



City of New York Parks & Recreation



New York City Council Committee on Parks & Recreation

Oversight - Status of Yankee Stadium Replacement Parks

April 29, 2009

Testimony by
Liam Kavanagh
First Deputy Commissioner

INTRODUCTION

I am pleased to be before the committee once again, to give you a progress report on the parks being built in the South Bronx as part of the Yankee Stadium replacement parks project. The construction of these parks is a major initiative of the administration, jointly managed by the Economic Development Corporation (EDC) and Parks as part of the overall Yankee Stadium Redevelopment Project to provide the community with more usable recreation space and new, state-of-the-art recreational facilities. The project's total budget is \$306 million, of which \$194.7 million is provided to build 31 acres of replacement park and facilities, \$70.3 million for infrastructure, streetscape, design and construction management, and \$39 million for the city's share of the new Metro North Station.

COMMUNITY INVOLVEMENT

As is the case with all our park capital projects, before building new or renovating existing parks, Parks meets with members of the community to determine the project's scope to ensure the park features and amenities that are important to neighbors are included. In addition, over the course of developing the designs, each project is presented to Community Board 4, twice. First, at the preliminary level, and later at final design. And finally, in an effort to ensure that both elected officials and the community are kept abreast of our progress, Parks conducts monthly briefings at the Bronx Museum of Art and quarterly, evening meetings for the community as recommended by Council Member Foster.

COMPLETED PROJECTS

The City is not only keeping its promise to replace the amenities/parkland impacted by Yankee construction, it has done so in a manner that expands recreational opportunities to even more residents of the Bronx. This is occurring despite expanding the scope of projects, additional site

and infrastructure costs, unforeseen but necessary environmental remediation and region-wide increases in construction costs.

With community input on the design, New York City is building four new parks with high-quality recreational facilities: three championship-quality grass ballfields, an all-weather soccer / football field surrounded by a 400-meter competition-quality track, four basketball courts, eight handball courts, a skate park, a playground, fitness equipment and a waterfront esplanade linking a picnic area, play area, tennis center and sixteen tennis courts along the Harlem River. This morning, I'm going to speak about each project and give you an update. I am then happy to answers any questions you might have

Public School 29

Completed in the spring of 2008, this \$2.5 million project located in the Melrose section of the Bronx replaced a paved play area with a synthetic ball field and (full) basketball court. In addition, this popular park now features refurbished handball courts, new shade trees, bleachers, a misting station, and a drinking fountain. Henceforward, this site will operate as a Jointly Operated Park – a program in which Parks and the Department of Education share responsibility for and access to the ball field. It will be utilized by P.S. 29 throughout the day and by the community after school and on weekends, holidays and during the summer.

West Bronx Recreation Center

Completed in the summer of 2008 at a cost of \$3 million, this popular Park was constructed on what was undeveloped land adjacent to the Recreation Center on Jessup Avenue. It features a synthetic soccer/ball field, green space, seating, a drinking fountain, a misting station, and pedestrian paths that link to the neighborhood to the community. In addition, Parks provided trees and other landscaping.

Mullaly Park Upgrades

Located across the street from the new stadium, the park's north end renovations were completed in the spring of 2008 with a new synthetic turf multi-purpose field (bringing the total to two), a community garden area, flowering trees, new landscaping and new irrigation systems at the two natural turf ballfields. In December 2008, two turf ballfields were renovated with sod donated by the Yankees.

Renovations to the south end of the park were completed in the spring of 2009, with new basketball courts, interactive play equipment, green space, seating areas and water features. The Mullaly Park improvements were funded from both the Croton project and the Yankee Stadium Redevelopment program.

CONSTRUCTION SCHEDULE

As of spring 2009, approximately \$140.8 million of park work is either completed or under construction. The final \$53.9 million shall be awarded for construction start in 2009 and 2010.

Mill Pond Park

Under construction since spring 2008, Mill Pond Park is expected to be completed by December 2009. Budgeted at \$63.9 million, we are currently 45% complete with park construction.

Constructed on the former Bronx Terminal Market site, the scope of this project not only includes the demolition & removal of 4 buildings but remediation as well. The latter included the removal of concrete encased industrial sized petroleum tanks, contaminated soil, and the capping of the site with soil.

This park will not only transform a decayed industrial site into a new 10-acre park, but it will provide the community with access to the Harlem River waterfront. It will feature 16 tennis courts, scenic overlooks, green space, an outdoor classroom bar-b-que space, a beach area, water/spray features, and an esplanade that will unite the site. In addition, Parks is rehabilitating the piers and slips. Landscaped plantings will line the accessible pathways throughout the park as will signage, devoted to providing patrons a historical accounting of the site.

Twelve of the sixteen tennis courts will be open year-round, as they are designed to allow for a bubbled enclosure, as was the case with the courts in Mullaly Park.

The project also includes the restoration of the former Power House Building, a historic 25,800-square-foot structure (aka Building J). Upon completion, it will feature a green roof visible from the Major Deegan and space on the first floor for a public restroom, the Parks Department – Maintenance & Operations, and a future concessionaire. A Request for Proposals for the Development & Operation of Sports & Food Service Facilities was issued this month.

The Parks Department will seek an operator to develop 12,900 square feet of programmable space on the building's second floor. Though a tenant for the second floor tenant hasn't yet been found, Parks and the Bronx Borough President's Office have been working together to identify one that will benefit the community. Any operator will be approved through the FCRC process.

Rehabilitation of the interior & exterior of this building is being done in a manner in which we feel confident that it will merit Silver LEED Certification.

Macombs Dam (Rooftop) Park

In addition to a Olympic-quality track, this seven-acre \$35 million facility will feature four handball courts, a soccer/football field with grandstand seating, four basketball courts, landscaping, a new public toilet building and picnic table terrace area. A beautifully landscaped hill will connect the park and the adjacent Ruppert Plaza and Heritage Field, providing an integrated park experience for users and spectators alike.

Like the two story garage below it, this facility is being constructed in two phases. The periphery of the Park will be screened using trees and shrubs . It is currently under construction, with the first section of the park to open for community use in the next week or two, providing access to part of a synthetic field with options for running. As construction progresses this summer, park patrons will be able to enjoy the grass berm, grandstand, comfort station, basketball courts, and planting areas. In addition, between October & December 2009, the permanent / full track & field will be installed and the entire first phase of the rooftop park will be completed by December 2009.

For phase 2, which we expect to complete in the spring of 2010, patrons will be able to enjoy

more landscaping and utilize two additional basketball courts, the 8 handball courts, the adult fitness equipment, and another grass berm (as passive recreational space or for viewing games / meets).

River Avenue Pocket Parks

At the River Avenue Pocket Parks, we anticipate beginning construction of this \$3.1 million project in September 2009 with an estimated completion in spring 2010. Remediation of the site, a former service station, is required and will take place this summer. This project transforms two parking lots at the northeast and southeast corners of River Avenue and East 157th Street into a playground and an unsupervised skate park. The play space will include customized play equipment, benches, and pathways, and landscaping that will be positioned so as to frame the existing Yankee mural on the adjacent building. In addition, this site will include lighting and water features that can be triggered by a passing subway. The skate park will feature customized ramps, pipes and fitness equipment. Both sites will be outfitted with stairs, ramps and entry paths to make the parks accessible. And finally, both sites - separated by 157th street – though parking will no longer be allowed, will share design elements and material choices that will unite the two sites. The trees will extend onto the street in an effort to create a green corridor that visually link this space to the adjacent parks.

Heritage Field – Ruppert Plaza – 157th street

Upon completing the demolition of Yankee Stadium (summer 2010), Parks will immediately commence constructing the three natural turf ball fields (1 softball field, 1 little league field, and a tournament quality baseball field) that will be the centerpiece of Heritage Field.

The baseball field will be oriented in the same manner as the field located in the historic stadium, providing players with a unique and enjoyable experience. Other amenities, include a comfort station, concession space, lighting (field & pedestrian), play equipment, bleachers, fencing, a scoreboard, landscaping, viewing mounds/passive recreational space, and a walking/jogging path. Another component of this project will include the construction of pedestrian promenades at both Ruppert Plaza and 157th street.

Ruppert Plaza is important for not only does it unite Macombs Dam Park (Heritage Field to the facility above the Ruppert Place garage), but it also connects the new stadium to the new Pedestrian Bridge / Metro North Train Station. Its anticipated completion date is fall 2011.

While we build the new, refurbished ballfields, we continue to work with all displaced baseball and little leagues to ensure they have a location to play during this interim period of park development. In every borough, the Parks Department is investing in new fields. In the Bronx alone, we are renovating the Van Cortlandt Park Parade Grounds, Hunts Point, Harris Fields, Bronx Park, many asphalt-to-turf fields and Randall's Island fields. While we would ideally want to spread out development to have more fields available to accommodate overflow, we would have missed our chance as the economy slowed. We appreciate patience as we deliver state-of-the-art facilities for all users.

Macombs Dam Park Interim Track and Field

Please note that once Phase 1 of the Macombs Dam (Rooftop) Park is accepted by Parks, patrons who utilize the Macombs Dam Park Interim Track & Field will be directed to this new facility and the closing of the Interim Facility will enable construction of the third garage to begin.

TREE PLANTING

Thus far, 3,242 of the 8,000 plus trees have been planted in the neighborhoods surrounding Yankee stadium. The Tree Replacement budget is \$11.2 million and specifies trees larger (3.5" minimum and larger) than those are typically planted.

DEMOLITION OF YANKEE STADIUM

As you know, the City is currently overseeing the demolition of the old Yankee Stadium. The demolition work commenced in March 2009 and is expected to be completed by summer 2010.

I am joined here today by Dmitri Konon, Vice President of Capital Programs, and Robert LaPalme, Assistant General Counsel, both from EDC, who can answer your questions with regard to the demolition of the old Yankee Stadium.

CONCLUSION

Thank you for the opportunity to update this committee on the progress being made to fulfill our commitment to the Bronx to deliver the world class recreational facilities they definitely deserve. We appreciate the patience and support Bronx residents and local officials have shown in dealing with the issues and inconveniences associated with the rebuilding of Yankee Stadium and the construction of new parks in the community, and we hope to continue that good work in the future.



**City Council Oversight Hearing:
Status of Yankee Stadium Replacement Parks
Parks and Recreation Committee**

New Yorkers for Parks Testimony
April 29, 2009

Good afternoon. I'm Sheelah Feinberg, Director of Government and Community Relations at New Yorkers for Parks, the only independent watchdog for all the city's parks, beaches, and playgrounds. For 100 years, New Yorkers for Parks has worked to ensure greener, safer, cleaner parks for all New Yorkers.

Disservice to the Community

Three years ago, Macomb's Dam Park and portions of Mullaly Park were alienated – or taken for a non-park use -- for the construction of the new Yankee Stadium. The alienation of parkland for the new stadium occurred in just 8 days, and the Yankees and the City did not do their due diligence because they did not involve the community in the initial planning process. New Yorkers for Parks continues to oppose the lack of public process and works to reform the alienation process in order to ensure that this does not happen again.

Macomb's Dam Park served as the "Central Park" for residents; what's left of this parkland is disjointed and in disarray. While there are a few interim parks, unfortunately, the community is forced to wait longer than initially promised for the completion of these replacement parks due to increases in time and cost of construction. With the high rate of obesity, diabetes, and asthma in this community, it is urgent that these recreational facilities be completed as soon as possible. There needs to be more oversight of the mitigation and community benefits agreements to ensure that they are adhered to by all parties.

What's Next?

While many will enjoy the new Yankees Stadium, there is still much that can be done to benefit the community from both a maintenance and policy perspective. New Yorkers for Parks recently toured the new replacement parks. In our judgment these parks are well designed with up to date features including new safety surfacing materials, natural turf on Heritage field, and a waterfront greenway.

For many capital projects, funding is relatively easy to come by, however funding for maintenance continues to be a challenge. One solution is a dedicated source of maintenance funding for the replacement parks. For example, as part of Columbia University's plans for the expansion of its campus into Manhattanville, they pledged to add approximately 94,000 square feet of open space and provided 25 years of dedicated funding for maintenance of the new playground and parks. We think the Yankees should set up an agreement with the City to fund part of the maintenance of the replacement parks, similar to Columbia University.

On the policy front, New Yorkers for Parks is concerned about the permits for use of Heritage Field. It is paramount that this historic field remains accessible to the public. Undoubtedly, private corporations will clamor for use of this space but as a new public park, it must remain truly open and accessible to the community.

New Yorkers for Parks is strongly committed to ensuring that equitable and committed park services are offered in every neighborhood. Considering how the people and parks have been treated in this neighborhood, the replacement parks have no excuse but to go beyond these standards.

Thank you

The logo for Good Jobs New York (GJNY) consists of the letters "GJNY" in a bold, white, sans-serif font, centered within a solid black square.

Good Jobs New York

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Testimony of Good Jobs New York

Allison Lack, Research Analyst

April 29, 2009

Before the New York City Council, Committee on Parks and Recreation

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## Oversight – Status of Yankee Stadium Replacement Parks

Good afternoon Chairwoman Foster and members of the Committee. Thank you for the invitation to testify today regarding the replacement of parks taken for the new Yankee Stadium. My name is Allison Lack and I am a research analyst with Good Jobs New York, a project of the Fiscal Policy Institute with offices in New York City and Albany, and Good Jobs First, based in Washington, DC.

Over the past four years, Good Jobs New York has been a consistent critic of the undemocratic processes associated with the new Yankee Stadium project. This project was successful only because public officials permitted the transfer of 22 acres of public park space to the New York Yankees, without so much as a public hearing, and cleared the path for approving what has now become over \$1 billion in taxpayer financing. GJNY's itemized list of subsidies is attached, which includes the exorbitant rise in the cost of replacing Macombs Dam and parts of Mullaly parks, ~~\_\_\_\_\_~~

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**A Joint Project of the Fiscal Policy Institute and Good Jobs First**

Since last summer, when we testified on the status of the Yankee stadium replacement parks before this committee, the city and the team have made extraordinary efforts to advance the stadium project so that it would be completed on schedule, and with extra amenities. This past January, the Yankees secured additional tax breaks and \$371 million in tax-free financing in addition to the \$942 million the team received in 2006 from the New York City Industrial Development Agency (IDA). The largest use of the financing approved earlier this year (\$25 million) was for scoreboard and video equipment. Other large uses included: suite upgrades (\$10.5 million) and metal and masonry upgrades (\$16.2 million).<sup>i</sup>

Meanwhile, completion of the replacement parkland has been continuously delayed, and costs to taxpayers keep escalating. Good Jobs New York, along with residents and park advocates who have also criticized the process that permitted this project to proceed, have been repeating the same messages and asking the same questions for years; yet many questions remain unanswered. We urge the committee and the Department of Parks and Recreation and the Economic Development Corporation to shed light on the unexplained processes and figures that continue to cloud this project, specifically:

#### **Funds from auctioning off parts of the old Yankee Stadium**

In March of 2006 the IDA estimated that the salvaging of the stadium would provide \$10 million to the city, a figure that did not change between that time and January of this year when the Yankees sought additional financing.<sup>ii</sup> Yet late last month, the Economic Development Corporation and the Yankees reached a tentative agreement whereby, in addition to the \$10 million, the city would receive varying percentages of net sales over \$16 million.<sup>iii</sup>

The EDC must make public the final agreement between the city and the Yankees that details the expected revenue from auctioning off the stadium and where those funds will be allocated. Transparency will help to ensure that the city is not being shortchanged.

Details of how the city's portion of these funds will be spent must also be made public. As we testified last year, Good Jobs New York maintains that all funds from auctioning off Yankee Stadium should be used to fill the budget gap at the Department of Parks and Recreation due to

the Yankee project, and a trust should be established that would guarantee the future maintenance of the new recreational space and the remaining parks in the neighborhood.

### **Opaque Job Promises and a Lack of Information about Job Quality**

The City's Economic Development Corporation recently released job figures for the stadium, but these raised more questions than answers. The figures do not tell us how many Bronx residents were hired, or provide any information on wages and benefits. In the Yankees' January 2009 application to the IDA for additional funding, they report an average salary for full and part-time jobs, but neglect to provide any information for the "contract employees" (mostly concession stand workers) who make up the bulk of the new employees. Also, as expected, most of these new non-construction jobs are seasonal, which leaves us still questioning the economic impact of these short-term jobs in contrast to the billion dollar subsidy price tag.

As we mentioned in our testimony before this committee last year, the stadium project was fueled by the claim that it would create badly needed jobs in The Bronx. While it is certainly true that the area needs good jobs, there is little academic research that proves the development of stadiums creates permanent, good paying jobs (even less so for a stadium that is moving across the street from its current location as it is in this case). In fact, unless the EDC puts out data that details the number of Bronx residents hired and their annual wages and benefits, one could argue there is little real-life proof this stadium is having a positive impact on lives of working New Yorkers. We urge you to request this data from the EDC to determine its accuracy and to answer the questions we have posed.

### **Details of the \$800,000 pot**

In a successful effort to gain zoning and other approvals from the council, in 2006 the Yankees promised to donate \$800,000 a year for 40 years to Bronx non-profit and community-based organizations. Some of these monies could go towards parks-related causes, but according to the Parks Department, there is currently "no relation between parks and...the fund."<sup>iv</sup>

Regardless of how this money has been and will be spent each year, a decision which should be made transparently and with a great deal of community input, the fund has been plagued with

management problems. Last year, there were major delays in the distribution of the funds, and recently a lawyer hired by Bronx officials to oversee the distribution has sued the organization that was set up to distribute the money, claiming it was mismanaged.<sup>v</sup>

In addition, details on how the funds were distributed in 2008 are not readily available, and the fund's administrator (the individual who filed the above-mentioned lawsuit) has only said he "believes" (based on a bank statement) that the full \$800,000 was distributed in 2008.<sup>vi</sup>

Considering this fund is part of the reason this council approved the new stadium project, you, along with the greater public, deserve to know where these funds have been spent.

As a final note, this committee may want to consider holding hearings regarding the replacement parks at a location in The Bronx, in the evening, or at a time when more local residents may be able to participate.

Thank you for the opportunity to speak with you today.

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<sup>i</sup> New York City Industrial Development Agency, January 15, 2009, Cost/Benefit Analysis for Yankees Stadium, L.L.C.

<sup>ii</sup> New York City Industrial Development Agency, March 9, 2006, Cost/Benefit Analysis for Yankees Stadium, L.L.C, and January 15, 2009 Cost/Benefit Analysis.

<sup>iii</sup> Richard Sandomir, "Yankees Memorabilia Deal," March 25, 2009, *The New York Times*.

<sup>iv</sup> Anne Schwartz, "Yankee Stadium Is Opening, but Not the parks," April, 2009, *Gotham Gazette*

<sup>v</sup> Fernanda Santos, "Former Administrator Sues the Yankees' Bronx Community Charity," March 31, 2009, *The New York Times*

<sup>vi</sup> Jeremy Herb, "Charity Fund is Sued by Insider," April 11, 2009 *The Bronx Beat*.

# Good Jobs New York

## Taxpayer Subsidies for the New Yankee Stadium and Parking Garages

Updated January 16, 2009

| City Subsidies                                                | Amount (millions)     |
|---------------------------------------------------------------|-----------------------|
| Land/Infrastructure/Transit                                   | \$326.3 <sup>1</sup>  |
| Forgone property taxes                                        | \$416.6 <sup>2</sup>  |
| Forgone sales taxes                                           | \$23 <sup>3</sup>     |
| Rent rebates                                                  | \$13.4 <sup>4</sup>   |
| Forgone mortgage recording tax                                | \$24.9 <sup>5</sup>   |
| Tax-exempt bonds for stadium (tax exemption on bond interest) | \$2.4 <sup>6</sup>    |
| Tax-exempt bonds for garages                                  | \$0.5 <sup>7</sup>    |
| <b>City Total:</b>                                            | <b>\$807.1</b>        |
| <b>State Subsidies</b>                                        |                       |
| Garage construction/infra.                                    | \$70 <sup>8</sup>     |
| Maintenance funds                                             | \$4.7 <sup>9</sup>    |
| Forgone sales taxes                                           | \$31.6 <sup>10</sup>  |
| Forgone mortgage recording tax                                | ?                     |
| Tax-exempt bonds for stadium                                  | \$6.4 <sup>11</sup>   |
| Tax-exempt bonds for garages                                  | \$1.2 <sup>12</sup>   |
| <b>State Total:</b>                                           | <b>\$113.9</b>        |
| <b>MTA-Metro-North Station</b>                                | <b>\$51.2</b>         |
| <b>Federal Subsidies</b>                                      |                       |
| Tax-exempt bonds for stadium                                  | \$268.6 <sup>13</sup> |
| Tax-exempt bonds for garages                                  | \$57.9 <sup>14</sup>  |
| <b>Federal Total:</b>                                         | <b>\$326.5</b>        |
| <b>Total</b>                                                  | <b>\$1.3 Billion</b>  |

<sup>1</sup> New York City Independent Budget Office, Revised Estimate, January 2009

<sup>2</sup> Independent Budget Office, Revised Estimate, January, 2009

<sup>3</sup> New York City Industrial Development Agency Cost/Benefit Analysis, January 15, 2009

<sup>4</sup> Yankee Stadium Memorandum of Understanding (MOU).

<sup>5</sup> New York City Industrial Development Agency Cost/Benefit Analysis, January 15, 2009

<sup>6</sup> New York City Independent Budget Office, Revised Estimate, January 2009.

<sup>7</sup> New York City Independent Budget Office, Revised Estimate, January, 2009

<sup>8</sup> MOU, ESDC GPP

<sup>9</sup> Ibid.

<sup>10</sup> Calculated by GJNY based off of the forgone city sales tax. See Footnote 3

<sup>11</sup> New York City Independent Budget Office, Revised Estimate, January, 2009.

<sup>12</sup> Ibid

<sup>13</sup> Ibid

<sup>14</sup> Ibid

**OVERSIGHT HEARING  
STATUS of YANKEE STADIUM REPLACEMENT PARKS  
250 BROADWAY ~ 16<sup>th</sup> FLOOR HEARING ROOM  
WEDNESDAY, APRIL 29, 2009 ~ 1:00 P. M.**

**TESTIMONY OF  
MRS. JOYCE E. HOGI  
1020 GRAND CONCOURSE  
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**“Respondents contend there is no irreparable harm, because the loss of the parkland is only temporary, there will be a net gain of 2.14 acres of unencumbered parkland...”  
(Judge Herman Cahn's decision, p 17, August 15, 2006)**

Good afternoon! I am Joyce Hogi, a resident of 1020 Grand Concourse, Bronx, NY for 30+ years. Thank you for holding these hearings and thank you for inviting me to offer my testimony. I can't help but wonder if this is now too little, too late; indeed, what is now to be gained after the loss of unprotected, public parkland? If I sound angry and cynical it's because, well, I am angry and cynical!

While trying to teach our children the lessons of government and citizenship we've struggled to explain to them why our elected officials can't seem to address the issues that confront us, but rather bow to the desires of mega developers and private interests that do not address the needs of the community. The NY Yankees for years had wanted to get their grubby hands on our public parks and our City officials could not, would not, demand of that organization some mitigation for the needs of the community. The school in which I work has its baseball teams practicing in the cafeteria and playing their "home games" on the opponents' fields. The track team runs in the street. Students just beginning high school when this project was proposed are graduating this year and chances are they will be out of college before the replacement parks to this community is finally realized! Now there is no oversight, save these hearings that Council Member Foster holds periodically. And guess what? We have no bargaining chip left! It has been given away!

You want to know the "Status of Yankee Stadium Replacement Parks"? We don't have any parks! That's the status! I am here today to speak for residents who could not be here; either because they are working, disheartened or so beaten down by the treatment they are receiving that they have pretty much given up; that they have said, "we can't beat the system". We were horrified when we learned that every one of our elected officials ~ from the City Council up to the Senate had voted to give away our valuable, historic public parkland to the New York Yankees for the building of their new stadium without a single public hearing and over the course of just eight days! One assemblywoman even proclaimed, "There's no community opposition". No one questioned:

- "What will the community do?"
- "How will this affect a community that is already under parked?"
- "What about the health risks to a constituency that is already suffering unduly from limited access to fresh air and parkland?"
- "What about maintenance funds for the existing parks"?

It is well documented that:

- We were locked out of hearings or if admitted, had our cards “shuffled” so that the minimum number of residents could speak.
- No consideration of our input was taken and when members of the Community Board #4 voted against the plan ~ because they were listening and hearing the concerns of the community ~ they were summarily dismissed from the Board. The Bronx Boro Pres said he wanted people who would “advance his vision”. Meanwhile, new appointees to the board were reluctant to make any independent decisions lest they offended then Boro Pres Adolfo Carrión, Jr. The board is now at its most dysfunctional since its inception. There are 50 slots on the board and there are only 19 or 20 members. Quorums are routinely not met.

The community formed a grassroots organization, “SaveOurParks” and took the City and the Yankees to court to protect our public parks. We lost the case (**August 15, 2006**) based on the assertion from lawyers for each side who assured the court that interim replacement parks would be in place before construction began. The Yankees’ organization seized Macombs Dam Park at midnight Sunday evening **August 13, 2006, 2 days before the judge's ruling!** They then trucked in “high quality mulch” and fed the trees their “last supper” for the groundbreaking ceremony. The next day the trees were cut down! After weeks of community outrage, the DPR painted “walking & fitness paths” and stenciled arrows on the sidewalks around an existing park. Construction on an interim park would not begin until weeks later (**opened May, 2007**) and was so poorly constructed that the artificial turf was ripped up a few weeks later to be replaced.

There have been numerous articles, interviews and documentation on this issue. Simply put, the community has come up on the very “short end of the stick” and *no one is standing up for us, save Council Member Foster*. I joined the parks committee of Community Board 4 to try and work within the system to make sure the community was getting what was promised. There have already been numerous delays and changes to the designs of some of the parks.

Two of the sites for replacement parks are still being used for parking for games.

- ***In March 2008*** we were told the pocket parks would be put out for bid; however, the space would be used for parking during the summer of 2008.
- ***In May 2008*** we were told that construction would begin in late May or early June and would be completed by Spring 2009. However, DPR had just made contact with the owner of the adjoining property and were told that there was a concrete slab under the asphalt.
- ***In June 2008*** we were told construction would begin in July and until then the sites would still be used for parking.
- ***In September 2008*** we were told the sites were still being used for parking. The lowest bidder was disqualified because of objectionable labor practices. The 2<sup>nd</sup> lowest bidder came in too high for the budget so DPR decided to separate the contracts ~ one for each site. Even though the bid for the skate park had been sent out, the playground was now in redesign and there was not a date for this bid to be sent out. The skate park construction is now scheduled for Spring 2009 and is to be completed by Fall 2009. The playground construction is scheduled to begin Summer 2009 to be completed by Spring 2010; however now the playground was to be made smaller to lower the cost.
- ***In October 2008*** we were told the skate park would be put out for bid. The playground bids will happen later; however both parks will be completed by Fall of 2009 or sooner.
- ***In February 2009*** we were told because of the “large gas tank surprise” to DPR, remediation for both sites is expected to begin in June 2009 and completed by August 2009. The playground design has been put out for bid. Construction is expected to begin on both sites in September 2009.

Does this confuse you? Well, join the club! DPR insists that they're on schedule. Well sure, when you keep changing the schedule...

The City continues to proclaim that the community is getting more parkland than we lost. In actuality, 12.5 acres already existed as either mapped parkland and in one case, a schoolyard. This is a shell game the City uses and when called on it, the figures are changed. The City was using:

- A new playground and ball field at PS 29 and called it part of the “Yankee Stadium replacement parks”. It is over a mile away from the affected community (a different community board).
- Additionally, an unused field at West Bronx Recreation Center has been turned into a ball field; again over a mile away and not easily accessed. This has also been billed as a “Yankee Stadium replacement park”, but was never mentioned in project documents. Geoffrey Croft of NYC Park Advocates continuously pressed this issue of the counting of the replacement park acreage. DPR has quietly removed that association from its website.
- All of the presentations of the replacement parkland include Mullaly Parks North and South, as there have been some renovations done. However, I cannot stress strongly enough that these parks are not and should never be considered replacement parkland!!
- I will leave it to someone else to provide details of the remaining replacement parks.

## ***YANKEE STADIUM REPLACEMENT PARKLAND***

### ***Parks taken for Yankee Stadium:***

- Macombs Dam (northern portion) 11.2 acre track, soccer field, ball field
- Macombs Dam (southern portion) 7.33 acre ball fields, basketball & handball courts
- Macombs Dam (southeast portion) 2.89 acre asphalt ball field / parking
- John Mullaly (southern portion) 3.89 acre tennis & handball courts

**Total 25.31 acres**

### ***Replacement parks:***

- Park on top of garage 'A' ~ 7.33 acre track, soccer, basketball & handball / playground
- Ruppert Plaza ~ 1.13 acre landscaped, pedestrian concrete walkway (a walkway is considered parkland!)
- Heritage Field 8.9 acres ~ 3 ball fields
- Passive park# 1 ~ 157<sup>th</sup> St 0.44 acre skate park
- Passive park# 2 ~ 157<sup>th</sup> St 0.24 acre playground
- Tennis concession ~ Harlem River 5.11 tennis courts / waterfront park

**Total 23.15 acres**

### ***Taken from:***

***“Broken Promises: The City's Replacement Park Scheme For The New Yankee Stadium Project”;***

***...NYC Park Advocates***

**Testimony of: William A. Casari, 860 Grand Concourse #7E, Bronx, NY 10451.**

April 29, 2009 Helen D. Foster, Chair, Yankee Stadium Replacement Parks Oversight Hearing, 250 Broadway, New York, NY. 1PM 16<sup>th</sup> Floor.

I have lived near Yankee Stadium for four years and am a frequent user of local parks. I work at a nearby college and am out every day walking or biking in my local neighborhood and see how well used the parks are. During my first two years in the neighborhood I was able to walk onto the track at Macombs Dam Park and exercise there as well as walking through the spacious Mullaly Park.

**Pace of Replacement Parks and Administration**—I am concerned about the pace of the Yankee Stadium replacement parks and once they are finished, how accessible to the public the parks will be at all times neighborhood parks are normally open. I recently attended a presentation organized by Helen D. Foster's office and learned that the hours of the new rooftop replacement park will be restricted between 7AM and 10PM. This rooftop park needs to be open no later than 5AM and available to neighborhood residents until 11PM. Neighborhood boys and men often play basketball and handball into the evening, certainly later than 10PM. Other residents often want to walk on the track no later than 5:30AM before they get ready for work. **Also, I have been told that the rooftop park will be closed on Yankee Home Game days? This is unacceptable.**

This new park needs to be available at all times considering it's replacing a park that was not restricted on home game days. Metal security gates have been installed at access points to the new rooftop park easily allowing park/police officials to close the park during home games. This new park cannot be considered a replacement park unless it's open the same times the old "walk on" track and field at Macombs Dam was. That is only fair. Also, all of the parks appear to be well behind the stated construction schedules. However, the stadium and the new parking garage were finished in time for the first home game of the season. The priority favors the Yankee Organization, not the community in which the stadium resides. This is not right. The community was told it would have replacement parks available when the stadium was completed, excepting Heritage Field of course. None of them are currently available.

**Maintenance of Replacement Parks**—My other major concern is maintenance of these parks once they do open. Neighborhood residents have watched while nearly 60% of the new plantings (less than one year old) along the Grand Concourse medians have died due to lack of water. Evidently there was an issue between ConEd and the Department of Transportation regarding who was going to pay for the water in the new sprinkler system. With the brown and dead plants highlighting the newly redesigned Grand Concourse why should we think maintenance of the new parks will be any different? I have been told Parks is going to administer the replacement parks and the Grand Concourse Malls.

- Will any Parks Enforcement Patrol officers be assigned to this area?
- What will the maintenance staffing be beyond picking up trash?
- Will there be a parks keeper to insure new trees are watered and vegetation is taken care of?
- Parks has issues maintaining sprinkler systems that are well-documented. What is going to be different about these new parks in these financially challenging times? Will parks officials blame neighborhood children for breaking the sprinkler systems? And then indicate that parks only has a certain amount of plumbers to replace them?

NYC PARKS PHOTO ARCHIVE



**(Macomb's Dam Park Ballfield - 2.89 acres - 1962).** Yankee Stadium In The Background. In this newly discovered Parks Department archive photo, a grounds crew of 7 can be seen tending to the 2.89 acre natural turf field ballfield in the foreground. In 2005, the state legislature alienated this parkland in order to allow the construction of a 5 story, 994 valet space parking garage at this location. The City chose to omit the recreational uses of this 2.89-acre park in the project's environmental review so they were not required to replace the displaced park land in conjunction with the new Yankee Stadium redevelopment project.

The City removed it from their parkland replacement analysis, claiming that it was not a "recreational facility." This left community with a net loss of almost 4 acres of parkland when you include the acreage from Ruppert Plaza. However, in the summer of 2006, the City told a state and federal judge there would be an increase of parkland. In order to get their replacement park scheme numbers to add to up the city has repeatedly attempted to alter their numbers in a desperate attempt to hide this deficiency.

In the mid seventies, the City illegally converted the ballfield into a part-time parking lot for use during Yankee games without compensating the community. The ballfield was paved over with asphalt and used a few hours a day during the season. It was outfitted with a baseball backstop, painted bases, and foul lines and used by the community for a variety of recreational activities. For more than six decades the community had used this field.

To this day, however, the city continues to insult the community – while also attempting to avoid its legal responsibility to replace the mapped parkland – by denying the recreational uses after it was paved over.

“Its disgraceful. They lie up and down, ” said Anita Antonetty, a Highbridge resident for 41 years and the former Secretary of Bronx Community Board 4. “All kinds of ball games were played in there, soccer, football, whoever needed a space, it was used as its original intention was, as a park, not a parking lot. The backstop was there forever. It was a neighborhood baseball field. In the city’s mind its primary purpose was parking for the Yankees. They never came to the neighborhood to even see, bothered to see, how we were using the space, or how we were using any of the spaces. They thought that because they abandoned Macombs Dam Park and not done any maintenance that it wasn’t being used, but it was, every inch of it was being used. They never replaced it anywhere else.”

Federal money, allocated through the Land and Water Conservation Fund (LWCF) were used to rehabilitate this portion of Macombs Dam Park in 1979. By law, any park receiving money from the LWCF must remain a park in perpetuity, unless the National Park Service decides that new replacement park land is of equal (or greater) value, usefulness and location. See page 20 of our *Broken Promises* <http://brk.nycparkadvocates.org/BrokenPromises.pdf> report for this story and for a more thorough analyses see our LWCF report.



**(Ruppert Plaza - 1.13 acres - April 19, 2009.)** Replacement Park Swap. "Replacing what was once a marginal road, Ruppert Plaza will become an important public space and a gateway to Heritage Field." - June 24, 2008, Assistant Commissioner Liam Kavanaugh,

City Council testimony.

The city's elected officials have so far allowed the city to count what will be a 1.3 acre landscaped concrete pedestrian walkway as "replacement parkland." Yankee fans will utilize the "important public space" to gain access to the Metro North station and to the parking garages. This acreage is being counted towards replacing parkland seized to build the new Yankee Stadium such as ballfields, basketball courts and picnic areas.

Before the public even learned of the Yankees' plan to claim park land – and well before any environmental reviews or replacement scheme had been formulated – a National Park Service official sent out an e-mail stating that the agency was "confident" it could "work with the city and the state to ensure that the process has been satisfied without it preventing the proposed project from being developed." (*Metro*, August 31, 2006)

These e-mails revealed the lengths to which the City and State colluded to deceive the public. After consulting with the National Park Service's Pat Gillespie, State Parks official Tom Lyons sent an e-mail advising the city to alter its description of the existing Rupert Plaza as new park land: "Replace 'pedestrian promenade' with 'passive park.'" (*Metro*, August 31, 2006). For more than a year, National Park Service officials were exchanging e-mails not only with the city and the state but with the New York Yankees.

The DPR also refers to this parcel as a "passive recreational area" (Jesslyn Tiao e-mail, February 21, 2008).

A section of the parking garage is seen on the right (photo - previous page) where a 7.89 acre rooftop "park" is currently being built. Although Yankee President Randy Levine and City officials repeatedly promised that this replacement park would be at street level, clearly the park is two stories above ground level. The roof top park has been routinely criticized by the community for its placement on top of a parking garage.

Photography: © Geoffrey Croft/NYC Park Advocates



**(Future Skate Park - 0.44 acres. April 19, 2009 - Pocket Parks - 157 Street and River Avenue)** No Park In Sight. "Work will begin on the two new River Avenue parks in August and will be completed next spring, " – June 24, 2008, Assistant Commissioner Liam Kavanaugh, City Council testimony.

This 0.43 acre asphalt lot was supposed to be turned into a skate park as part of the replacement park land. Although this is a poor replacement for green parkland taken for the new stadium, the city has yet to even begin construction. The site is surrounded by six story tenements, barbed wired and the elevated # 4 train. Construction on the 0.24 acre playground across the street (far left background) was also supposed to be already completed. Construction has not begun there either. A building's foundation was found at the site which the city would have discovered earlier if a proper site survey had been performed. Because the city rushed this project through without doing due diligence including proper environmental reviews and surveys, numerous "unforeseen" issues have surfaced. These have resulted in years of delays for replacement parks promised to the community and more than \$ 50 million dollars in additional costs to the taxpayers — so far.

When asked to respond to this at a City Council Hearing on June 24, 2008, Assistant Commissioner Liam Kavanaugh explained, " I can assure you there was no attempt to underplay the cost for the replacement program. They were cost projections. They were not estimates that were based on in-depth analysis and investigation, doing some of the things like you mentioned, doing borings and site surveys. We did not own many of these sites at the time. We didn't have access to the kind of detailed work that you would do if you were making a real formal estimate of those kind of costs."

When asked why these basic procedures normally used to predict cost estimates were not performed, Mr. Kavanagh said, "The project was not funded or approved, and we didn't have resources to do that kind of in-depth investigation analysis testing that one would do for a fully funded project, for all the information that you would normally use when coming up with estimates . . ."

The following is a review of CB 4 minutes of the park committee meetings on this subject. It offers a detailed look into the ineptitude and deceit in making promises the city would not be able to keep.

In March 2008, attendees of the Community Board 4 meeting in the Bronx were told that the pocket parks would be put out for bid but that the space would be used in the summer for parking. In May 2008 they were told that construction would begin in late May or early June and that construction would be complete in Spring of 2009. However, at the time of that statement, the DPR had just made contact with the owner of the adjoining property (bowling alley) and were told that there is a concrete slab under the asphalt. In June 2008 they were told that construction would begin in July and that until then, the site would be used for parking.

In September 2008 they were told the site was still being used as parking lots. Ms. Lignore-Diaz from the DPR's Partnership For Parks stated that although these parks were supposed to be completed by Spring 2009, the lowest bidder was disqualified because of objectionable labor practices. As the second lowest bidder had come in too high for the budget, the DPR has now decided to separate the contracts—one for the playground and one for the skate park area. It has sent out to bid for the skate park; however, the playground is being redesigned, and there is no date for the project to be sent out to bid. The skate park construction is now scheduled to begin Spring 2009 and be completed by Fall 2009. The playground construction is scheduled to begin Summer 2009 to be completed by Spring 2010. Ms. Lignore-Diaz added that the redesign of the playground would be of small magnitude—removal of some pavers and such to lower the cost. Mr. Garmendiz, Parks Committee Chair, stated that the committee has to see the redesign.

In October 2008, attendees of the Community Board 4 meeting were told the skate park will be put out for bid at the end of October. The playground bids would happen later; however, both parks will be completed by Fall of 2009 or hopefully sooner.

In February 2009, community members were told that because of the discovery of a large gas tank which came as a surprise to the DPR, remediation for both parks is expected to begin in June 2009 to be completed by August 2009. The north park design has been put out for bid. Construction is expected to begin on both parks in September 2009.



**(Parking Garage A - April 19, 2009 - 7.89 acres)** "The city's Parks and Recreation Department originally said seven of the eight replacement parks planned for the area would be completed in time for opening day at the new stadium. But the agency later pushed back the schedule for some of the parks." — *NY Times*, April 18, 2009.

Not a single replacement park was completed by opening day. None are scheduled to open until December 2009. And that's if it remains on the current schedule. Construction for Garage A, which will support rooftop park features, began in 2007—a year later than originally anticipated. The parking garage replaced 7.89 acres of historic parkland, including two natural turf baseball fields, basketball courts, and 24 handball courts. Artificial turf is replacing natural turf on the rooftop of a parking garage. The community will also permanently lose two ballfields when the replacement park facilities are eventually completed.



Photo by Tom Kaminski - CBS Chopper 880

**(Two Stadiums - February 26, 2009) Adding Insult to Injury.** Instead of taking down the old stadium, which would have allowed the majority of the replacement parks to begin construction, the Bloomberg administration agreed to allow the Yankee organization to stay in the old stadium for up to two years. They used the old stadium for training of personnel and operations up until two weeks before the new stadium opened. This has delayed building the majority of the replacement parks promised to the community.

By sharp contrast, the New York Mets organization began the demolition of Shea Stadium the day after their season ended. It should also be noted that they built their new stadium on an existing parking lot.



**(Harlem River Park Under Construction - March 22, 2009)** - Looking South - Former Bronx Terminal Market. The structure at left under scaffolding—Building "J", a former power plant – is being converted to a tennis club house, café, offices for the DPR and CB 4, and will have approximately 12,500 sq ft of additional space available. The building was not eligible to be landmarked; however, a request was made by the New York State Office of Parks, Recreation, and Historic Preservation to the City to preserve the building. Parks Commissioner Adrian Benepe agreed. According to a source managing the construction, this decision doubled the price if the city had torn down the building and built from scratch. A spokesperson from NYC's Department of Design and Construction estimated the cost to renovate the building at between \$ 15 – \$ 20 million dollars.

The city's cost for the waterfront parks have gone from \$ 12 million (EDC) to \$ 63.9 million in two years. (The Related Companies was originally responsible for building half of the waterfront park site). The discovery of an additional six oil tanks has been just one factor in delaying for years the completion of this project. According to the Parks Department's Final Environmental Impact Statement (FEIS) the waterfront facilities were supposed to be completed in 2007. When asked by City Council Member Alan Gerson at a Council hearing on June 24, 2008 why the project cost estimates were so far off, DPR Commissioner Liam Cavanaugh admitted, "They were not estimates that were based on in-depth analysis and investigation . . . "

“It doesn't matter, ” Joshua Laird, assistant commissioner for planning and natural resources for the New York City Department of Parks and Recreation said at the time in response to criticism. “What matters is we keep our pledge to have ballfields available to the community. The estimates we made at the time of the EIS were all made in good faith based on what we thought they could do.”

**Pledge No Longer.** Ballfields are no longer being built along the waterfront and when the 2.89 acre “interim park” is removed in a few weeks to build a five story parking garage, the community will have lost a total of five Ballfields. Only three of these fields will be replaced when Heritage field is eventually constructed.

The Independent Budget Office (1/27/09) estimated the costs of the replacement parks had risen 67%. After years of embarrassing publicity for the Bloomberg administration for negotiating a deal that allowed the Yankee organization to pay nothing towards the replacement parks, the wealthiest sport franchise in the United States recently agreed to contribute a paltry \$ 10 million. The cost of replacement parks is now estimated to have grown to \$ 195 million, and rising. This does not include related infrastructure costs estimated to be an additional \$ 100 million.

Unfortunately the examples presented in this addendum represent just a small sample of the broken promises made not only to this impoverished community but to all the city's taxpayers. NYCPA will be updating *Broken Promises: The City's Replacement Park Scheme For the New Yankee Stadium Project* shortly.

Sincerely,

Geoffrey Croft  
NYC Park Advocates

NYCPA would like to thank Marisa M. Jahn for her help in preparing this report.

READ INTO RECORD

985 Woodcrest Avenue  
Bronx, NY 10452

April 28, 2009

Hon. Helen Diane Foster, Chairperson  
New York City Council  
Committee on Parks and Recreation  
250 Broadway, 17<sup>th</sup> Floor  
New York, NY 10007

Dear Council Member Foster:

I am sorry that I am unable to attend the oversight hearing on the status of Yankee Stadium Replacement Parks. However, I would like to submit this letter in testimony.

I am a resident of the Highbridge community for the past 41 years, a former member and secretary of Bronx Community Board 4 (CB4) during the ULURP process for this project, and a current community member and secretary for Bronx Community Board 4 Parks & Recreation Committee. Therefore, I am well aware of the status of the replacement parks; and that status is zero.

We have had our largest park, Macombs Dam Park, taken away from us and in its place are now another stadium and two additional multi-story parking garages all of which cater to people from outside of our neighborhoods. In exchange for this sacrifice, the DPR hastily put together a plan to replace our large centralized park with scattered parcels most of which was to be opened and ready for use at the same time the new stadium opened. This has not happened.

What is reported to us is an ever-changing story from the New York City Department of Parks & Recreation (DPR) that includes delays, design changes, lamentations on the ever-increasing costs, and just plain nonsense. As an example, during the last CB4 Parks & Recreation Committee meeting, we were told by the DPR that the wall of the old stadium along River Avenue could not be brought down because that would undermine the foundation of the elevated #4 train and that the fans needed something to touch from the old stadium. After much questioning and discussion, the DPR representative then stated that the wall would be taken down to 18 inches with a 4 foot fence on top.

In their rush to accommodate the Yankees, the DPR chose sites to for replacement parkland without regard to previous usage, suitability as parkland, or location to the residential area. The delays and costs are mounting because they now find brown fields, gas tanks, and (surprise, surprise) elevated trains at these sites. These are issues that we in the community did speak about and were ignored at various hearings. The replacement acreage includes Rupert Place which is a walkway—a sidewalk—that will serve only the “fans” coming from the various parking facilities and the Metro North station to the stadium. The replacement acreage does not include the 3+ acres of Parking Lot 1, a ball field previously taken away from the community that will now become another multi-leveled parking garage. This community really does not need another parking garage.

For three years, our community has been without a running track, soccer/football fields, baseball fields, handball courts, basketball courts, and tennis courts. Our schools, little leagues, and recreational programs have no where to play. Even the DPR summer recreational programs have been cut because there is no where to play. The residents of this community have lost parkland that was constantly used day and night. The Yankees have their billion-dollar playground; and we have the interim track (a quarter of the size of what we had before) that is packed with residents playing soccer, baseball, running, and walking all at the same time. We need these replacement parks now.

I have attached a sample from the minutes of the committee meetings so you can see what is being presented to the community. I would be happy to provide the committee with additional information if requested.

Sincerely,

Anita Antonetty

READ INTO  
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Good Afternoon, My name is Geoffrey Croft, I am president of NYC Park Advocates. In May 22, 2008, NYC Park Advocates released *Broken Promises: The City's Replacement Park Scheme For the New Yankee Stadium Project*. The report exposed the great lengths the city had gone to present the parkland alienation and replacement scheme to build the new Yankee Stadium to appear as if there would be a net increase in parkland for the affected community, instead of a loss of nearly four acres. The City's Department of Parks and Recreation (DPR) has repeatedly attempted to alter their numbers in a desperate attempt to hide this deficiency. Unfortunately since its release the broken promises have only continued. Today we are releasing an addendum to our report.

In June 2005, without a single public hearing and over the course of only eight days, City and State elected officials alienated 25.3 acres of historic South Bronx parkland to allow the New York Yankees to build a new stadium. As part of this action, the Bloomberg and Pataki administrations and the Yankees organization repeatedly promised the community that not only would the parks be replaced, but even more parkland would be provided in return. However, a close examination reveals that only 21.78 of the 25.3 acres are actually being replaced in the community, resulting in a net loss.

The largest park parcel meant to deceive the public is a 2.89-acre asphalt baseball field in Macombs Dam Park. In order to get its replacement scheme to add up, the City removed it from their parkland replacement analysis, claiming that it was not a "recreational facility." They chose to ignore the park's chain-link backstop, painted bases, foul-lines and that the community had used it for baseball, football, bike riding, skating, bicycle riding and other recreational uses for decades.

Unfortunately numerous misrepresentations were made at last year's oversight-status hearing of Yankee Stadium Replacement Parks held on June 24, 2008. I would like to address a few. In his testimony, Assistant Commissioner Liam Kavanagh said, "You may hear today various calculations of acreage associated with this project. We want to ensure you that the project we are building today replaces all of the park space being taken up by the new stadium and its parking garages. Most importantly, we want to assure you that all of the recreational facilities that were displaced, all of the sports fields and play areas have been accounted for and are being replaced in ongoing consultation with the community. (p. 17)

And in response to Chairperson Foster's question: What is the total number of replacement park land, excluding the ball fields at PS 29 and the West Bronx Rec Center? Mr. Liam Kavanagh responded, "The new stadium displaced approximately 22 and a half acres of active recreation and park space. The new recreational facilities total 24 and a half acres of new Parks and Recreation space." (p. 34) These statements are both false.

The Bloomberg administration's continued attempts to play a shell game with the park replacement numbers is an affront, not only to this impoverished community, but to all who are interested in responsible government and accountability. It is shameful that the city refuses to take responsibility. This is particularly abhorrent considering the location, the South Bronx, one of America's poorest communities.

**Broken Promises** can be viewed at

(<http://nycparkadvocates.org/reports/brokenpromises>). The report was written by Geoffrey Croft, president of NYCPA, and Lukas Herbert, AICA (American Institute of Certified Planners)

The city has also attempted to pass off a disparate collection of parcels as "replacements," including building on top of a parking garage and on existing parkland 1.4 miles away. Of the replacement park acreage that the city now claims, 58% (12.5 acres) already existed as either mapped parkland or as, in one case, a school yard built in 1962.

Also lost is the long promised comprehensive maintenance funding desperately needed to maintain the replacement parks. And that's only the beginning of the broken promises.

Reduced to its simplest terms, this project became a blatant violation of the principles of Environmental Justice. A low-income, minority community was forced to bear the burden of the destruction of its public park land, with all the environmental and quality-of-life impacts, so that the richest sports franchise in the country – servicing a primarily white and upper-income clientele – was not inconvenienced for a few seasons by sharing Shea Stadium or by building their new ballpark in a nearby location to the south or east of the current stadium site.

Geoffrey Croft

READ INTO  
RECORD

**Testimony before the City Council Parks Committee,  
April 29, 2009**

**Honorable Helen Diane Foster, Council Member and  
Chair of the Parks Committee**

BCEQ ([www.bceq.org](http://www.bceq.org)), founded in 1971, is a local non-for profit organization made up of volunteers, dedicated to working in The Bronx for "an aesthetic and unpolluted environment, with a natural and historic heritage." In January 2006, we wrote to the City Planning Commission concerning the Yankee Stadium proposal, stating that : "Our members do not support the taking of public parkland for private profit. The earlier Bronx precedent of taking parkland (in Van Cortlandt Park) for the "public benefit" of clean water, while specious, was (in concept) for some greater good. We should note that The Bronx residents employment have not materialized as only one quarter of the current workers at the Croton Filter Plant site live in The Bronx (based on the NYC DEP statistics) – much less than what was promised. Moreover, that decision was based on the premise (which may turn out to be false) that the parkland would be returned to the people."

No one but a few listened to us. The city marched forward and built a stadium and a metro north station. In addition, we have two stadiums standing as an eyesore to the community, and we have to wait until 2011 for parks to be completely returned to the people.

This is bad public policy, and should be quickly remedied. Parks are necessary to clean the air, lower the heat island effect, clean the water, and provide an healthy environment for the people who live and work in this area. Why do you think the asthma rates are so high in this area of highly traffic highways and low-to-dwindling parkland (i.e., trees)? One negative impact of park loss is the increased temperature and the reduced shade resulting from the removal of trees and/or green space. To many of us who grew up in The Bronx, Yankee Stadium is special. But so are the surrounding green open spaces, *i.e.* Franz Sigel, Joyce Kilmer, Mullaly and Macombs Dam Parks. We were free to explore all these places, and take advantage of their recreational and educational opportunities. Without open space experiences, our children will not be able to appreciate baseball, its history and the lessons it can teach us.

It may seem unnecessary to expound upon the value of parkland, but this is much easier when you have it than when you don't. According to *New Yorkers for Parks*, the Bronx has the lowest, in other words, the best overall residents-per-acre-of-parkland ratio of all the boroughs; the City ratio is 278; The Bronx is 191. This is because Teddy Roosevelt had the foresight to plan for the whole borough and City of New York. This kind foresight would *not* have left this neighborhood without an open vista to the Nature that makes the rest of the Borough a magnet for families and communities. Yet, statistics here tell the sad story.

The percentage of parkland in the two City Council Districts neighboring Yankee Stadium, added together, are substantially less than the citywide total of 14%. This means that each person in Council Districts 16 and 17 have a square of green space six feet wide and three to ten feet long, respectively. By of comparison, if the Yankees played the Red Sox within the square of the base-path, each player would have more than 400 square feet, or about *ten times* as much parkland as their community neighbors. We all know they need space to play baseball. It just needs to be recognized that all of us need space to lead our lives as fully as we can.

The only urban land that is literally cool-space in summer is green-space, where shade over soil and plant life may be the only comfortable oasis on a summer evening. Unlike stadiums, parking facilities, and large shopping centers, parks do not contribute to the combined sewers that discharge pathogens into the Harlem River, one of the only waterways accessible to the local community.

Sincerely,

I.C. Levenberg-Engel  
BCEQ President 2009

**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: 4/29/09

(PLEASE PRINT)

Name: IVAN Mirabelli

Address: 110 William St NY, NY

I represent: NYC IBA

Address: 110 William St NY, NY

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: Liam Kavanaugh

Address: Deputy Commissioner

I represent: Parks Dept

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: 4/29/09

(PLEASE PRINT)

Name: Joyce Hoq

Address: 1020 Grand Con

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: \_\_\_\_\_

(PLEASE PRINT)

Name: Hector Aponte

Address: Bronx Borough Commission

I represent: NYC Parks & Recreation

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: 4/29/09

(PLEASE PRINT)

Name: WILLIAM CASARI

Address: 860 Grand Concourse #7E Bx, NY

I represent: SELF

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: 4-29-09

(PLEASE PRINT)

Name: ~~LEONOR KRAVITZ~~ COOKE LEVY

Address: 4 Alderson Pl BX 10471

I represent: Myself

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

*PAKIST  
Recreation?*

**THE COUNCIL  
THE CITY OF NEW YORK**

Appearance Card

1pm

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

*will attend*  in favor  in opposition

Date: April 29

(PLEASE PRINT)

Name: Joyce Hagi

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

I represent: Individual

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: April 29, 2009

(PLEASE PRINT)

Name: Robert LaPalme

Address: 110 William St. NY NY 10038

I represent: New York City Economic Development Corp

Address: 110 William St. NY NY 10038

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

Parks + Recreation  
Recreation

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

1:00 PM

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

Will testify

in favor  in opposition

Date: 4/29/09

(PLEASE PRINT)

Name: William Casati

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

I represent: Bx

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

# THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 684A Res. No. \_\_\_\_\_

in favor  in opposition

Date: 4/29/09

(PLEASE PRINT)

Name: Allison Brando

Address: 20 Broadway Ave Port Washington NY

I represent: Good Jobs NY

Address: 20 Bank Place #7 Port Washington NY

# 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: 4/29/09

(PLEASE PRINT)

Name: Dmitri Konon

Address: 110 William St. NYC

I represent: NYCEOC

Address: 110 William St. NYC

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: Sheelah Fenberg

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

I represent: New Yorkers for Parks

Address: 355 Lexington Ave 14th floor

◆ 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: 4/29/09

(PLEASE PRINT)

Name: Liam Kavanagh

Address: Parks 830 5th Ave

I represent: Parks

Address: Same

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