No real consultation with the residents .
- Roundtable meeting was a sham facilitated by NYCHA, documented by NYCHA . No Input from residents from previous meeting.
- Even while I worked at NYCTA if we had a station inspection you don't allow the station supervisor to do the inspection.
- The reason we need the ULURP is that it allows a longer process gives us more opportunities to give input through public hearings. Elected officials of City Council have power to stop, what should be stopped.
- Just because we live in Public Housing does not mean that we are all on public assistance. There is a least 40% whom are children who haven't even finished school yet, have no idea if they will be able to live anywhere else, other than public housing. 30% seniors who have paid their dues to society, retired wanting to live a comfortable life. It's not fair that NYCHA plays b y their own rules.

# NEW YORK ENVIRONMENTAL LAW AND JUSTICE PROJECT

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### Public Hearing

250 Broadway, 16th Floor Committee Room  
Friday, May 17, 2013

***Re: Resolution calling upon the New York State Legislature to enact the "NYCHA Real Property Public Review Act" requiring that any disposition of land or buildings by the New York City Housing Authority be subject to and comply with the provisions of New York City's Uniform Land Use Review Procedure.***

### Testimony before the Committee on Public Housing

Good afternoon. My name is Rajiv Jaswa and I am a Law Clerk at New York Environmental Law & Justice Project (Law Project). The Law Project together with the Urban Justice Center currently represent several hundred NYCHA residents living at developments targeted for the construction of new, market-rate high-rise towers, including: Smith Houses, Meltzer Tower, Washington Houses, and Carver Houses.

These residents oppose NYCHA's so-called *Land Lease Opportunity to Preserve Public Housing* because they believe it is actually a land grab opportunity for developers, and a threat to everything which has made New York City's public housing uniquely livable for over 75 years. These residents believe NYCHA has constructed a false dichotomy between living in aging, substandard housing; or giving up the community centers, parks, and open spaces which have helped sustain their communities for decades.

Before continuing I would like to state, on behalf of our organizations as well as the NYCHA residents we represent, that we strongly appreciate the efforts of both the State Legislature and City Council to ensure that NYCHA's infill development plans will be submitted for review under New York City's Uniform Land Use Review Procedure (ULURP).

Since NYCHA officials first began publicly discussing the infill development proposal, it has been met with consistent public demand for ULURP review. This demand has come from all corners: NYCHA residents; their neighbors; prominent community-based organizations; affected Community Boards; and, of course, from you, our City Council representatives.

In response, NYCHA officials have suggested that ULURP review is unnecessary and even redundant, because their infill development plans are already subject to regulatory review under Section 18 of the 1937 United States Housing Act. But Federal Section 18 review and local ULURP review are two markedly different types of proceedings. They differ in form, substance, purpose, and history. And any attempt to characterize Section 18 review as a reasonable substitute for ULURP is plainly inaccurate and misleading.

Section 18 is part of the 1937 Housing Act, which courts have described as:

a fairly typical federal grant-in-aid program: in exchange for various types of federal funds, local public housing agencies (PHAs) must comply with an assortment of conditions. Among other things, the Act regulates rent calculation, 42 U.S.C. § 1437a, lease provisions, 42 U.S.C. § 1437d(l), tenant selection, 42 U.S.C. § 1437d(c)(4)(A), and demolition or disposition of housing projects, 42 U.S.C. § 1437p.

*Edwards v. District of Columbia*, 821 F.2d 651, 652 (D.C. Cir. 1987). Section 18, which controls the demolition or disposition of housing projects, primarily ensures that federal funding is not being wasted when a public housing authority decides to walk away from a development.

By contrast, ULURP is part of New York City's local land use and planning regime. And it emerged in the late 1970s from the movement towards more community-based city planning approaches. Among its distinctive features, ULURP provides opportunities for input from Community Boards, Borough Presidents, elected representatives, as well as experts and bureaucrats. It fundamentally reflects the fact that, in New York City's dense built environment, individual land use and planning decisions have far-reaching social, economic, and environmental impacts, all of which spill over well beyond the metes and bounds of a particular development site.

This is precisely why it is essential for NYCHA to submit its infill development plans for ULURP review. ULURP is broadly inclusive, standardized, and familiar, while the Section 18 process is top-down and narrowly focused on the management of public housing. In its Section 18 application, NYCHA will have to make certain statutorily required certifications to the Department of Housing and Urban Development (HUD), most of which address the vaguely-defined "best interests" of the Housing Authority and its residents. The Secretary of HUD is then legally required to approve this application unless there are any grossly apparent inconsistencies with information already available to the Secretary. Although Section 18 does include a "resident consultation" requirement, HUD has repeatedly rebuffed requests that they prescribe minimum standards for what passes as "consultation".

ULURP, by contrast, provides a standardized review process that is much more familiar to New York City residents, who are long accustomed to participating in local land use decision-making through their Community Boards. Moreover, ULURP is designed to allow input from a wider range of stakeholders, and on a wider range of issues. This distinction is extremely important, because of the tremendous social, economic, and environmental implications of erecting fourteen new high-rise residential towers, each with natural gas-fired cogeneration facilities, adding thousands of new market-rate units to already densely-populated Manhattan neighborhoods.

ULURP may not be a panacea, but for all of the above-stated reasons, we strongly support the efforts of both City Council and the State Legislature to ensure that NYCHA's infill development plans are submitted for ULURP review. Thank you very much for allowing me this opportunity to testify in support of today's resolution.



**Testimony of**

**Victor Bach,  
Senior Housing Policy Analyst  
Community Service Society**

**Judith Goldiner  
Attorney in Charge,  
Civil Law Reform  
The Legal Aid Society**

**Hearing on  
City Council Resolution Calling on the State Legislature to Enact  
“NYCHA Real Property Public Review Act”  
City Council Committee on Public Housing  
May 17<sup>th</sup>, 2013**

The Community Service Society and the Legal Aid Society wholeheartedly support the proposed Council Resolution calling on the State Legislature to enact the “NYCHA Real Property Public Review Act”, which requires that any disposition of land or buildings by the Authority be subject to and comply with the provisions of New York City’s Uniform Land Use Review Procedure (ULURP). ULURP is the prevailing “gold standard” for community review of complex land use proposals that have potentially significant impacts, requiring Community Board review and ultimate approval of the City Planning Commission and the City Council.

**The NYCHA Infill Plan and the Need for ULURP**

At present the Infill plan calls for a significant degree of private residential redevelopment on available land leased by NYCHA at eight targeted Manhattan developments—five in the Lower East Side, two in East Harlem, and one in the Upper West Side. This is just the first wave of an escalating number of Infill initiatives across the boroughs, intended to ameliorate the Authority’s serious financial straits and generate needed revenues to improve and preserve public housing. Large numbers of public housing residents stand to be affected by Infill-type initiatives—residents number over half a million people, roughly one out of every 16 New Yorkers.

Current Infill plans do not require NYCHA to comply with ULURP, because the Authority’s proposed private redevelopment initiatives are “as-of-right”, that is do not require zoning changes, or waivers in local/state regulations. Nevertheless, the potential for significant



change in the quality of life in the hundreds of communities in which NYCHA developments are located is enormous and, despite the financial pressures on the Authority, such sweeping changes are not acceptable without thorough review and meaningful community engagement in the process, which we believe has been lacking to date. That is why we support the Council Resolution and the pending State legislation.

### **Calling for a Halt**

Considering the haste with which the current NYCHA Infill plans evolved, and the lack of real transparency in the community engagement process, ULURP may not suffice to remedy gaps and faults evident in the Infill proposals from the start. That is why CSS and the Legal Aid Society are also calling for a halt in the current NYCHA Infill plan—we are asking that NYCHA go back to the drawing boards and start with meaningful community participation from day one as to whether and how an Infill-like strategy of private redevelopment can be a boon to both NYCHA and its communities. Here are our reasons:

***Long-term, better NYCHA planning is needed—there is no urgent reason to rush Infill plans forward.***

Infill is an attempt to address NYCHA's serious financial condition. But the Authority faces a long-term, structural deficit, one that will not be solved in the short term, or by the current plan alone. It will require more community-sensitive, more comprehensive planning than NYCHA has carried out to date, which primarily designates sites to be leased for private residential construction. There is much more that needs to be considered. Yet NYCHA is scheduled to release its RFPs to developers within weeks. In short, why the rush?

***Alternative sources of revenue also need to be pursued.***

Infill may be a valid strategy for revenue generation, but other sources of capital also need to be conscientiously pursued, such as the excess revenues generated by the Battery Park City Authority that were originally intended to be allocated to the preservation and development of affordable low-income housing in other neighborhoods; such as relief from the \$100 million in annual payments NYCHA must make to the city, largely for police services (\$75 million) and PILOT payments (\$23 million). While these options are not within NYCHA's control, it is unclear that they have been brought to the attention of the officials and agencies with the necessary decision-making powers.

***Funds for independent legal and technical assistance to Resident Councils targeted for Infill are not in sight.***

This week NYCHA released an RFP under which it would designate a third-party consultant to administer the use and decide on the allocation of TPA (Tenant Participation Activity) funds for this purpose. The consultant will be responsible for facilitating access to experts and for monitoring the effort. There is no reason why this couldn't have been done from the start, rather than weeks before NYCHA is scheduled to release its Infill RFPs to developers. Resident and community leaders have not have adequate opportunity to assemble technical assistance teams that enable them to have an effective voice in these decisions. Again, why the rush?

***Drafts of the Infill RFPs have not been available for community review.***

Apart from what NYCHA staff choose to tell concerned community leaders, there has been no opportunity for review of the actual drafts. In one case, a community center in East Harlem is scheduled for demolition—it is uncertain how the RFP spells out provision for developer responsibility for rebuilding the center and securing temporary relocation without loss of services to the community. Developers and owners of the new residential structures, we are told, will have to comply with Section 3 or even stronger standards for providing resident access to temporary and permanent job and training opportunities, as a condition of the 99-year lease, but it is unclear whether or how the RFP makes provision for these community benefits.

***More comprehensive, mixed-use approaches to participatory community planning are called for, not just making room for private residential redevelopment.***

Most importantly, Infill planning to date has been rushed, insensitive to the full range of community needs, and far too narrow in scope. Plans fall short of prevailing standards for assessing and addressing a range of community benefits and needs that might be included as part of a more fully-realized redevelopment plan. For one, NYCHA has preferred to plan within prevailing zoning constraints, again in order to accelerate the Infill process. Nearly all the targeted developments are zoned exclusively residential, which precludes retail and commercial development that might benefit the community. Only one Infill plan includes commercial space, at Meltzer Towers. Yet many NYCHA communities, because of their original design and zoning, may feel the need for better, more accessible, on-site retail and commercial facilities.

There has also been community concern about Infill residential construction plans, particularly the low proportion (20%) of affordable units against market-rent units (80%), which remains unaddressed. Questions are being raised about “the massing” of the new structures in relation to the existing community. Additionally, with an aging NYCHA population, building housing to accommodate seniors is a priority concern registered at many developments: It would help reduce the number of currently “underoccupied” public housing units, making them available to larger households, while it allowed older residents to remain in the community.

In the rush to move Infill redevelopment forward, the Authority is not only pressing on with a controversial plan for the target communities. More importantly, it has overlooked what is needed to create the more balanced, robust, mixed-use community that NYCHA residents may want to see evolve over the foreseeable future.

As a result, we are recommending bringing the current Infill plan to a halt, and instituting a longer-range, more in-depth, more inclusive assessment of whether and how NYCHA land-leasing and private redevelopment can be a boon to both NYCHA and its communities. ULURP continues to be a vital part of that process and we strongly support the Council resolution.

Thank you.

*The Community Service Society of New York (CSS) is an informed, independent, and unwavering voice for positive action to improve conditions and opportunities for over 3 million low-income New Yorkers. CSS draws on a 170-year history of excellence in addressing the root causes of economic disparity through research, advocacy, litigation, and innovative program models that strengthen and benefit all New Yorkers. As part of its housing policy research and advocacy agenda, CSS convenes the NYC Alliance to Preserve Public Housing, a working collaboration of resident leaders, advocates, and concerned elected officials.*

*The Legal Aid Society (the Society) in New York is the nation’s oldest and largest not-for-profit provider of legal help for vulnerable low-income children and adults. Operating from 25 locations in New York City with a full-time staff of over 1,700, the Society handles more than 300,000 individual cases and legal matters each year. The Society is counsel on numerous class-action cases concerning the rights of public housing residents and Section 8 tenants and is a founding member of the NYC Alliance to Preserve Public Housing. The Society is currently representing the Resident Association President for Douglass and Baruch Houses, two of the developments facing the Infill proposal.*

RESOLUTION

Date: May 7, 2013

Committee of Origin: Housing

Re: NYCHA. Urging the current infill proposal for the Frederick Douglass Houses be abandoned and calling for a collaborative approach to finding new revenue sources for NYCHA.

This resolution is based on the following facts:

- The New York City Housing Authority's operating budget has been chronically underfunded by various levels of government for more than a decade, with a current cumulative deficit estimated at more than \$750 million.
- The pernicious operating budget shortfall has occasioned the use of the allowable maximum of 20% of the capital reserves to be used to close operating budget shortfalls every year. The depletion of capital reserves in turn is expected to generate a capital shortfall of over \$170 million over the next 5 years.
- The operating and capital budget shortfalls present a significant threat to the continued viability of the Douglass Houses as affordable public housing, and NYCHA must find viable long-term solutions.
- To address these operating and capital budget shortfalls, NYCHA is proposing to lease land and contribute development rights (sometimes called "air rights") to private firms to permit the construction of approximately 735,000 square feet of new residential units on 3 sites located on the campus of the Frederick Douglass Houses, as well as 11 other sites on 8 other NYCHA campuses in Manhattan.
- The 3 new buildings proposed for Douglass Houses would be built upon existing parking lots located (a) on Manhattan Avenue between 101<sup>st</sup> -102<sup>nd</sup> Streets; (b) on West 104<sup>th</sup> Street near Amsterdam Avenue (adjacent to the International Youth Hostel); and (c) on West 100<sup>th</sup> Street between Columbus and Amsterdam Avenues (adjacent to the NYPD and FDNY station houses).
- NYCHA's proposal includes its commitment not to eliminate parking for current Douglass Houses residents with parking permits. As a result, NYCHA plans to relocate the parking to be lost to the infill project through a combination of squeezing more parking spots out of other existing lots, and creating new parking lots on the Douglass Houses campus.
- Since NYCHA is also committing not to eliminate children's playgrounds on the Douglass Houses sites, the new parking lots will be created using open space that is currently used as green space and walkways between buildings and other facilities on the campus.
- The type of zoning employed at Douglass Houses and at other NYCHA campuses was intended to trade generous amounts of open space for additional height on the residential buildings. The loss of significant amounts of usable open space, particularly green space, is an irreversible removal of an already-scarce commodity, and contradicts the intended benefits of the zoning for Douglass Houses residents and neighbors.
- Douglass Houses residents and neighbors have consistently expressed concerns relating to NYCHA's outreach efforts relating to this proposal. Among other things, NYCHA has presented the infill proposal as an accomplished fact, has refused to entertain suggestions to submit its proposal to scrutiny under the Uniform Land Use Review Procedure or any other community-centric analysis, and has arranged presentations in venues that could not accommodate the residents and neighbors who turned out to hear the presentation, requiring it to be repeated to community members who were excluded the first time.
- NYCHA claims that the outreach and engagement requirements under Section 18 do not apply at this pre-RFP phase of the proposal. Accordingly, none of the community outreach conducted by NYCHA thus

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Committee of Origin: Housing

Re: NYCHA. Urging the current infill proposal for the Frederick Douglass Houses be abandoned and calling for a collaborative approach to finding new revenue sources for NYCHA

far should be eligible to be submitted to the federal Department of Housing and Urban Development as meeting these requirements:

- While NYCHA has twice unilaterally delayed the expected date of release of an RFP on this project, each time for a short period, its public outreach has been conducted at every turn with the looming imminent threat of the release of a request for proposal from developers.
- To date, no aspect of the presentation or proposal relating to the NYCHA infill at the Douglass Houses has been modified, changed or re-thought as a result of feedback from Douglass Houses residents or neighbors.
- The nearly-universal, intense negative reaction by Douglass Houses residents and neighbors to the presentations follows on years of poor maintenance, safety and other issues being left unresolved for extended periods of time or not being addressed altogether. Douglass Houses residents and neighbors have expressed concerns over the viability of the infill proposal, and the stewardship of the funds generated should it this proposal move forward.
- In the short term, the infill proposal would have a significant impact on Douglass Houses residents and their neighbors, including the disruption, noise, waste, traffic and construction vehicle congestion attending the construction of a tall residential tower, let alone the simultaneous construction of 3 such towers on two adjoining superblocs.
- In the longer term, the infill proposal will further tax a narrow subway entrance and other finite public transit resources, crowded public schools, waste removal and other local resources and amenities.
- PlaNYCHA, released in December 2011, referenced multiple revenue-generating possibilities that would have far less impact on the existing community. Some, such as low-rise commercial infill in or near existing Douglass Houses residential buildings, could both generate revenue and provide amenities and additional resources to Douglass Houses residents, neighbors and the greater community. Others, such as leasing roof rights for cell towers and other services, could also be examined for their revenue potential.
- No collaborative or inclusive effort to explore alternatives to the infill proposal has been attempted to date.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls on all levels of government to reject the infill proposal at Douglass Houses in its current form; and

BE IT FURTHER RESOLVED THAT CB7, recognizing the threat posed by operating and capital budget shortfalls to the Douglass Houses and the need for new revenue sources, calls on NYCHA to work collaboratively with entire community, with particular care in outreach and interaction with Douglass Houses residents, neighbors and members of the wider affected district, to find and develop new revenue sources to protect the Douglass Houses and other NYCHA public housing communities.

Committee: 6-0-0-0. Non-Committee Board Members: 2-0-0-0.

RESOLUTION

Date: May 7, 2013

Committee of Origin: Housing

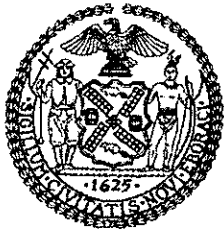
Re: NYCHA, Moratorium on the Release of the RFP for NYCHA's Infill Development Proposal at Frederick Douglass Houses.

This resolution is based on the following facts:

- The New York City Housing Authority is proposing to lease land and transfer development rights (sometimes called "air rights") to private developers to permit the construction of approximately 735,000 square feet of new residential units on 3 sites located on the campus of the Douglass Houses.
- Of the new residential infill units, 80% are slated to be market-rate rentals, and 20% are to be permanently affordable under one of the existing inclusionary housing formulas and programs.
- NYCHA believes they are not obligated to undergo a formal review process such as New York City's Uniform Land Use Review Procedure.
- NYCHA's outreach efforts to Douglass Houses residents and neighbors have resulted to date in presentations that needed to be repeated because community members were excluded because the venue could not accommodate the number who turned out, and in general are characterized by confusion that reinforces residents' concerns, rumors and distrust.
- While NYCHA has twice unilaterally delayed the expected date of release of an RFP on this project, each time for a short period, the public outreach has been conducted at every turn with the looming imminent threat of the release of the RFP.
- To date, no aspect of the presentation or proposal relating to the NYCHA infill at the Douglass Houses has been modified, changed or re-thought as a result of feedback from Douglass Houses residents or neighbors.
- NYCHA's lack of transparency and stunningly rushed timeline have the effect of preventing tenant associations, public housing residents and neighbors, community members, Community Boards and Elected Officials from meaningfully engaging in a process that could have a positive effect upon the development proposal as it relates to Douglass Houses.
- No effort has been made by NYCHA to include Douglass Houses residents or community stakeholders in the RFP drafting process, nor has NYCHA shared preliminary versions of the RFP for comment prior to release.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls for an immediate moratorium on the release of any RFP related to infill development at the Frederick Douglass Houses until a reasonable period after the completion of outreach to Douglass Houses residents and neighbors, the Community Board, our Elected Officials and other community stakeholders, conducted in an open and interactive manner without the threat or rush to complete such outreach and interaction before a looming deadline.

*Committee: 6-0-0-0. Non-Committee Board Members: 2-0-0-0.*



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Gigi Li, Board Chair

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May 16, 2013

Committee on Public Housing

Resolution calling upon the New York State Legislature to enact the "NYCHA Real Property Public Review Act"

I am Linda Jones, co-chair of the Community Board 3 Land Use, Zoning, Public and Private Housing Committee. I am representing Community Board 3 Manhattan. Five of the sites chosen for NYCHA Infill projects are within the boundaries of Community Board 3: Smith Houses, Campos Plaza, LaGuardia Houses, Baruch Houses, and Meltzer Tower. These sites will create 2000 units of housing.

In a resolution voted in February 2013, Community Board 3 expressed its concerns about these infill projects. We were concerned about the lack of Community Board participation under the Section 18 process even though the addition of thousands of new apartments would have a significant impact on our community. We are concerned about school overcrowding as well as environmental, economic, and infrastructure issues.

Secondly, we were concerned that the tenants of the affected NYCHA projects were not receiving adequate legal, technical, and political support in order to negotiate effectively with NYCHA.

Community Board 3 adopted a set of principles for NYCHA land disposition:

1. There must be transparent outreach (trilingual). Such outreach should provide a clear outline of the section 18 process.
2. The disposition process should be slowed down to a pace that gives residents time to respond.
3. The RFP process should be suspended until there is a public process that includes meaningful resident participation and community input.
4. Independent technical and legal resources must be provided and should be funded by the Tenant Participation Activities (TPA) fund.
5. Disposition should be considered from a comprehensive perspective, taking into account environmental, schools, economic, transportation, and infrastructure impacts.
6. No development plans should be acted upon without agreed satisfactory benefits for the current residents.
7. NYCHA should include the relevant community boards in the process.

Requiring that NYCHA be subject to ULURP would address our concern that the Community Board is not included in the NYCHA Section 8 Disposition Process. The ULURP process would also require an EIS, which would note the impacts of this additional housing. Currently, the plan would create the additional 2000 units without any accompanying infrastructure. The need for a school has been noted. Transportation needs—both public transportation and street traffic, first responders, and other

infrastructure must accompany new housing to meet the needs created. Additional housing and accompanying infrastructure must be planned according to urban planning guidelines. This takes time and proper process. We also ask that the entire process be slowed down to allow meaningful resident participation prior to issuance of RFPs.



Madelyn Innocent  
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My name is Madelyn Innocent and I am a community advocate with Care Residents of Public Housing as well as a member and team leader of Community Voices Heard. Also, I've been newly appointed to Community Board 7. But I am here speaking on my own behalf, because I live in Douglass Houses a long time resident and I am appalled in the treatment and disregard for Public Housing residents. How is it that one person or organization has control over where and how I live? I've worked since I was the age of 14 years old and have contributed my fair share of taxes and still do.

The recent proposals to sell, oh I'm sorry leasing of the land, and this proposal or presentation of building luxury high rises on Public Housing parking lots and playgrounds are in violation of our civic and human rights are horrible and repulsive. The current administration Mayor Bloomberg only took action in this land leasing in public housing in his last term and most importantly his last year. This was because he thought he would not have any opposition to this project and he would be able to do what he wanted without time to protest the infill.

Many years' ago parts of Central Park as well as Park West Village consisted of a black community and a church in which it was a part of my church now St. Michael's Church. That was taken away from the black community and they built Central Park and Park West Village in which no one who is in the category of Low-Income can afford to live there anyway. Then it was Harlem. In maybe the late 70's or early 80's the landlords abandon and ignored the pleas of the residents to repair the buildings. At one time Harlem looked like a ghost town because of the landlords purposely neglected Harlem buildings. Look at it now. It is so vibrant and many new stores different type of residents now live in Harlem and again most low-income people cannot afford to live in Harlem. They took that away from us too.

Now it is public housing and it is the last place for minorities and or low-income people and families who live in NYC. Mayor Bloomberg is trying

to take the last place where low-income people can live, solely on his say so. That is why I am very much in support of the Uniform Land Use Review Procedure (ULURP), because of the lack of transparency and the disregard for the communities and Douglass Houses as well as Public Housing residents. NYCHA presentation about ULURP and the roundtables to say that they were only presentations and real resident consultations that is so far from the truth. With HUD section 18 all NYCHA has to say is we talked to the residents. Certainly there has not yet been any opportunity for residents, their families, and community members have input in the process.

We are an important access to the community and we should be treated as such. And yes we would like a nice place to live as well as good security and place where our children can learn and live in peace. With this infill at Douglass Houses that takes away the chances of children and expected mothers of living a normal health free life with the high levels of lead that will cause damage and health issues to everyone and probably has already.

I would like to say this, how is one person like Mayor Bloomberg with his net worth of around 27 billion dollars is able to decide my fate in life without any opposition from anyone and especially the people involved. Mayor Bloomberg appears not to have considered the impact of the residents, seniors and the disabled as well as the families and the surrounding communities.

So what Mayor Bloomberg has 27 billion dollars, that doesn't make him better than anyone or smarter than anyone? This is a man who is out of touch with decent human beings and for the next Mayor; we will not tolerate being pushed around anymore. This is all about money for him and his friends when he leaves office and in the future this is there plan to get rid of Public Housing in New York City in the future and that is it.

It is not about the preservation of Public Housing it is about lining the pockets of the 1%. We are not as stupid as you as you may think. And we will not let you take anything away from us anymore. Fix the existing buildings, before you start something new.

**IT STOPS NOW.**

Madelyn Innocent

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Marjoriebeth Lopez

Address: \_\_\_\_\_

I represent: GOLES

Address: 169 Avenue B

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/17/13

(PLEASE PRINT)

Name: RAJIV JASWA

Address: 351 BROADWAY 3rd FL

I represent: NEW YORK ENVIRONMENTAL LAW AND JUSTICE PROJECT

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/17

(PLEASE PRINT)

Name: Stacy Cammarano

Address: 123 William St. Fl. 16

I represent: Urban Justice Center

Address: 123 William St. Fl. 16

Please complete this card and return to the Sergeant-at-Arms

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

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in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Debrella Nesbitt

Address: 709 FDR DRIVE Apt 4A

I represent: \_\_\_\_\_

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/17/13

(PLEASE PRINT)

Name: Madelyn Innocent

Address: 865 Columbus Ave

I represent: Douglas & Community Voices Heard

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: 5/17/13

(PLEASE PRINT)

Name: Judith Goldner / Victor Bach

Address: The Logal Aid Society

I represent: Community Service

Address: Society

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**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: MAY 17, 2013

(PLEASE PRINT)

Name: GENORA JOHNSON

Address: 840 COLUMBUS AVE #13C

I represent: DOUGLASS HOUSES & CIVIL

Address: \_\_\_\_\_

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. ✓

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: LINDA C JONES

Address: 212 E BAY

I represent: CB3 - MANHATTAN

Address: 59 E 4TH ST 10003

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor  in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: MARIC DILLER

Address: 171 W 79

I represent: COMMUNITY BOARD 7 / MANHATTAN

Address: 250 WEST 87TH 10024

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**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: Assemblymember BRIAN KAUFMAN

Address: 237 First Av. Suite 407 NY NY 10003

I represent: NY STATE RESIDENTS OF THE 74TH ASSEMBLY DISTRICT

Address: \_\_\_\_\_

◆ Please complete this card and return to the Sergeant-at-Arms ◆

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. \_\_\_\_\_ Res. No. \_\_\_\_\_

in favor     in opposition

Date: \_\_\_\_\_

(PLEASE PRINT)

Name: NYS Senator Brad Hoylman

Address: 322 8th Ave, Sk 1700

I represent: NYS Senate District 27

Address: \_\_\_\_\_

◆ Please complete this card and return to the Sergeant-at-Arms ◆