

THE DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT

L.U. C 190184 HAM

Green Haven Senior Affordable
Rental Apartments

May 2, 2019

(**Chin**) **L. U. No.** C 190184 HAM is related to an Urban Land Use Review Process (ULURP) application seeking an Article XI disposition approval of a City-owned lot located at **199-207 Elizabeth Street** (Block 493, Lot 30) in Manhattan Council District 2, for a project known as **Haven Green**.

The Haven Green site is composed of several lots that were acquired by the City through deed and condemnation between 1853 and 1930. In 1991, prior to HPD assuming management jurisdiction of the property, the Department of Citywide Administrative Services (DCAS (*f/k/a General Services*)) leased the property to a neighboring property owner (the owner of *209 Elizabeth Street, Block 493 Lot 21*) on a month-to-month basis. The lease allowed that tenant to use the property for any as-of-right use, including storing sculptures. The lease stipulated that the tenant must vacate the property upon 30 days written notice from the City. DCAS transferred jurisdiction of the property to HPD in 2018.

Given the tremendous need for affordable housing in core Manhattan, and the extremely limited number of public sites, the City made a commitment to develop affordable housing on this site in 2012 as part of an agreement regarding the Seward Park/Essex Crossing development in the Lower East Side.

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HPD issued the Mott-Elizabeth Streets RFP (the RFP) in September 2016. It required that respondents propose a high-quality, mixed-use affordable housing development, to include affordable senior housing, quality commercial and/or community facility uses, and a creative design to ensure at least 5,000 sq ft of publicly accessible open space would be reserved for community use. The RFP also noted that the site is located in the Special Little Italy District (the SLID), which was established in 1977 with the goals of preserving and strengthening the historic and cultural character of the community.

The selected development team, which includes Pennrose, Riseboro and Habitat for Humanity, submitted a proposal that met these requirements, complied with the terms of the SLID, and exceeded the minimum open space requirement by including 8,400 sq ft of publicly accessible open space (including 6,700 sq ft open to the sky and 1,700 sq ft of covered entryway).

The project will be developed under HPD's Senior Affordable Rental Apartments (SARA) program and is deeply affordable, targeting seniors with incomes from 30% to 60% of the Area Median Income (AMI), which amounts to an annual income of approximately \$21,930 to \$43,860 for an individual based on 2018 AMI

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levels. As is customary, HPD and the developer will enter into a regulatory agreement to memorialize the project's affordability and other restrictions. The regulatory agreement will have a 60-year term and will require that all units will be rent-stabilized, even after the regulatory agreement expires. Thirty percent of the units will be set aside for homeless seniors referred by the Department of Homeless Services (DHS).

The newly constructed building will be seven stories tall, with 123 age-friendly studio apartments and on-site supportive services. Resident amenities will include laundry facilities, an exercise room, computer room, common room, an outdoor landscaped terrace, and supportive service offices with LGBT-friendly senior services to be provided to residents and the community by SAGE. The building also includes community facility space for Habitat for Humanity and ground floor retail. Haven Green will be built to Passive House standards, which is the gold standard in energy- and resource-efficient building design.

The project will include publicly-accessible open space to be maintained in perpetuity through restrictions included in the property disposition agreements and in the regulatory agreement. These restrictions will run with the land. The open

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space will be designed based on input that the Haven Green development team collected through their public engagement process. The team engaged community members, gardeners, and other local stakeholders in a series of participatory design sessions to obtain public input on the activities, design elements, and character of the space, with the goal of creating a high-quality open space that is grounded in community input and meets neighborhood needs.

The Haven Green project will be an LGBTQ-friendly senior development and a welcome home for many seniors who have been waiting years to have the opportunity to apply for an affordable housing unit. Therefore, HPD is before Council seeking approval of **L. U. No.** C 190184 HAM to facilitate the development of a mixed-use development called Haven Green, to provide much-needed affordable housing for seniors.



**New York City Council
Subcommittee on Landmarks, Public Siting, & Maritime Uses
Testimony re: Haven Green ULURP Application
May 2, 2019
Lynn Kelly, Executive Director**

Good afternoon, my name is Lynn Kelly and I am the Executive Director of New Yorkers for Parks. NY4P is the City's independent research-based advocacy organization championing quality parks for all New Yorkers. Thank you to the Subcommittee on Landmarks, Public Siting, and Maritime Uses for allowing us to testify today in reference to the Haven Green proposal.

NY4P believes that healthy neighborhoods require a balance of essential City services – affordable housing, schools, access to healthy food, and of course, open space. While our organization seeks to maximize publicly accessible open space wherever possible, we also recognize that in a healthy, well-functioning city that strives to be equitable to all its residents, it is necessary to plan for the present and future needs of all New Yorkers.

It is a false narrative for New Yorkers to have to choose between open space and new opportunities for deeply affordable housing. However, we ultimately believe that the City is within its rights to move forward with developing Haven Green on the site where the Elizabeth Street Garden currently is located. Furthermore, we support the City's attempt to balance the dire need for affordable senior housing in this area while still providing publicly accessible open space for the community.

As the City's 'voice' and grass roots advocate for parks for over 100 years, NY4P has not come to this decision lightly. It was made after many meetings and conversations with stakeholders including park and garden advocates, both groups representing Elizabeth Street Garden, the Department of Housing Preservation and Development, Haven Green's development team, and our own Board of Directors.

We do have concerns about the current Haven Green proposal that we ask the Council and the City to consider. While we acknowledge that ULURP is in its final stages and that it is unusual to have this level of detail, however, we strongly urge the Council and City to take the following steps to better address the open space concerns of residents and advocates:

- Long-term maintenance – The Parks Department is overburdened. We urge the City to have the developer commit to a long-term agreement to fund the ongoing care of the open space portion of the site with input from the community regarding its stewardship.
- Public Access – To maximize access, the City and development team should maintain open hours beyond 9am to 5pm in order for the space to act as a resource for residents outside of traditional workday hours.

- Public input – We urge the City and the development team to hold additional public input opportunities to ensure that the community can shape the open space design and programming opportunities that will exist at Haven Green.

In sum, all too often, the narrative around neighborhood development unfortunately pits the creation of affordable housing against open space.

Make no mistake: we understand the frustration of community members who have come to cherish the garden. We also understand that difficult choices must be made by the City in light of the dwindling opportunities to create deeply affordable housing in high-income neighborhoods like Little Italy/NOLITA.

The Haven Green project represents a unique opportunity for the City to rethink its vision for new affordable housing, and we hope that considerations of maximizing open space in tandem with housing will be a benefit to all New Yorkers in all neighborhoods.

Thank you for considering our testimony, and I welcome any questions you might have.

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For over 100 years, New Yorkers for Parks (NY4P) has built, protected, and promoted parks and open spaces in New York City. Today, NY4P is the citywide independent organization championing quality parks and open spaces for all New Yorkers in all neighborhoods. www.ny4p.org



(05/02/2019)

Elizabeth Street Garden City Council Statement

Yuh-Line Niou serves as the Assembly Member for the 65th Assembly District which is home to the Garden.

Thank you for the opportunity to speak on the proposed plans for Elizabeth Street Garden. My name is Yuh-Line Niou. I serve as the Assembly Member for the 65th Assembly District which is home to the Elizabeth Street Garden.

Following the demolition of a public school, the derelict lot was overrun with weeds and covered in debris. Our community poured countless hours into creating new open space. There was no direction from the City in developing the Garden into what it is today. I want to make it very clear that Elizabeth Street Garden is what it is today because our community stepped up when the City would not. We engaged our community to develop the Elizabeth Street Garden into a jewel which meets our community's needs.

As a member of the Committee on Housing, I recognize the need for low-income and affordable housing in New York. There is a housing hearing on rent laws set to expire in June occurring as we speak. I have fought for critical funding in our housing system and affordability in our community. I have also stood with advocates and other elected officials to defend against privatization of public space on all fronts, such as NYCHA housing, public facilities like Rivington House, green spaces, and open space. I firmly believe public land should remain public and require ample public input prior to any change in usage. When public land becomes privatized, it rarely, if ever, returns to the public. Therefore, we must be doubly sure that the local community's needs are taken into account fully, prior to engaging that often permanent change in ownership.

Lower Manhattan is in need of affordable housing, but we cannot pit the need for housing against the need for green space, especially when good alternatives are available. Both are vital and both are in dire need of protection and expansion. Our neighborhood is the only downtown neighborhood that NYC Parks defines as underserved by open space, with an open space ratio of 0.13 acre per 1,000 residents. In Little Italy and SoHo, we have even less open space with an open space ratio of 0.07 acre per 1,000 residents or 3 sq. ft. per person.

The City proclaimed its commitment to expanding open space to 2.5 acres per 1,000 residents. Yet, the current plans for the Garden lowers the open space ratio even further and eliminates nearly 70% of the open space of the Garden from 20,000 square feet to a mere 6,700 square feet. The EAS (environmental assessment statement) arbitrarily states that eliminating the Garden does not do any harm, even though it will reduce the extraordinarily minuscule amount of public open space this area has. Losing the Garden, or at least diminishing and altering the Garden, should have triggered a more extensive environmental review process to fully capture the damages done through these plans. In addition, the City owns this site in trust for the Board of Education. The current plan to transfer the property for a non-educational purpose such as creating non-permanent 'affordable' housing and office or retail space does not adhere to the requirements of the trust.

Eliminating the Garden for non-permanent 'affordable' housing and 11,200 square feet below-market rate office space is not a 'win-win' scenario like the City portrays it as. It is a false choice. As Community Board 2, elected officials like myself, and other advocates have said time and time again, a win-win solution is to build up to five times as much affordable housing at a nearby city-owned 25,000 square foot alternative site at 388 Hudson Street and designate the Elizabeth Street Garden as a NYC Park.

Choosing this solution would not set a precedent. In fact, the Mayor supported a similar real win-win solution in Chelsea where the City is creating a new park on West 20th Street and building more housing on a larger city-owned site nearby the park. We should be discussing a real win-win solution and creating plans for truly permanent affordable housing while supporting the Garden's operations in our community. In face of the overwhelming support from Community Board 2, other elected officials, and community residents, I urge the City Council to vote nay on this proposal and to seek out a solution that can match all of our community's needs.

Thank you.



DEBORAH J. GLICK
Assemblymember 66th District
New York County

The Assembly State of New York

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**Testimony of Assemblymember Deborah J. Glick
Regarding the Elizabeth Street Garden ULURP
Application # 190184 HAM, 199-207 Elizabeth Street & 222-230 Mott Street
Before the New York City Council
Subcommittee on Landmarks, Public Siting, and Maritime Uses**

May 2, 2019

Thank you for the opportunity to testify before you today regarding the Elizabeth Street Garden Uniform Land Use Review Procedure (ULURP) application for the disposition of city-owned land at the Elizabeth Street Garden site in order to construct the proposed Haven Green Development. This difficult and complicated ULURP is a prime example of the need for the City Council and this Administration to exact an evaluative and nuanced understanding of the needs of a community, the process by which land is used for any public purpose, and the constant pernicious way in which the City pits two scarce resources in our communities against one another; affordable housing and open space.

It is disappointing that, too frequently, residents are asked to choose between affordable housing and public open space, both of which are essential for quality of life in our increasingly dense city. Many in City government speak at length about affordable housing or affordable communities, and these are important topics that must be fully explored in a continually urbanizing society. However, the concept of livable communities is often lost in the equation in favor of pursuing other public policy goals wherever feasible even when more appropriate and robust opportunities exist elsewhere or have been offered by the community. Lower Manhattan, and particularly, Community Board 2 (CB2) has one of the lowest ratios of open space to population, and frequently is forced to fight to maintain the little space they have, and which they have to share with large numbers of tourists and other visitors. Affordable housing is desperately needed in New York City and efforts to develop affordable apartments are important, but sacrificing a beloved community space in favor of constructing only 123 units of affordable senior housing, under the Zoning for Quality and Affordability (ZQA) program which does not guarantee permanent affordability, when there is an available alternative site is unconscionable.

Beyond the merits of the ethical question that our City faces in this particular ULURP; namely that if the community uses a space as a park, it has all the characteristics of a park, and there is a grassroots based effort to preserve it for the qualities seen similarly in other open spaces, it is then effectively a park, there are basic land use questions surrounding this application.

Open Space Requirements in New York City

Frequently cited in City Environmental Quality Review (CEQR) evaluations, but rarely enforced, New York City zoning recommendations suggest that an optimal open space goal in our neighborhoods is 2.5 acres per 1,000 residents. Currently, the North of Little Italy (NoLita) and SoHo neighborhoods of CB2 have an open space ratio of an abysmal 0.153 acres per 1,000 residents and if this proposed development is constructed on the Elizabeth Street Garden site, that ratio will drop yet again to 0.149 acres per 1,000 residents according to the Borough President's report on this ULURP. Effectively, those 1,000 residents included in that ratio are being asked to occupy 6,490 square feet of total space, just over 6 square feet per person. That includes play space for families with young children, active recreation space in their neighborhoods when those children grow older, passive space for all people, and hopefully, educational opportunities in the outdoors all without travelling outside their immediate community.

While not the same neighborhood, but still within CB2, the St. John's Terminal project between Washington and West Street straddling Houston has reverted to a hybrid scenario plan based on a Technical Memo that was approved after the community board phase of the ULURP process. The hybrid scenario allows the developer to skirt open space requirements in 10,000 square feet of indoor recreation space, elevated garden spaces that would have existed above Houston Street on derelict rail beds, and an internal courtyard garden area. When the development was sold by the firm that went through the ULURP process to an outside buyer, the option to invoke the Technical Memo was exercised and this community board, even though it is not directly adjacent to the ULURP we are discussing today, lost more available open space. Not to mention that 218,700 square feet of previously agreed upon affordable rental housing will never be realized at that space because of the Technical Memo that was passed, without vetting, by the local community.

I caution proponents of this development who say that this community is anti-development solely because of specific instances like what we are witnessing here at the Elizabeth Street Garden. The St. John's Terminal ULURP, among other instances, show that this community frequently accepts residential development, and advocates for affordable and senior housing while trying to claw back even modest gains in open space. In the case of the recent St. John's Terminal ULURP, we have seen that all those efforts were for naught, and the City allowed a developer to exercise an option that took away both affordable housing and open space. Similarly, for this Administration to not actively pursue the alternative site recommendation at 388 Hudson Street in lieu of destroying Elizabeth Street Garden is disingenuous to a community that has seen both losses in affordable housing and open space because of other ULURPs and developments.

Available Alternative Site

In February 2016, I testified before the New York City Council regarding the ZQA and Mandatory Inclusionary Housing (MIH) proposals that were city-wide zoning code changes aimed at building more affordable housing in an equitable manner throughout the City. Like many others, I noted that the ZQA proposal does not offer a permanently affordable solution for senior housing, and best estimates indicated at that time that communities could expect roughly 40 years of subsidies for newly built senior housing before those units could be vulnerable to reverting to market rate housing. As part of the discussions over the last 6 years regarding Elizabeth Street Garden, CB2 has

offered an alternative site at 388 Hudson as a suggestion in order to build a much larger development of affordable senior housing, which was once promised as open space, on a vacant lot that is used as an access point to Water Tunnel No. 3. While it may be logistically difficult to marshal forces at New York City Housing Preservation and Development (HPD), New York City Department of Environmental Protection (DEP), New York City Department of Buildings (DOB), and a private developer, to construct a useful and optimal space at this location, that does not mean that we should rely on destroying Elizabeth Street Garden simply because it is easier.

It has been clearly shown that the alternative site is larger, can house potentially five-times as many senior units, is across the street from an existing park which residents could make use of, and would utilize a site that is already city-owned and vacant. With the prospect that ZQA cannot guarantee affordability in perpetuity for senior housing, it would appear ill-advised to destroy open space that can be mapped as parkland and remain as such for generations to come simply because it is logistically easier than the inter-governmental challenge of forcing multiple agencies to work together and construct over subterranean infrastructure—a feat that we often do successfully in New York City. Unfortunately, this Administration has indicated that they wish to build on both sites and not allow this community to maintain already used open space as a park in addition to building a larger amount of affordable housing.

Conclusion

I find that this particular ULURP and proposal that this Administration is forcing the community to absorb and debate flies in the face of the stated goals of previous objectives undertaken by various agencies. In theory, the community board process should allow for local control and discussion about how city-owned sites, those assets that are owned wholly by the public, to be used for the benefit of the community and future generations. CB2 finds itself in this position because of a ULURP which occurred outside of their district some years ago. Opposing this development does not mean that I am opposed to affordable housing for seniors when it is constructed on sites that are valuable to the community, quite the contrary, I am opposed to forcing communities to decide how to dispose of their public assets while advocating livable communities. I urge the City Council Subcommittee on Landmarks, Public Siting, and Maritime Uses to deny this application and compel this Administration to work more closely with CB2 to preserve Elizabeth Street Garden and construct more affordable senior housing at the 388 Hudson Street site.

NOV 19, 2018

There is No Alternative

Pennrose LLC, RiseBoro Community Partnership and Habitat for Humanity New York City

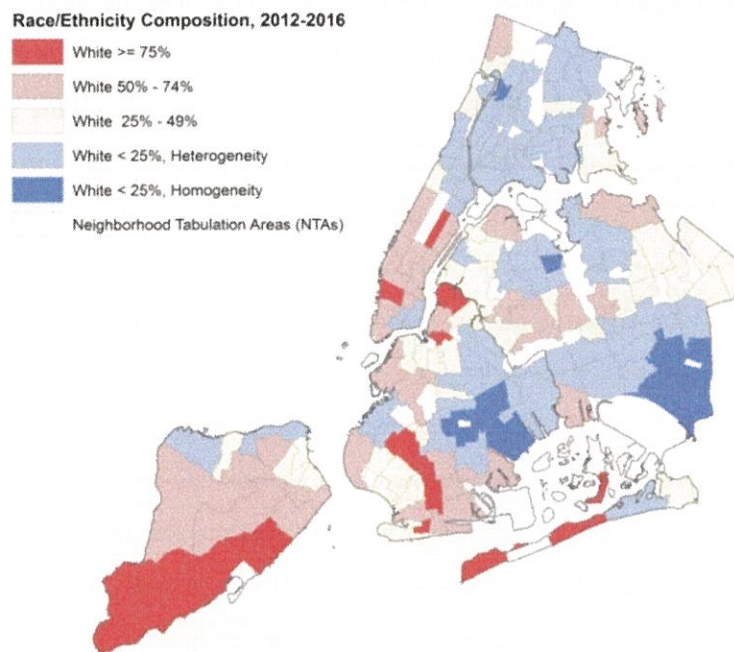
The city and the Little Italy neighborhood of Manhattan unequivocally need more affordable housing *and* more green space. When these amenities exist alongside one another in a symbiotic relationship, community is strengthened. This vision for a stronger, inclusive community is the promise of the Haven Green project. It is the vision shared by its development partners:

Pennrose, RiseBoro Community Partnership and Habitat for Humanity New York City. It is a vision now threatened by a vocal minority of community residents seeking to derail the project. One of the common objections voiced about Haven Green is that an “alternative site” exists that could accommodate our development. We have been asked again and again why we can’t just “build over there.” Although it is tempting to think that the current garden space could be preserved in its entirety while Haven Green is built elsewhere, this thinking ignores critical contextual realities that must be confronted.

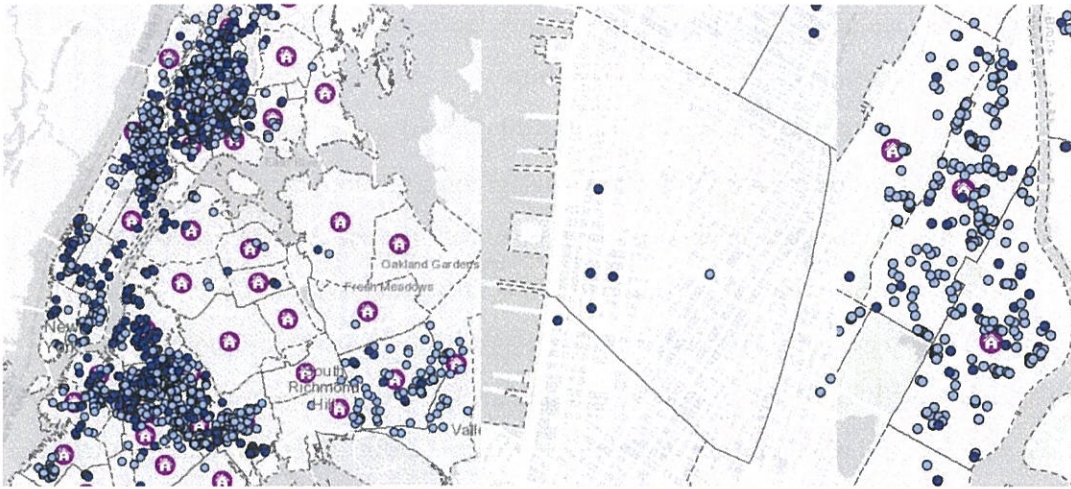
First, there are very few City-owned sites within Community Board 2, and even fewer that are feasible for affordable housing development. The designated site for Haven Green is the *only* currently developable site that is controlled by the City’s housing agency. The other oft-referenced site on Hudson Street is controlled by the Department of Environmental Protection (DEP) and contains a critical water system access shaft. Despite the fact that the Hudson Street site is not a currently viable alternative, the City is evaluating it for future housing and green space development. The depth of the affordability crisis requires this kind of expansive strategy to maximize public benefit on public resources. We need more projects like Haven Green to be built, not fewer.

More importantly, fair and equitable housing policy calls for all community districts, and all neighborhoods, to participate in alleviating the affordability crisis. A recent [City Council report](#) on desegregation, as well as [Speaker Corey Johnson’s efforts](#) to [codify](#) the Obama administration’s stalled Affirmatively Furthering Fair Housing rules, highlight the need for “high opportunity” neighborhoods to contribute more in tackling these challenges. Identifying one site

a mile away in a different neighborhood as an “alternative” minimizes the dramatic need for affordable housing the city faces and every New Yorker’s responsibility to meet the challenge. CB2 is one of only two community districts in Manhattan in which the population is equal to or more than 75% white. The median home value is nearly \$2M. Stopping projects like Haven Green will perpetuate inequality by ensuring affordable housing will continue to be predominately concentrated in historically “redlined” neighborhoods while more affluent “high opportunity” neighborhoods are able to fund legal challenges and PR campaigns to stop fair housing projects.



Since 2014, only 93 new affordable units have been developed in all of CB2, and a project at **St. John’s terminal** that was initially going to produce 178 units of senior housing is no longer happening. In comparison, one seven-block stretch in East New York has built 648 units over the same time. This discrepancy is emblematic of the burden that low-income minority communities have historically carried in easing New York City’s housing crisis. It is a social justice issue that contributes to the deepening of inequality among our neighborhoods. It is time to take steps to cure historical inequities. It is time to build diverse, inclusive communities in high opportunity neighborhoods. It is time to embrace the Haven Green vision.



(Citywide map of Housing NYC projects and side-by-side comparison of CB2 and Harlem)

With *at least* 4,600 seniors awaiting affordable housing in CB2 alone, and the average wait time for senior housing currently 7 years long, more than just one project is needed in the community. Opposing Haven Green and proposing a site not yet even in the development pipeline as an “alternative” is a disservice to our elders in need of housing today.

These are the people that housing advocates speak out for—and with—those seniors who have articulated to us that they need housing. The community of need is larger and more diverse than their most vocal opposition, and this is why advocacy matters and why Habitat NYC and our development partners at Pennrose and RiseBoro are willing to take the hits aimed at us. We are committed to serve the most vulnerable among us.

We ask that the community consider this development project on its merits. It is an environmentally progressive passive house project creating much-needed, deeply affordable, LGBTQ-friendly housing for seniors, including formerly homeless seniors. It includes both a community facility space and a year-round, publicly accessible green space within the heavily gentrified neighborhood of Little Italy, a “high opportunity” neighborhood not likely to see another 100% affordable project in the future.

The development team understands the value that the current space has brought to the neighborhood and the project design is a thoughtful homage to its origin. Haven Green is not pitting affordable housing against green space; the reality is that the project offers both to a neighborhood where both are so desperately needed. The end result seeks to be an aggregate of thoughtful design and community input rigorously gathered through a participatory

process resulting in a space designed with the community, accessible to the community year-round, and stewarded in partnership with the community.

In a time in our country when continual conflict and civil discord are so prevalent, we as a development team seek to operate with the intent of disagreeing without being disagreeable. We seek a partnership with all those interested in honestly tackling the diverse needs of our communities through collaboration and participation. It is only when we come together as affordable housing *and* green space advocates that the project site will represent the vision of both and provide a useful model for future development. We must embrace the vision of a more inclusive, diverse, and equitable city put forth by Haven Green. **There is no alternative.**



Testimony of Habitat for Humanity New York City

**To the New York City Council Subcommittee on
Landmarks, Public Siting and Maritime Uses**

Concerning the ULURP Approval of Haven Green

May 2, 2019

Testimony respectfully submitted by:
Matthew Dunbar
VP, External Affairs
Habitat for Humanity New York City
Check against comments

Good afternoon. My name is Matthew Dunbar, Vice President of External Affairs for Habitat for Humanity New York City. I want to begin by thanking Chair Adams, Councilmember Chin and the full subcommittee for the opportunity to testify on Haven Green.

Habitat for Humanity New York City knows the power and importance of affordable housing. For the past 35-years, Habitat NYC has built and preserved more than 700 homes with low- to moderate-income families in all five boroughs. Habitat homeowners build side-by-side with volunteers to complete their home and the homes of their neighbors, which brings people of all stripes together around the cause of affordable housing.

Since the late-90's – after completing our first two Habitat buildings on the Lower East Side - Habitat NYC's homebuilding efforts predominantly served families earning between 60-80% area median income and were predominantly concentrated in historically red-lined communities – including Harlem, Southeast Queens, and Central Brooklyn. Habitat has not had the opportunity to build new affordable housing in a "high-opportunity neighborhood" and provide new housing opportunities for very- and extremely-low income New Yorkers in 25 years.

While Habitat NYC has historically only built and rehabilitated affordable single- and multi-family homes for ownership, we have recently expanded our housing mission with this first rental project. We are honored to be a co-developer on Haven Green, a 123-unit, deeply affordable, LGBT-friendly, senior housing project in Little Italy with a 30% set-aside for formerly homeless seniors. It is only by prioritizing critical projects like Haven Green and increasing the number of units available to homeless individuals and families that we can truly make meaningful impact on the housing crisis felt most harshly by the most vulnerable among us.

Habitat NYC joined this team and proposed this project because Haven Green provides us the opportunity to build housing for a more vulnerable population than we traditionally serve. Not only that, but the project in a neighborhood that rarely – if ever – sees new affordable housing created. In short, *this* piece of land in *this* neighborhood a matter of social, economic, and racial justice.

As part of my testimony today, I am submitting a statement that the development team published to the Haven Green website entitled, "There is No Alternative." This piece further unpacks the fair housing issues at stake in this project and addresses the claim that we, the developers, should build instead on a site controlled by DEP containing critical municipal water infrastructure. This site is in a different neighborhood a mile away. We encourage all stakeholders to read it so they will better understand that there is no viable alternative should the city be serious about both tackling housing and inequality.

Habitat will provide additional value to the project by signing on as the anchor tenant for the community facility space. Only a short list of qualified community entities including not-for-profits like Habitat NYC can utilize the “community facility space,” and the Manhattan Borough President specifically highlighted the space as a benefit of the project. Our presence provides additional community benefit through not only our housing preservation and community revitalization programs, but by providing a shared meeting space that local community groups as well as those engaged in the stewardship of the open green space can use.

Going into this approval process, Habitat NYC knew that a pre-existing conflict existed around this site – one that has separated neighbors and created tension between many well-meaning residents of the community. In doing our due diligence, we understood that the private commercial space that had become a cherished asset to the neighborhood had become publically accessible only after the City designated the site for affordable housing.

We see this project as a compromise and opportunity for all stakeholders to come together in service of multiple neighborhood needs. Haven Green will provide more than 123 low-income and formerly homeless seniors with desperately needed affordable homes, which they will utilize 100% of the time, and provide the neighborhood with more publicly accessible green space than was available 6 years ago, when the site was slated for housing development. Additionally, we believe the development of the site will provide cumulatively more access to green and open space by square foot once one factors into consideration the hours of access of the current space.

We empathize with those who feel passionately about the current space, though through our participatory design and ongoing community engagement efforts, we have sought to hear residents, and consider their thoughts and opinions. We believe the future space and site will become a cherished, local oasis as well as home to generations of low-income, LGBTQ+, and formerly homeless seniors.

Please feel free to contact me if you have any questions regarding Haven Green and I thank you for the opportunity to testify today. We look forward to continuing our partnership with the City in serving low-income families in need of affordable housing and expanding our impact to current and formerly homeless seniors through the approval and construction of Haven Green in Little Italy.

MARIA SCARFO IN FAVOR OF HAVEN GREEN

I am the NORC Program Director with Vision Urbana, Inc. & am in support of the Haven Green development. I manage a Senior Program that serves over one hundred seniors, many of whom are recipients of affordable housing applications more still inquiring on available housing opportunities. When a proposal exists to that will join together open green space with over 120 apartments for seniors, as a service provider, I see this as a benefit, not a takeaway to Lower Manhattan.

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Afford

FOR THE RECORD

TESTIMONY
May 2, 2019

SUBMITTED BY JEANNE WILCKE ***

IN SUPPORT OF PRESERVING ELIZABETH ST. GARDEN

&

IN SUPPORT OF THE WIN-WIN COMMUNITY PLAN
TO BUILD 5X MORE HOUSING
ON THE ALTERNATIVE SITE

*** Jeanne Wilcke:

Former President of Downtown Independent Democrats for 8 years
Current Treasurer & Executive Board member of Downtown Independent Democrat
Co-Chair of the NoHo Neighborhood Association
Elizabeth St. Garden supporter
Executive board or regular member of numerous associations & non-profits working to reduce
carbon emissions in NYC
Democratic County Committee member
Democratic Judicial Delegate

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CITYLIMITS.ORG

Opinion: The False Choice Behind the Elizabeth Garden Housing Scheme

By Eddie Panta | April 30, 2019



Friends of Elizabeth Street Garden

The Garden

When Haven Green, a senior affordable housing project set to rise on Elizabeth Street Garden in Little Italy was initially revealed in 2017, it was billed as a “win-win solution for the neighborhood.” In order to mitigate the loss of the garden, HPD and city officials including Councilmember Margaret Chin, who originated the land-deal, promised Haven Green would provide both desperately needed senior affordable housing as well as “quality open space.”

With Habitat for Humanity NYC on board as co-developer and spokesperson, the project was supposed to bypass the longstanding debate between housing and open-space advocates. Habitat NYC warned that such a debate would be a “zero-sum game” amid the current housing crisis and the shortage of city-owned land. But from the onset, developers and city officials appeared to invite opposition when they inflated the size of the open space that would remain and took credit for providing that small area despite the fact that a longstanding zoning regulation required it.

The lack of transparency from developers and the misrepresentation of both the project and the garden by the city only deepened the divide that existed within the community. As public meetings for the proposal began, the debate quickly deteriorated, and a battle of NIMBY vs. YIMBY played out in local media.

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In spite of this fierce debate, both sides were still asking the same question: Why can't we just have both, housing and garden?

The city's alleged “win-win solution” at Elizabeth Street hinged on creating a complex that would unify both housing and garden on one site. However, missing from HPD's request from developers was any real guidelines that would guarantee an equitable “public space.” And even if the green space could, with smart landscaping, overcome the shadows from the imposing seven-story building, architects had failed to incorporate the open space into the design of the building. In terms of balance, what remained of the garden appeared as shadowy leftover space.

The fact that residents and commercial tenants would have direct access and priority usage rendered HPD's idea of “dedicated public open space,” inequitable.

The design struggles exposed how unprecedented an undertaking Haven Green actually was.

Neither HPD nor developers could provide any example of another housing complex in the city of New York that incorporated privately-owned, publicly-accessible space within the confines of a residential complex. As Community Board 2's resolution would later reveal, the idea for Haven Green was incomplete: Lead developer Pennrose Properties failed to satisfy the meager requirement HPD had laid out for the open space component of Haven Green.

In order to have both housing and a true public space, Community Board 2 pitched an apolitical plan to build Haven Green on an alternative site that would provide more housing within the same community board.

By all accounts, Council Speaker Corey Johnson (in whose district the alternative city-owned lot lies), was receptive to the plan. All that remained was for Councilmember Chin to initiate negotiations and compromise. That didn't happen. Instead, a "build affordable housing everywhere possible" slogan emerged for the Councilwoman's 2017 re-election campaign. Chin had reverse-engineered a city-wide urban planning policy out of a need to justify the destruction of the garden and squash the community-led plan for having the two elements—housing and garden—on separate sites.

Suddenly, the plan for compromise, to have both, meant taking both for housing. But now, in 2019, there's no evidence that Councilwoman Chin's "build affordable housing everywhere possible" mantra has been adopted by the city. The only real urban plan that emerges from this crisis-state strategy is that open space should be relegated to exist in the shadow of any new development on city-owned land. Recent news reports reveal that the de Blasio administration is failing to deliver budget allocations for affordable housing and land deals to build affordable housing on parking lots while pushing ahead with plans for infill developments on playgrounds and open space in NYCHA properties, like Holmes Towers on the Upper East Side.

The insistence by garden advocates to build more housing on the alternative site and preserve the garden in its entirety is based on the reality that housing preference is governed by community board boundaries, not by Council District. Had their community-led plan been put into action when it was initially proposed in 2015, seniors would already be living in new apartments. And the city would have Elizabeth Street Garden as a public park.

But protesting Haven Green wasn't strictly about preserving the garden. The fact that city-owned land was being privatized for non-permanent affordable housing made the deal seem like a land giveaway. The inclusion of 11,200+ square feet, of below-market, ground floor office space for Habitat NYC's new headquarters, is simply irreconcilable with either the housing crisis or environmental concerns.

As the Haven Green project heads to a vote at City Council, neither side has ceded any ground, and it's become clear that developers actually benefited from the housing-versus-gardens debate it warned against because it distracted from the real facts and the hopeless contradictions of the development.

The placement of Haven Green on the functioning garden site actually creates the debate necessary to upend the notion of what constitutes public space, open space, and even office space. As Haven Green purports to be a "model for future development," this project could redefine what public space is in this city.

For now, the city appears determined to find out just how much green space it can afford to lose. YIMBYs or pro-housing advocates tell us that developments impacting open space and cultural history, whether at Holmes Towers or Brooklyn Botanical Gardens, are just minor encroachments that are commensurate with the housing crisis. But a crisis doesn't happen all at once, it occurs incrementally, slow enough so that you don't notice it's happening, then suddenly all at once.

All too often, the solution to the crisis from pro-housing groups is increased privatization of public space, and that a kick-up to big real-estate from the community is necessary to achieve equality and affordability. Evoking the crisis shields city projects from their failings, alleviates burdens of comprehensive urban planning, and gives cover for politicians to pick and choose winners and losers.

Regardless of the final outcome at City Hall, it's clear that the Haven Green development won't settle this debate. The "win-win solution" that HPD has trumpeted at the Elizabeth Street Garden and at Holmes Towers actually prioritizes new housing over preservation.

This strategy will always result in a loser, unless a "do no harm" policy is enacted to preserve existing affordable housing stock as well as the environment, not just on a project-by-project or lot-by-lot basis, but as a city-wide urban policy so that there is one winner: the city as whole.

Eddie Panta is a painter, writer, and event coordinator based in Lower Manhattan. He is a contributor to the local news blog BoweruBoogie.com

November 1, 2015
DOWNTOWN INDEPENDENT DEMOCRATS
RESOLUTION

THE DOWNTOWN INDEPENDENT DEMOCRATS
SUPPORT THE ELIZABETH STREET GARDEN
AND ARE STRONGLY AGAINST NYC DEVELOPING THE SITE

The Downtown Independent Democrats have fought hard for over 40 years for affordable, senior, and loft-tenants housing.

But we do not support the proposed development on the site of the Elizabeth Street Garden which has become a valuable community center.

This garden has become an amazing community resource for seniors and children alike. Older people have found a safe haven where they can sit and converse, join in activities and not be isolated.

In fact, this garden can be defined more accurately as a valuable community center with its many and diverse activities. It should rightfully be known as the 'Elizabeth Street Garden Community Center.'

It also provides greenery and open space in a plant-starved area. The district in which it exists has one of lowest ratios in all of NYC of green space per capita. Whether asthma or breathing disorders, we must acknowledge the importance of these spaces to our health.

Around us NYU has taken much park space for its own use, to be replaced by institution-like plazas. One-third of the teeny-tiny Petrosino Park has been allocated to Citibikes.

Sara D. Roosevelt Park is primarily asphalt, and its uses are different with basketball, soccer and similar activities. To our sorrow, it also has an extremely high homeless and drug-use population. It lacks lacks a safe place with grass for children and seniors alike and has very different uses and activities than the Elizabeth Street Garden. To take more of the little pieces of green we hang on to would be criminal.

Ironically, NYC itself has in the past few years sold its own downtown real estate for luxury development, which could have been affordable housing. We encourage the Mayor, the Lower Manhattan Development Corporation, the Department of Housing Preservation & Development, and other government agencies to pause and look further for sites more suitable than this one.

Furthermore, this City administration promised that the old-boy network top-down approach to development and large-scale projects in our neighborhoods would henceforth be a bottom-up approach, involving local groups and Community Boards in dialogue and planning at the outset as it should be.

Instead the top-down approach is even worse than before, with projects and zoning decisions being 'done deals' before the local community is told and little or no consultation on planning at the local level.

The Elizabeth Street Garden site was negotiated away WITH NO NOTICE AND IN A BACK-ROOM DEAL to make up for lack of ability to negotiate enough affordable housing at the Seward Park site, a development not even close to the garden.

For those who do not live in this and the surrounding neighborhood, it is hard to assess the positive impact this Elizabeth Street Garden gives. But there is an overwhelming support for the garden - by the people who live here. Both the old-timers, the newcomers, and the small businesses surrounding the garden.

These local people very much support affordable and senior housing - but this garden and its role as a community center for young and old is also important and overrides development on this site.

MAY 2017

**DOWNTOWN INDEPENDENT DEMOCRATS
RESOLUTION**

**IN SUPPORT OF PRESERVING ELIZABETH STREET GARDEN IN ITS ENTIRETY
AND
CREATING SIGNIFICANTLY MORE AFFORDABLE HOUSING AT 388 HUDSON ST**

Whereas: Affordable housing is of vital importance to Downtown Independent Democrats and the area we serve which includes both Little Italy and Greenwich Village, and

Whereas: Both affordability and access to large, green open spaces are essential to the livability and sustainability of neighborhoods, and

Whereas: Little Italy is severely underserved by open space and is part of the only downtown Manhattan neighborhood that the NYC Department of Parks and Recreation defines as "underserved" by open space, and

Whereas: 388 Hudson Street is both across the street from and down the block from large park spaces, while Elizabeth Street Garden is the only green open space in all of Little Italy and SoHo, and

Whereas: Community Board No. 2, Manhattan has been promised a park at 388 Hudson, which they have long fought for and greatly desire, but the Board has passed a resolution stating that they are willing to forego a park at that site ONLY IF Elizabeth Street Garden is preserved in its entirety, and

Whereas: In no case can both the Elizabeth Street Garden and 388 Hudson Street sites be developed for affordable housing – it is only one or the other, and

Whereas: The 388 Hudson Street site can accommodate almost five times as much affordable housing as the Elizabeth Street Garden site, and

Whereas: A successful swap of an open space site for a better affordable housing site was recently done by Councilmember Corey Johnson, moving the housing to a site farther than the distance between Elizabeth Street Garden and 388 Hudson St., and

Whereas: Preference for a significant percentage of the first rent-up of housing is determined by Community Board boundaries, not by Council Districts, and

Whereas: Having five times as much affordable housing at 388 Hudson will serve on average of five times more residents in Little Italy than would be served by developing a lower number of units on Elizabeth Street Garden, and

Therefore Be It Resolved:

Downtown Independent Democrats supports the preservation of Elizabeth Street Garden in its entirety as public open, green space, with the potential affordable housing moved to 388 Hudson Street where more affordable housing can be built without destroying a cherished green open space, and

Be it Further Resolved:

Downtown Independent Democrats calls upon Councilmembers Chin and Johnson to work together to effect this swap to the benefit of both their districts.

STATEMENT TO THE NYC COUNCIL IN SUPPORT OF HAVEN GREEN

HPROJECT FOR SENIORS

May 2nd 2019

My name is Valerio Orselli. I am speaking as a founding member of Cooper Square Community Land Trust (CSCLT) and Cooper Square Mutual Housing Association (CSMHA), a non-profit cooperative project on the Lower East Side of Manhattan. I am also a former resident of Little Italy, when it still was Little Italy and affordable. I am here to express my fullest support for ULURP #C190184 HAM- Haven Green Project for seniors, sponsored by Habitat for Humanity and their partners.

Without a doubt you will hear today impassioned speeches in support of a garden on Elizabeth Street and detailing the lack of green space in the Little Italy neighborhood. While communities need green space, the development of affordable housing for seniors must take precedence.

- ▶ Over 93,000 seniors applied for the 100 apartments at Frances Goldin Apartments on Delancey Street.
- ▶ Seniors residing in buildings managed by the CSCLT/CSMHA have benefitted from their newly renovated apartments but, with no elevators they are virtually prisoners in their apartments, just like many seniors in Little Italy. Our seniors and disabled are given priority for ground floor vacant units in our buildings but there are not enough to meet demand. Seniors in privately-owned housing get no priority.

- ▶ 388 Hudson Street, the proposed alternate city-owned site is not viable for housing.
- ▶ while there is a lack of open space in Little Italy there are a number of other green spaces nearby, such as the Liz Christie Garden on Houston Street and Washington Square Park. Only two blocks away, residents have available to them some 300,000 square feet of open space: the Sarah D. Roosevelt Park on Chrystie Street. CB#2 should request that NYC Parks Department set aside 20,000 SF within the park to relocate the sculptures on loan from the gallery owner next door and replicate the amenities located at the Elizabeth Street site.
- ▶ since 2014 only 93 new affordable housing units have been developed in all of CB#2. The area is 72% white. The median home value is \$2 million. If this trend continues unabated, Little Italy will truly become an upper middle class white ghetto.
- ▶ A key requirement for permanent affordability is a low purchase price for the land. Purchasing of privately-owned sites would be the only alternative and would make the housing totally unaffordable. Old St. Patrick's School at 233 Mott Street was sold in 2013 for \$32 000.000. Cooper Square CLT is currently seeking to purchase Nativity Church at 44 2nd Avenue from the NY Archdiocese for 123 units of senior housing. The Archdiocese wants \$50,000,000. If you factor in the price of the land and the price of construction, together they add up to about \$750,000 per unit.

While green open space is needed in Little Italy, very affordable black, white, yellow, brown and gay-friendly living space is even more urgently needed.

Please vote yes on this ULURP application.



May 1, 2019

Adrienne E. Adams, Chairwoman
New York City Council Subcommittee on
Landmarks, Public Siting and Maritime Uses
250 Broadway, Suite 1877
New York, NY 10007

RE: Haven Green project; Subcommittee on Landmarks, Public Siting and
Maritime Uses

Dear Chairwoman Adams and Council Members,

Thank you for this opportunity to submit written testimony on behalf of The Cultural Landscape Foundation (TCLF) concerning the Elizabeth Street Garden. TCLF is a Washington, D.C.-based education and advocacy non-profit established in 1998 with a mission to “connect people to places.” The foundation, created by New York native Charles A. Birnbaum, is considered a leading national authority on the country’s landscape legacy. TCLF hosts the most comprehensive free, online database of the nation’s cultural landscape legacy—the *What’s Out There* database; it has produced more than a dozen award-winning video oral histories with leading landscape architects in the United States, including New York-based practitioners M. Paul Friedberg and Nicholas Quennell; it has organized and curated critically acclaimed traveling exhibitions, including *The Landscape Architecture Legacy of Dan Kiley*, which was shown at the Center for Architecture on LaGuardia Place; and it has created print and online guides to New York City and cities throughout the country.

TCLF considers the Elizabeth Street Garden to be a nationally important cultural asset, one that is unique to New York City and that cannot be replicated. The Elizabeth Street Garden is not simply a generic swath of green space. In fact, because of the present threat, the foundation has designated the garden as a *Landslide* nationally significant landscape that is threatened and at-risk. *Landslide* is TCLF’s advocacy program, and the *Landslide* designation has proved an effective means of preventing the destruction of significant sites in New York City, including the Frick Collection’s viewing garden on East 70th Street, designed by Russell Page; the modernist plaza at 140 Broadway, with Isamu Noguchi’s iconic *Red Cube*; and Sunnyside Gardens in Queens.

As you know, the Elizabeth Street Garden was not the brainchild of a department, bureau, or committee who analyzed and processed a plan backed by tax-payer dollars; it was conceived as an individual act of beneficence, creativity, and neighborhood improvement—something both personal and communal at the same time. The Elizabeth Street Garden is a place where two longstanding, local traditions happily converge: community activism and outsider art. Local gallery owner Allan Reiver leased the vacant plot from the City of New York in 1991 and brought the garden to life on his own. In that

way, the Elizabeth Street Garden is planted squarely in the tradition of the Liz Christy Community Garden, another local green space that took root in 1973 when Ms. Christy and her 'Green Guerillas' transformed an abandoned lot in Manhattan's Bowery neighborhood into an abundant vegetable garden. The urban community-garden movement that Christy helped ignite eventually spread throughout the country, and the garden was honored in 2013 with a listing in the National Register of Historic Places as part of the Bowery Historic District, which thus has a designated period of significance that spans nearly 350 years, from 1626 to 1975.

For the Elizabeth Street Garden, Reiver not only cleaned up the lot and planted grass, trees, and shrubs, but he also envisioned something that was a unique artistic expression. After salvaging architectural ornaments from once-celebrated buildings that had been demolished, he carefully realized a community-garden design, strategically repurposing and siting statuary, structures, and garden features from his personal collection. In this way, the Elizabeth Street Garden is an Outsider Art garden—a landscape representing an individual artistic expression, conceived by a non-professional designer and executed in a creative style all its own. Ginia Bellafante of the *New York Times* recognized as much in an article on March 15, 2019, when she referred to the garden as the creation of “an outsider artist named Allan Reiver.”

The statuary collection at the Elizabeth Street Garden includes a pair of marble columns and an iron gazebo designed by the Olmsted Brothers firm for Burrwood (the former home of Walter Jennings), and a stone-and-granite balustrade designed by French landscape architect Jacques-Henri-Auguste Gréber. The balustrade was salvaged from the 36-acre Lynnewood Hall, considered to be one of the largest Gilded Age mansions in the Philadelphia area. Reiver has gifted both the gazebo and the former balustrade (which now serves as a bridge between outdoor garden rooms) to the garden in perpetuity. These are important elements that bear witness to the Country Place Era, a bygone period in estate design from around 1890 to 1930. In 2013 a group of community members worked with Reiver to further revitalize the site, opening it to the public to serve as a center of energy in a community where open space is in short supply.

In brief, Reiver transformed a once-vacant lot into a rare and beloved public landscape that should be viewed as a unique and irreplaceable artistic expression in the tradition of Watts Towers in Los Angeles and Opus 40 in Saugerties, New York, which are, respectively, listed as a National Historic Landmark and a National Register-designated property.

Site-specific works of art in the landscape, like the Elizabeth Street Garden, rank among the most organic and historically significant representations of our cultural identity and are often the most threatened. The recent book *World Heritage and National Registers: Stewardship in Perspective* echoes that statement, finding that visionary-art

environments are “nationally significant historic resources...Without the national recognition afforded by programs such as the National Register of Historic Places, these historic visionary-art environments face an almost insurmountable challenge of garnering the support necessary to maintain these delicate and rapidly vanishing sites.”

The Elizabeth Street Garden falls within the Chinatown and Little Italy Historic District, which is listed in the State and National Registers of Historic Places and was designated a New York City Landmark in 1998. However, the garden is not currently listed as a contributing feature in these historic designations. The Liz Christy Garden was also once an unrecognized landscape feature within an historic district. Fortunately, it was listed in the National Register of Historic Places as part of the updated Bowery National Register Historic District in 2013.

As noted earlier, the Elizabeth Street Garden is not generic green space; it is an artistic expression that is unique to New York City and should be considered in its totality. TCLF thus believes that every effort should be made to prevent its demolition and that the National Register designation for the landscape should be advanced as part of a commitment to ‘best practices’ by the city, an act that could ultimately lead to the Elizabeth Street Garden’s listing in the National Register of Historic Places as a work of outsider art, one that could never be recreated today or in the future.

Sincerely,

A handwritten signature in black ink, appearing to read 'Charles A. Birnbaum', with a long horizontal line extending to the right.

Charles A. Birnbaum, FASLA, FAAR

President + CEO

The Cultural Landscape Foundation

FOR THE RECORD

May 2, 2019

New York City Council Subcommittee on Landmarks,
Public Siting and Maritime Uses
Council Chambers
City Hall
New York

Elizabeth Street Garden

Many New Yorkers suffer from the city's pollution, don't have enough green space, lack healthy food and exercise, and experience loneliness and lack of community. Parks and gardens are vital to our mental and physical well-being.

Elizabeth Street Garden provides year-round programs for everyone, including local children living in public housing and the elderly. Gardening is known to be therapeutic, and having connection to nature is essential, especially for children who don't have access to country retreats or country vacations. Certainly senior housing is much-needed, but in this case there is an alternative site, and this well-established community garden is needed every bit as much.

We have a haphazardly growing city, major environmental problems, destructive gentrification, and massive inequality. At the very least we must make sure our precious green spaces that enhance life, create community, and help mitigate global warming, are not destroyed or diminished.

Carole Ashley

49 Beach Street, Apt 7
New York, NY 10013
Tel: 212-966-9753
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cashley1974@gmail.com

(Downtown resident for 44 years)

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May 2, 2019

Adrienne E. Adams
Chairwoman New York City Council
Subcommittee on Landmarks, Public Siting and Maritime Uses
250 Broadway, Suite 1877
New York, NY 10007

Haven Green at Elizabeth Street Garden

Madam Chairwoman and Council Members:

My name is Elliott Meisel. I am a partner in Brill & Meisel, counsel to: Elizabeth Street Inc., lessee since 1991 from the City of the site of the proposed Haven Green project; Allan Reiver, principal of Elizabeth Street Inc. and creator of the unique historic and cultural asset known as the Elizabeth Street Garden now located on that site; and Elizabeth Firehouse LLC, owner of the historic firehouse adjacent on the north to the Elizabeth Street Garden, of which Allan Reiver is also the principal.

I pointedly refer to the Garden and Firehouse as historic and cultural assets as, in the single minded pursuit of the Haven Green project, the City and the project developers have either failed or intentionally refused to acknowledge their importance as such beginning with the Mayor's Office having agreed in a private letter to Councilwoman Chin to develop "21 Spring Street" as affordable housing in connection with the Seward Park project (SPURA) in Community Board 3 without satisfying Councilwoman Chin's desire for more affordable housing on the SPURA site. Interestingly, the address 21 Spring Street is the location of the existing LIRA housing project, not the Elizabeth Street Garden and is misleading if not intentionally obfuscatory. Furthermore, despite years of hearings and public discussion in Community Board 3 concerning the Seward Park project and associated affordable housing, Ms. Chin's recommendation to build it in Community Board 2 on the Garden site was accepted with no public discussion, let alone knowledge, by anyone in Community Board 2 not even other members of that Community Board, as evidenced by its unanimous rejection of the proposed destruction of Elizabeth Street Garden.

The deception continued when an Environmental Assessment Statement (EAS) rather than the more thorough Environmental Impact Statement (EIS) generally applicable to Type I actions such as this one and the issuance of a Negative Declaration premised on the flawed, incomplete and pre-determined findings of the EAS which disingenuously, if not worse, mischaracterized the Elizabeth Street Garden as a "vacant lot" resulting in a cursory evaluation as such and complete failure to take a hard look at it as an historic and cultural resource and its critical role in the Historic Little Italy District the provisions of which the EAS also fails to appropriately address in evaluating the Haven Green project's impacts.

The original proposal to facilitate the Haven Green project included a UDAAP designation which requires that the site be a slum. Though that was recently abandoned as insupportable, it evidences a cynical effort to develop this project without regard to the facts. That is further evidenced by the failure to seriously consider a nearby superior site which would support 5 times the amount of senior housing on what is in fact a vacant gravel lot while propagandizing the public that a painful choice must be made between needed affordable housing and “underutilized” open space. Neither is true as demonstrated opportunities and sites exist for affordable housing, and this site is indisputably neither underutilized nor a fungible open space. One can only be left with the impression that this entire ULURP procedure is merely a smokescreen for a determination that was already made without regard to the wishes of the community and the many public officials who overwhelmingly oppose this needless act of vandalism. The “thorough, open and fair process” and “true consensus reflecting community centric efforts” “affording the community an effective voice going forward” and “early dialogue with community boards” praised by City officials in connection with SPURA has certainly not been in evidence as this oversized project with tiny non-family friendly studio units and large unrelated office and retail space occupying a significant portion of the site was being foisted on an adjacent community without its knowledge at the expense of one of its few places of repose and community for social, cultural and celebratory events.

Shortly after moving to New York and being attracted to Elizabeth Street, which was then neglected and devoid of commercial activity, Allan Reiver saw in a large trash filled lot the City was proposing to sell for a parking lot, an urban oasis. In 1991 he obtained a lease from the City and immediately, at his own expense, hauled away trash, installed a sprinkler system, planted trees, shrubs and other foliage and carefully selected and placed numerous architectural elements, sculptures and decorative ornamentation he had collected. The Garden quickly became a catalyst for a changing neighborhood, and by 1999 nearly every space on the block was enlivened by a small business or restaurant helping transform the neighborhood into what is now known as Nolita. Originally fenced, not only as required by NYC’s lease and to protect the Garden’s artifacts, when the firehouse was acquired in 2005 access to the Garden was provided through its ground floor gallery, and when volunteers became available to monitor the Garden, the non-profit Elizabeth Street Garden Inc. was formed to manage and operate public activities, and extended hour access was made available directly from the street.

The Elizabeth Street Garden is a truly unique place of nationally recognized significance which incorporates an irreplaceable combination of cultural, historic, architectural, aesthetic, social and environmental qualities and is a contributing feature of the historic Little Italy Historic District. As such it must be evaluated not as generic open space the role of which could be satisfied by a smaller, more sterile and less accessible component of the proposed Haven Green project. By the City’s own definition, it is deserving of landmark designation as a place of outstanding historical, cultural, or aesthetic value and “an important part of the City’s heritage. That description is equally applicable to the adjacent firehouse, designed by Napoleon LeBrun, the early official architect of the NYC Fire Department, and incidentally home to the first brass firemen’s pole in New York, and if the Garden is preserved, a portion of its ground floor would complement the Garden as indoor community space.

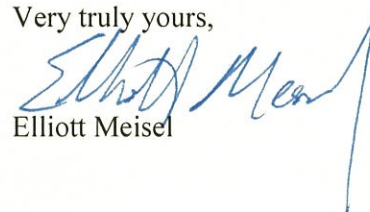
The Garden as a whole with its neoclassical sculptures, salvaged and repurposed architectural elements including an Olmstead gazebo, Greber balustrade and carefully curated landscaping has been characterized by renowned authorities, including Charles Birnbaum of the Cultural Landscape Foundation, Melanie Macchio, architectural historian, and Adrian Benapee, former NYC Parks Commissioner, among

BRILL & MEISEL
ATTORNEYS AT LAW

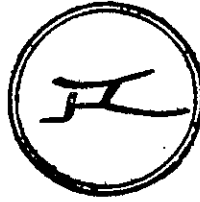
others, as site specific "outsider art" representing an individual artistic expression, conceived by a non-professional designer, and executed in a creative style all its own worthy of Landmark and Historic Register recognition. It is in the tradition of the work of Harvey Fite's Opus 40, Arthur Wood's Broken Angel, the 5 Pointz Aerosol Art Center and the folly filled English country gardens in a unique Little Italy context.

In light of the foregoing, the apparent slavish adherence by applicable agencies to political promises and subordination of whole communities to the wishes of a single City Council member which subverts the whole purpose of ULURP; the disregard for the OneNYC 2050 initiatives of promoting thriving neighborhoods with access to open spaces and cultural resources, democratic participation in civic life smfcreating the conditions for health and well-being; and failure to appreciate non-monetizable but essential qualities of urban living, in addition to the already commenced legal challenge to the superficial EAS and other procedural irregularities of this application, we're in the process of filing a federal claim under the Visual Artists Rights Act sections of the federal copyright statute (17 U.S. Code § 106A and 113(d)(1) et al) known as VARA to enjoin the destruction of this remarkable and irreplaceable work of recognized stature. Too many of the iconic manifestations of our cultural heritage are wistfully but inadequately only remembered in photographic records and museum shows. We cannot allow that to happen to Elizabeth Street Garden

Very truly yours,



Elliott Meisel



FOR THE RECORD

JR Studio
11 Spring St
NY10012 New York
USA

April 30, 2019

To the New York City Council

I JR, encourage the New York City Council to reject anything which would destroy or diminish the Elizabeth Street Garden because it is such an essential place for the local community.

By way of background, I am an artist and photographer. Since 2001, I've aimed to exceed the confinements of the art world, pasting large-scale black and white portraits in the favelas of Brazil, the broken bridges of Africa and some of the most famous walls on the planet. In 2011, I won the TED Prize, an annual award given to an individual with a creative, bold vision to spark global change. I created a global art project called Inside Out, and the global response was remarkable: more than 350,000 participants in 142 countries thus far.

As a testament to my recognition in the industry, my work and I have been featured in publications such as The New York Times, The New Yorker, The Huffington Post, The Wall Street Journal, and CNN, among several other media outlets. As an artist I have grown to international acclaim after my work was displayed at Galerie Perrotin, the San Francisco Museum of Modern Art, the Tate Modern, and the Venice Biennale. The project that brought me acclaim in my native France was "Portraits of a Generation". Additionally, I am known for my works "Women Are Heroes", my project on Ellis Island and my art collaboration with the New York City Ballet. My latest film "Visages, Villages" (Eng.: "Faces, Places"), co-directed with legendary filmmaker Agnès Varda, was nominated for an Academy Award in 2018.

My studio and my home have been near Elizabeth Street Garden for the past 8 years, and I have been lucky enough to enjoy the beauty of the garden on a daily basis.

I installed two artworks in the garden, one in 2013, and one more recently in October of 2018, playfully interacting with a tree from the garden.

I have seen many art shows, community events, film screenings. It is a place where my team loves to hang out and have lunch in the summer.

I love the community and I love the garden, I truly believe it's a treasure of New York City.

Respectfully,

JR



New York
Public
Library

FOR THE RECORD

FOR THE RECORD

March 16, 2019

NYC Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

To whom it may concern,

Since Mulberry Street Library opened its doors in 2007, the library's staff has had the pleasure of knowing our neighbors at the nearby Elizabeth Street Garden. Over the years, we've hosted a number of programs in the Garden, including very successful children's storytimes and adult book discussion groups. The Garden has provided us with an opportunity to expand our services outside the walls of our branch. We have sincerely enjoyed working with our neighbors who maintain the garden, and certainly look forward to partnering with them on future programming.

Kindest Regards,

Brian Stokes
Library Manager - Mulberry Street Library
T 212.966.3424
brianstokes@nypl.org



Northeast Region

930 SYLVAN AVENUE ENGLEWOOD CLIFFS, NJ 07632

201-567-2090 201-567-2067 FAX WWW.WHOLEFOODSMARKET.COM

To: The City of New York

From: Michael Simon

The undersigned hereby declare their unequivocal support for any and all efforts to preserve and protect in perpetuity the Elizabeth Street Garden located adjacent to 209 Elizabeth Street in the Special Little Italy District as open public recreational space. Each of us opposes without reservation the construction of a building of any kind on this rare open space oasis located in the middle of this densely built and populated neighborhood. We further contend that such construction on the Elizabeth Street Garden site will cause irreparable harm to the residents and businesses in this community. Finally, we urge the City of New York to heed this petition and permanently halt all efforts to build on this site now or in the future.

It is a little escape from the urban life for the People of NYC and our customers. We hope to have it last for generations to come.

Thank you,

Michael Simon

ASTL Whole Foods Market Bowery

Rec'd 3/14/19
NT

CONNECTICUT DARIEN • GREENWICH • MILFORD • WESTPORT • FAIRFIELD

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NEW YORK JERICHO • LAKE GROVE • MANHASSET • WHITE PLAINS • YONKERS

MANHATTAN LOCATIONS BOWERY • CHELSEA • WHOLE BODY AT CHELSEA • COLUMBUS CIRCLE • UNION SQUARE • TRIBECA • 97TH STREET • E. 57TH STREET

FOR A STORE'S ADDRESS AND PHONE NUMBER LOG ON TO WWW.WHOLEFOODSMARKET.COM

rag & bone

NEW YORK

March 18, 2019

Dear City Commissioner:

My name is Danielle Falzetta and I am writing on behalf of local Nolita store employees. We are a population of another kind of locals who use, love and benefit from the Elizabeth Street Garden. Though we call Nolita our "second home", most of us spend 40-60+ hours here often trapped in stores and windowless basements. Myself, my staff and my colleagues in the surrounding retail stores all use the garden daily as our brief respite from work. It's a meeting place for us, a lunchtime haven and a way for us to stay connected to our community.

Currently, I am planning with the help and partnership of Joseph, an exciting charity event on Jun 21st with multi-retailer participation called The Elizabeth Street Block Party. During this event, every store will open their doors, host fun and lively atmospheres, gifts with purchase, and beverages with a 15% donation on all purchases made that day going towards the Elizabeth Street Garden culminating in a community event at the garden for all to join and see and enjoy the beautiful space they have been shopping to benefit!

We have had an overwhelmingly positive response to this event from our corporate partners, retailers and the public, all of it made possible by this partnership with Joseph and the garden. This is also something that we would love to anniversary every year and create a destination shopping event for our local community and a way for all of the businesses and the garden to stay in touch together. None of which would be possible without the existence of the Elizabeth Street Garden and the overwhelming love and support our Nolita locals have for this space.

I implore you to see the benefit this space adds to our community, and how it touches even those who don't reside in Nolita, but spend so much of their time here. It's a bridge between communities and a pillar of this neighborhood and we want to all be able to share it for years to come.

Myself and my partners of the Elizabeth Street Block Party all stand in solidarity as dear friends of the garden.

All The Best,



Danielle Falzetta
Store Manager / Houston St.

rag & bone
73 E. Houston St.
T 212 777 2210
C [818 636 6539](tel:8186366539)
danielle.falzetta@rag-bone.com
rag-bone.com

To Whom it may concern,

The function of Elizabeth street garden is multitude. As a business manager, a patron of establishments in this neighborhood, and sometimes just a very tired barista, its presence is needed.

The garden draws so many people, without which our small cafe, tucked away from the main hustle and bustle of SoHo would suffer greatly. We have a great relationship with its caretakers, seeing them every day is a delight, and they often send folks to our shop. The increase in foot traffic generated by the garden and its staff is immeasurable. It also provides a place for our customer to go once they get their coffee. We don't have room for seating, and we often direct folks to the garden to enjoy their coffee. They always seem relieved to know there is still a public space to sit in this neighborhood where space is limited.

It also means more to me, personally, and to my staff. The increased traffic means it can get busy - and we get tired, stressed, wound up. Having the garden next door gives us a place to sit, decompress, and enjoy some air and sunshine, a moment of peace, amidst and loud, frenzied cafe shift.

Even outside of the cafe this area is often PACKED with people - being able to step off the main strips and breath in a green space is such a valuable option to have, especially for people like me who can experience sensory overload very quickly.

Elizabeth St. Garden is a bastion of calm, a much needed spot of green, and essential to the continued to the success of our cafe, and the mental and emotional well-being of myself, staff, and patrons.

Thank you for your time and consideration.

Best,

A handwritten signature in black ink, appearing to read 'R. Garrett', with a stylized flourish at the end.

Rachael Garrett
Mott St. Manager
Gimme Coffee

To Whom it may Concern,

When I first moved into the NoLita almost 20 years ago, I was intrigued by the neighborhood with a sculpture garden in the middle. At that time, the garden was the most beautiful spot in the area, and without a doubt was a main catalyst to draw in the thriving businesses that now surround it and the garden still continues to contribute to the popularity of the neighborhood.

This was a key part of the allure of the neighborhood, and therefore influenced my decision to move to the neighborhood.

I am now raising a family in the neighborhood and without the garden, my children

would not have any day to day exposure to green space, unless we left the city, which we seldom do. Through the garden's active year round activity program, my kids have the opportunity to plant seeds, grow fruits and vegetables, release insects, play with nature, as well as participate in garden maintenance... raking leaves, weeding, etc. Over the years there have even been workshops on subjects like composting and worming.

These are critical experiences for kids growing up in the city. I also recently read of scientific studies validating that exposure to green space is essential for the brain development in children:

<https://www.kcet.org/shows/socal-connected/long-term-exposure-to-green-spaces-affects-childrens-cognitive-development>

As a volunteer at the garden and a local fashion stylist, I have collaborated with the small

businesses in the neighborhood to put on events, one example was a fashion show during fashion week. The local stores rallied to help out when they heard I was working on an event in the garden to help raise funds for the garden to help keep it around.

The stores and restaurants that donated either items or services included, Ritual Vintage, Warm, Wendy Nichols, Odin, Eddie Borgo, Only Hearts, Oroboro, Westerlind, Josie Natori, Creatures Of Comfort, Ulla Johnson, Piccolini, Yarnz,

Poppy King
284 Mott st #PHO
New York NY 10012

March 18, 19

To Whom It May Concern:

I am a successful entrepreneur, business owner, guest lecturer at FIT and other community activities based in New York City who has been featured in numerous magazine articles, newspapers and television here in New York. I have been lucky enough to live a few blocks from the Elizabeth St Garden for the last 16 years.

I can't tell you how much this space means to me, the community, New Yorkers, other Boroughs and international visitors. It is a prime attraction listed in guidebooks along side the Met, Central Park and the Highline and has been described as a "treasure" which it is.

I have volunteered there for years and spent many a day where over a 100 people come in and out. Knowing how hard it is to attract people in our extremely consumer driven society the pull of this garden never ceases to amaze me. It has everything the city should be PROTECTING not DESTROYING.

- Its a local attraction bringing people to a neighborhood where small business are struggling and desperately need foot traffic
- It provides a diverse and free range of activities for children and parents to enjoy creating much needed human interaction in an increasingly isolated city and in neighborhood where there is very little green space
- It is a safe space managed, looked over and run by a not for profit keeping it open to all
- It is a place for all generations regardless of race, gender or socio economics to spend quality time and regenerate so that all of us can be better citizens and better humans.
- It is a magnet for Instagram activities meaning it promotes itself in a way that the city would have to spend a fortune doing and its doing to for free

Why tear down a space that is already operating as a heart and soul for a neighborhood who has nowhere to sit unless they buy something? Affordable Housing is a good cause but in this case this is not simply an unused lot, this is a very loved, needed and precious part of downtown New York City known to pull more

people in one day than most businesses in this area ever could and known to bring so much joy.

Given there is another location that has been identified as space to build this same housing project slated for this spot I implore you not to do this.

It will bring only more depression and darkness to a world that needs the opposite and has a jewel in its midst that will forever serve the community in a way that nothing could replace or attract as the Elizabeth St Garden does.

Yours sincerely,

Poppy King

Proenza Schouler, M.Martin, Inkerman, Rachel Comey, Hillesheimer Corp,
A Per Se,

Seamores, Crosby Hotel, Margherita, and Jack's Wife Frieda. They
donated items that

were resold, and there were volunteer models walking the garden path
(red carpet) displaying the fashions from the stores. It was a magical
event which drew in visitors to the garden. It was also mutually beneficial
for the stores and restaurants as new customers were exposed to their
locations and brought new business to them. Elizabeth street Garden is
the

heart of this neighborhood, an essential break in this concrete jungle,
and a tourists delight.

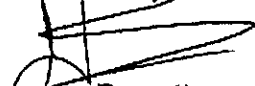
Thank you,
Stephanie Tricola

BOWERY & VINE

To the City Planning Commission,

I grew up in Little Italy and I still have a business here. I supported Allan Reiver's request to CB2, to create a statue garden, along with the community. We came to the hearing to show our enthusiasm and to make sure the garden got built. It was good to clean up the lot, and the garden adds beauty to the neighborhood. We want to keep it that way for our children and the community. I still support the garden by donating to their fundraisers, and I hope you move to protect the garden from development.

Sincerely,



Joe Perrotta
Bowery & Vine

BOWERY & VINE
269 BOWERY
NEW YORK, NY 10002

March 14th, 2019

To the City Planning Commission,

My family owns Prince Street Pizza. It's just Around the corner from Elizabeth Street Garden. Our Pepperoni Sicilian pizza has become so popular in the last four years, we have lines down the block, with tourists and people from all over the city leaving with boxes of pizza, looking for a place to eat it.

Elizabeth Street Garden is the place they go to, even in the winter if it's warm enough. We have also donate pizza to the Harvest Festival in October, for six years now. The garden is an important part of the community and helps my customers enjoy the pizza. Keep this garden in the neighborhood.

Dominic

Prince Street Pizza

A handwritten signature in black ink, appearing to read 'Dominic', written in a cursive style.


To: The New York City Planning
Commission

Please consider this request to
save the Elizabeth Street Garden.

As a local business we recognize
the value this space has in the
community, for both locals and
tourists.

If I'm not mistaken this might be
the only remaining, public green
space in the area and it would
be a true shame for it to be
taken from us.

Colin Berhman
quellitiner@ymail.com
15 Prince Street, New York City, 10012



EMPORIO

Emporio Restaurant
231 Mott St.
New York, NY 10012

3-15-2019

To NYC Planning Commision:

Please accept this letter as support from the Nolita Community to save Elizabeth Street Garden. It means a tremendous amount to us all to keep the only green space in the neighborhood.

Our restaurant has always supported the hard work behind This project and we take pride in donating food for their events every year.

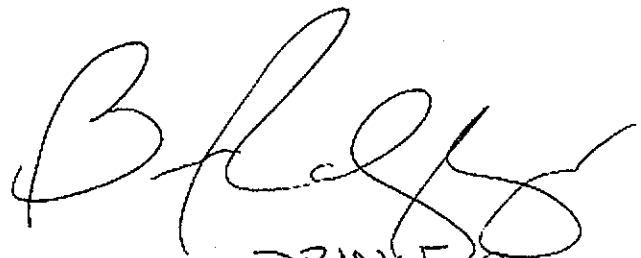
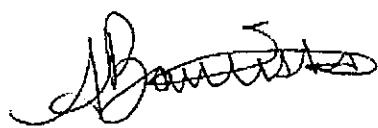
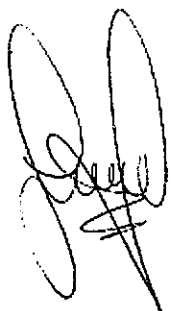
If you have any questions or require further information, please don't hesitate to contact us.

Sincerely,

Nico Contenta
General Manager
Emporio Restaurant

TO THE NEW YORK CITY PLANNING
COMMISSION,

ON BEHALF OF THE NOLITA
BUSINESS ESTABLISHMENT, THE ELIZABETH
STREET GARDEN IS AN AMAZING
ESCAPE FOR THE EMPLOYEES FROM
THE CHAOS OF BUSINESS. UPON ENTERING
THE GARDEN, PEOPLE EXPERIENCE A
LIGHTNESS OF ENERGY, AS OPPOSED
TO THE ENERGY OUTSIDE OF THE
FENCE. IT WOULD BE A TRUE
DISAPPOINTMENT TO THE COMMUNITY
IF THE GARDEN WERE TO SHUT DOWN.



VINCE. ON PRINCE ST.
16 PRINCE ST.
NEW YORK, NY

3/14/19

Velvet by Graham & Spencer

To :

All of our employces at Velvet take our lunch breaks at this garden. It is a place for peace and quiet when everything seems crazy.

- ♡ Velvet Team

To: The City Planning Commission

From: Cafe Gitane Mott Street

To whom it may concern;

It is been brought to our attention that there is a pending vote on the fate of the Elizabeth St. Garden.

As a business that has been on Mott street since 1994, we'd very much to lend our support to the garden and encourage you to vote in favor of maintaining what we see as a green space integral to the special feel of our neighborhood.

All the very best ,

Luc, Burak and Rishad

3/14/19

To the NYC Planning Commission:

I understand The Garden maybe removed for the development of new housing in the neighborhood. We do need more affordable housing. I agree, but not at the expense of the removal of The Garden. There are so few places that bring beauty to the neighborhood. I hope my voice will help deter the housing development in its place. I, among many, think The Garden should stay. Please vote against the removal.

Respectfully,
Josephine Kattun
Just Shades
21 Spring Street
New York, NY 10012

To Whom it may concern,

Mar. 13 '19



The garden gives this neighborhood warmth
& community feeling that attract city
people and tourist - Beside that I persona-
ly love, LOVE, the space!

I have been here since 2000 & the
garden is one of the most precious
aspects in the city. Please protect the garden!

Jen Leaf

highway

owner Highway

238 Mott Street New York, NY 10012 (212) 966-4388 highwaybuzz.com

**TESTIMONY OF STEPHANIE SOSA, BEFORE
THE NEW YORK CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING AND MARTIME USES ON HAVEN GREEN**

May 2, 2019

Good Afternoon. Thank you Chair Adams and the members of the Landmarks, Public Siting and Maritime Uses Subcommittee for the opportunity to testify.

My name is Stephanie Sosa and I am the Senior Associate for Housing Development Policy at the Association for Neighborhood and Housing Development (ANHD). ANHD's mission is to advance equitable, flourishing neighborhoods for all New Yorkers. As a coalition of 100 community-based affordable housing and equitable economic development organizations in New York City, we work at the intersection of organizing, policy, advocacy, and capacity-building. Our extensive network has built over 120,000 units of affordable housing by advocating for policy and research, training community organizers, and supporting the expansion of necessary funding.

Low- and moderate-income communities and communities of color are disadvantaged by a multitude of housing and economic development policies. In response, our advocacy addresses a wide range of issues, including affordable housing, community development, land use, and equitable economic development. Our vision for an equitable city includes creating and fighting for just systems and policies that lead to economic opportunity and affordable homes for all New Yorkers.

ANHD supports the development of Haven Green, mission-driven led, 123-unit affordable housing project for low-income seniors earning between \$21,930 and \$43,860 annually. We believe that the decision to develop affordable housing should always be based on the need for the neighborhood and city, and not the details of one particular site. We understand New York City's need for open spaces, but also recognize that the housing crisis is putting a major strain on senior citizens.

The reality is that over 20% of New York City's senior population is in poverty. New Yorkers over the age of 60 are 55% more likely to be severely rent burdened than residents between the ages of 30 and 50 years of age. The senior population is projected to increase by 40% through 2040 in New York City. The housing crisis will continue to impact a larger percentage of the population, if the supply of senior housing does not match the demand.

It is essential that the city do everything in its power to increase access to affordable housing and alleviate the rent burden on senior citizens. The de Blasio Administration has committed to creating or preserving 15,000 senior homes and apartments through Housing New York, and the development of Haven Green will contribute to this commitment and will secure the most public benefit for the community.

Lisa J. Goode

ljgoode@mac.com

My name is Lisa Goode. I have lived and worked in this area of the city since 1988. Through my work as a filmmaker, a green roof designer and a landlord I have been involved in an array of projects large and small, public and private. The more a project interwove with this city - it's norms and it's conventions - the harder I had to work to achieve balance and results.

Haven Green is not a new or original concept. However, it is or could be, an emblem of progressivism, empathy and humanity in a neighborhood that is not only one of the wealthiest in the city but has also done the least to diversify itself. Let's build Haven Green and show that we, as a community, can welcome people that we might not otherwise know. Let's chip away at the cycle of segregation that has firmly taken root in this neighborhood.

Housing density in urban areas is the best way to fight climate change. Building affordable housing for the most marginalized is the best way to show compassion and empathy and to care for aging people who have spent their lives in this city. For those who say that it should be a different lot and not this one, I say build both. And for those who say that the loss of open space is unacceptable, to that I say "Do more". Repair, invest and expand Sara Roosevelt Park, only three blocks from Elizabeth Street. Build the garden at the DEP water main access lot at Grand and Lafayette that had been promised to us years ago. Cities around the world close streets, remove cars and convert them to green space. That is where impact against climate change lies. There is an opportunity here to embrace those in need and to also demand more of our city and our elected officials. Let's do both. More green space. More humanity towards others.

Build Haven Green.

Thank you.

Lisa Janowski-Goode

FOR

646-242-9003

Anne Troy atroy3@gmail.com

FOR THE RECORD

Currently: NYC 10038 in CB 1

For 17 Years: Mott Street, NYC 10012

Dear neighbors and friends and members of City Council:

I lived on Mott Street near the Elizabeth Street garden for 17 years and raised a family there. We now live further south in CB1 but continue to regard the Mott & Elizabeth Street neighborhood as our home and regularly visit the Elizabeth Street garden and surrounding community.

I ask that the City abandon plans to destroy this garden and instead follow the repeated requests by the community and CB2 to build MORE affordable housing than the City wants to build on Elizabeth Street - but on a different available lot on Hudson Street. Instead, The City is determined to provide LESS affordable housing and destroy the Elizabeth Street garden created by the community, replacing it with a plan the City wants, not the local residents.

It's NOT ok to render communities and CB2 without a voice and without local power. Give us MORE affordable housing on the Hudson Street lot the community has designated and do not destroy a garden the community has created.

Thank you,

A handwritten signature in black ink that reads "Anne Troy". The signature is written in a cursive, flowing style.

- Anne Troy

Kenneth A. Wind

387 Grand Street Apt. 404 ♦ New York, NY 10002 ♦ 917-860-4461 ♦ KennethAWind@gmail.com

May 2, 2019

FOR THE RECORD

Dear NYC City Council,

Cooperative Village is a community of housing cooperatives on the Lower East Side of Manhattan. The cooperatives are centered on Grand Street in an area south of the entrance ramp to the Williamsburg Bridge and west of FDR Drive. Combined, the four cooperatives have 4,500 apartments in twelve buildings.

We are daily users of the Elizabeth Street Garden. In a space-starved city, parks function as essential public infrastructure. These vital green spaces provide cost-free leisure and recreation which strengthen the economic and physical health of communities. With the city's population at an all-time high and record numbers of tourists, New York's parks and playgrounds are busier—and more crucial—than ever before.

Therefore, we are troubled by the possibility of losing limited park space in our district. In the cramped neighborhoods of Little Italy & SoHo, Elizabeth Street Garden is the only public green space that provides an open, tranquil environment for locals of all ages. Little Italy & SoHo has an open space ratio of 0.07 acre per 1,000 residents, leaving the district with one of the lowest ratios of public open space in the city. Moreover, green space, once developed, will never be reclaimed. The City isn't going to tear down buildings to create parks.

We are also troubled with the possibility of our sister Community Board's express wishes being cast aside. The City will sell the land to the developer for \$1. Developers will destroy the garden to develop luxury ground floor retail & office space. However, the 11,200 square foot office space will be below market-rate and the affordability for residents is not permanent.

Accordingly, we ask that you stand on the side of families and preserve the Elizabeth Street Garden.

Very truly yours,



Kenny Wind
Seward Park County Committee Member

I've lived in NYC for 23 years, and have spent much of that time in downtown Manhattan. I've seen every bit of public space at some point or another, and there is nothing like the sculpture garden on Elizabeth Street. The feeling of community it evokes will never be replicated by any contemporary architect or landscape designer. The sense of serenity it provides is profound, and I would argue essential to the mental health of the neighborhood residents. The beauty of that kind of public space cannot be quantified, so there's no way to compare it to a spreadsheet of profit calculations for a new development. But make no mistake, it's loss would negatively impact the lives of thousands of people. And I for one would put myself in harm's way to protect it.

FOR THE RECORD

JORDAN HADLEY
5/2/19 1:20 PM

SIEGEL TEITELBAUM & EVANS, LLP

ATTORNEYS AT LAW
260 MADISON AVENUE, 22ND FLOOR
NEW YORK, NEW YORK 10016

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(212) 455-0300
FACSIMILE
(212) 448-0066

STATEMENT REGARDING HAVEN GREEN BY
NORMAN SIEGEL AND KATE FLETCHER
ON BEHALF OF
ELIZABETH STREET GARDEN
BEFORE

THE SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING AND MARITIME USES
OF THE LAND USE COMMITTEE
OF THE COUNCIL OF THE CITY OF NEW YORK

MAY 2, 2019

Good afternoon. My name is Norman Siegel, and I am here today with my colleague, Kate Fletcher. We are attorneys in the law firm of Siegel Teitelbaum & Evans, LLP. Our firm has been retained by Elizabeth Street Garden, Inc. (“ESG”), www.elizabethstreetgarden.com, to represent it regarding the proposed Haven Green development project (the “Proposed Project”).

ESG has been working with—and will continue to work with—Friends of Elizabeth Street Garden to save the Garden.

Elizabeth Street Garden is not “vacant land,” as HPD has characterized it. To the contrary, Elizabeth Street Garden is a well-used, beautifully landscaped, publicly-available green open space in a part of Manhattan Community District 2 that is severely underserved by open space.

Elizabeth Street Garden is a valued community resource used by local organizations and public schools to hold events and workshops. Over the past twelve to fifteen months at least 200 events were hosted at Elizabeth Street Garden by various organizations including the YMCA, branches of the New York Public Library, and the Lower East Side Ecology Center. Over the past two years, Elizabeth Street Garden has collaborated with Public School 1 and Public School 130 for educational events and has hosted workshops in fall, winter and spring for more than 750 public school students.

Additionally, the Garden supports local small businesses by attracting visitors to the neighborhood, not only from other parts of the City, but also from other states and countries.

ESG has strong objections to and concerns about the Proposed Project and its impact on the local community. To be clear, ESG is not opposed to developing affordable housing in the area, but ESG is opposed to the unnecessary destruction of Elizabeth Street Garden to accomplish that end. Why raze a garden treasured by the community, when there is a vacant, unused lot in Manhattan Community District 2 that can accommodate substantially more units of affordable housing?

Manhattan Community Board 2 is the government body closest to the issues in this matter. Since 2013, Manhattan Community Board 2 has consistently expressed support for the permanent preservation of Elizabeth Street Garden in its entirety and has urged the City and HPD to consider alternate development sites within Community District 2 for the creation of affordable housing. Most recently, on January 24, 2019, Manhattan Community Board 2 adopted a resolution to deny the Proposed Project, calling again for the preservation of Elizabeth Street Garden and expressing concern about the adverse impact of the Proposed Project on quality of life, given the importance of parks to health and well-being.

After careful study and analysis, ESG believes the City has failed to comply with its obligations under the State Environmental Quality Review Act (“SEQRA”) and City Environmental Quality Review (“CEQR”). Specifically, ESG believes the Environmental Assessment Statement (“EAS”) prepared for the Department of Housing Preservation and Development (“HPD”) to be inadequate and the related Negative Declaration issued by HPD to be unfounded, inappropriate, and procedurally defective.

Pursuant to SEQRA, HPD must review the EAS and take a hard look at and thoroughly analyze relevant areas of environmental concern in order to determine if the destruction and development of Elizabeth Street Garden may include the potential for at least one significant adverse environmental impact.

If the destruction and development of Elizabeth Street Garden may include the potential for at least one significant adverse environmental impact, then, by law, an EIS must be prepared.

Of course this requires that the EAS itself be adequate. But, according to experts consulted by ESG, there are serious problems with a number of areas of the EAS, including, but not limited to the following:

- First, the open space analysis in the EAS indicates a more than two percent decrease in the open space ratio as a result of the Proposed Project. According to the CEQR Technical Manual, where, as here, an area is extremely lacking in open space, such a decrease in the open space ratio indicates that the project may have a significant adverse impact on the environment. Therefore, an EIS should have been prepared.
- Second, perhaps because the EAS fails to acknowledge the value of Elizabeth Street Garden to the community, its open space analysis does not adequately address the inability of the proposed open space and of surrounding open spaces—many of which are largely paved—to meet the broad needs of the community, as does Elizabeth Street Garden. Among other concerns, the proposed open space will be in shadow in the morning and at least part of the afternoon for much of the year.
- Third, the EAS failed to assess on any level the impact of the Proposed Project on neighborhood character. According to the CEQR Technical Manual a neighborhood character analysis should be performed when a project has the potential to result in significant adverse impacts in certain technical areas, one of which is open space. The

destruction of Elizabeth Street Garden may adversely affect neighborhood character in that the Garden is a key attraction in the neighborhood and serves a unique and critical role in the community.

- Fourth, the EAS did not acknowledge, let alone take a hard look at, the possible adverse environmental impacts of the Proposed Project with respect to public policy, in particular the City's commitment to combatting climate change. For example, Executive Order 26, issued in June 2017, committed the City to supporting the goals and aims of the Paris Agreement, including the goal of limiting the global average temperature increase to less than two degrees Celsius. However, the Proposed Project will destroy an open green space with a number of trees. Such spaces can have a cooling effect and are a valuable resource in efforts to mitigate climate change.
- Fifth, the EAS does not adequately assess the significant adverse environmental impacts of the Proposed Project with respect to historic and cultural resources, failing even to inventory numerous buildings in the study area that contribute to the nationally registered Chinatown and Little Italy Historic District.

ESG has filed a lawsuit challenging the EAS and Negative Declaration and requesting the Court to order an EIS.

The City Council should deny the disposition of City-owned land for the Proposed Project. A full Environmental Impact Statement should have been prepared, as would have been clear had HPD taken a hard look at the relevant areas of environmental concern.

Thank you.

We also need 2 - 4 volunteers who can get there early to hand out fliers to those who are attending. We can't bring signs in that are larger than 8.5 x 11, so the fliers we hand out will be double-sided and also serve as a sign of support. Every time a speaker for the garden goes up, we can hold them up to show support.

If you are preparing to testify, each person has 2 minutes. It's important for us to have as many speakers as possible.

At the last City Planning hearing, developer partner Riseboro bused in a group of seniors from their Bushwick facility to speak in favor of the development. We should expect something similar this time.

Here is the committee that will be holding the meeting: <https://council.nyc.gov/committees/land-use/subcommittee-on-landmarks-public-siting-and-maritime-uses/>

Click [HERE](#) and [HERE](#) for the Know The Facts Flier

Please let me know if you have any questions.

All my best,
Joseph

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Joseph Reiver | Executive Director
Elizabeth Street Garden | New York, NY 10012
elizabethstreetgarden.com | [Facebook](#) | [Twitter](#) | [Instagram](#)

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Joseph Reiver | Executive Director
Elizabeth Street Garden | New York, NY 10012
elizabethstreetgarden.com | [Facebook](#) | [Twitter](#) | [Instagram](#)

S A V E



**ELIZABETH
STREET
GARDEN**

ElizabethStreetGarden.com

ELIZABETH STREET GARDEN LEGAL DEFENSE FUNDRAISER

Thursday
June 13, 2019
7 - 10 PM

at the Garden

Enter on Elizabeth btwn Prince + Spring

Join us for an evening in the garden
with live music, free food & drinks

\$50 suggested donation

donate at the gate or online at
elizabethstreetgarden.com/donate

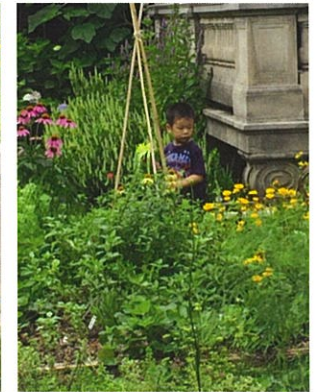
Please RSVP to
events@elizabethstreetgarden.com

ESG is a 501(c)(3) non-profit.
All donations made to ESG are tax deductible.

@elizabethstreetgarden
info@elizabethstreetgarden.com



#Elizabethstreetgarden
elizabethstreetgarden.com

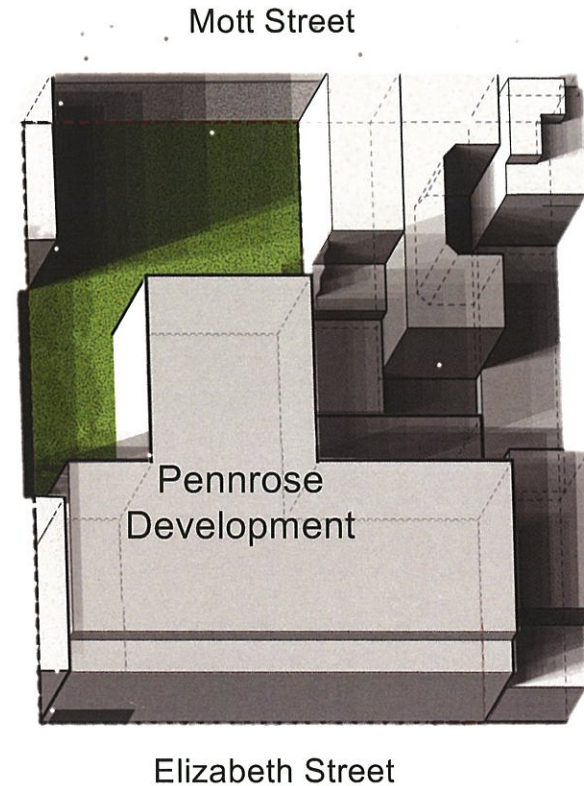


Elizabeth Street Garden Topics

- Development will Destroy Garden
- Alternative Site Provides Win-Win Solution
- Densely Populated Community Lacks Park Space
- About the Garden
- Fact Check
 - Garden Site Held in Trust for Educational Purposes Since 1822
 - Promised Affordable Housing Already Built in 1981 and Garden Site Promised for Recreation and Education
 - Grassroots Initiative Uncovers Secret Back Room Deal
 - Development will Destroy 70% of Garden
 - Open Space Renderings Extremely Misleading
 - Housing Allocated by NYC HPD Rules

The Facts

- Development will Destroy Garden
- City's Plan Ignores Win-Win Solution – *CB 2 Proposed Alternative Site at 388 Hudson Provides up to 5x as Much Housing*



Support A Win-Win Solution

- Advantages of Alternative Site at 388 Hudson
 - Provides up to 5x as much senior housing
 - Increases local senior housing opportunities due to community preferences
 - Develops gravel-filled vacant lot vs. beloved and heavily-used Garden
- Can't Be Both
 - Promised for parkland when city purchased 388 Hudson site 20 years ago
 - CB 2 offered to release this commitment only as a win-win to save Elizabeth Street Garden and build more senior housing
- Similar Win-Win Swap in Chelsea
 - New park on West 20th Street
 - More housing on a larger city-owned site two miles north

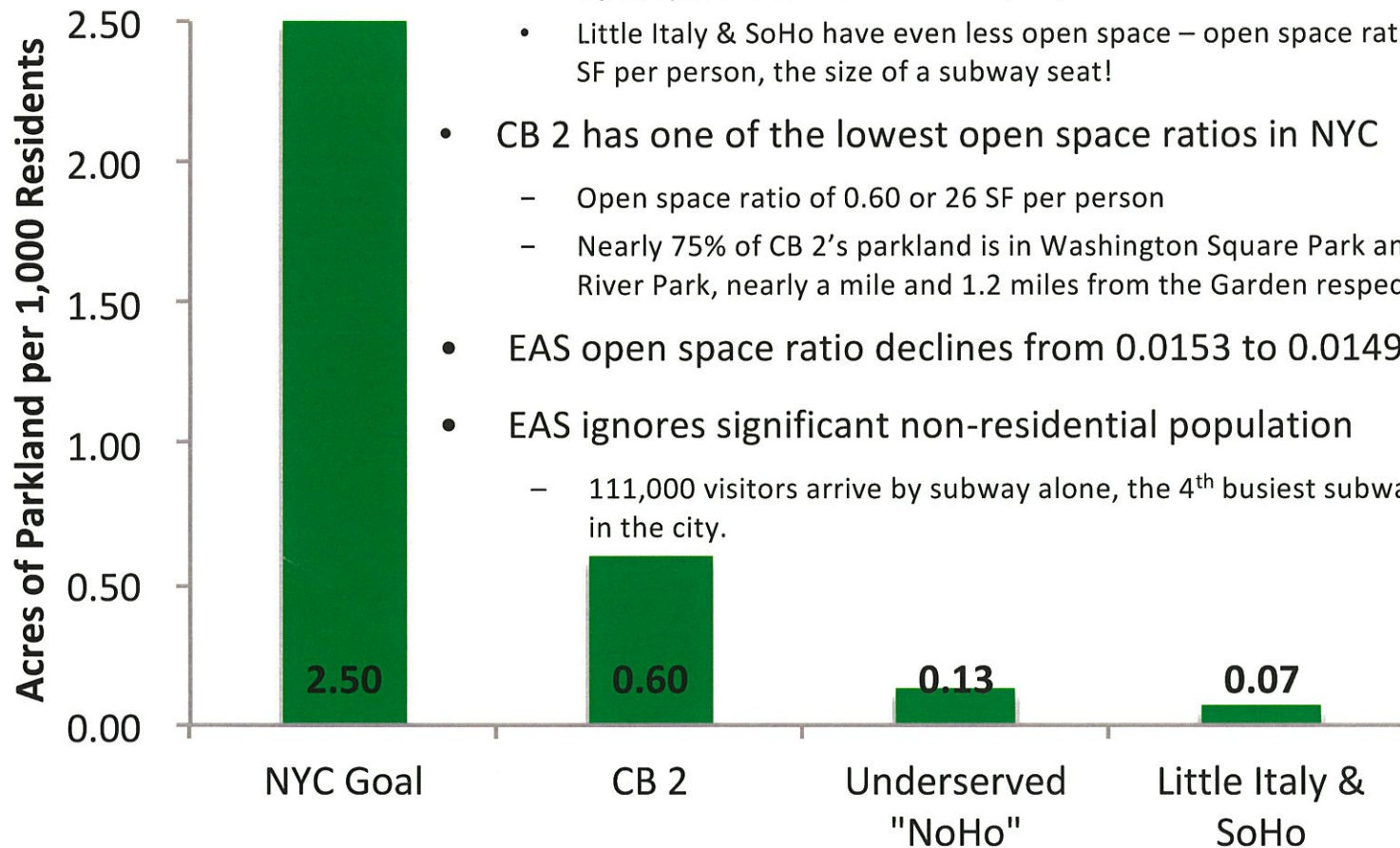
BUILD AT ALTERNATIVE SITE



SIMILAR SWAP IN CHELSEA



Our Community Lacks Adequate Open Space



- The Garden is located in the only downtown neighborhood that NYC Parks defines as underserved by open space
 - Open space ratio of 0.13 or 6 SF per person
 - Little Italy & SoHo have even less open space – open space ratio of 0.07 or 3 SF per person, the size of a subway seat!
- CB 2 has one of the lowest open space ratios in NYC
 - Open space ratio of 0.60 or 26 SF per person
 - Nearly 75% of CB 2's parkland is in Washington Square Park and Hudson River Park, nearly a mile and 1.2 miles from the Garden respectively.
- EAS open space ratio declines from 0.0153 to 0.0149 (2.24%)
- EAS ignores significant non-residential population
 - 111,000 visitors arrive by subway alone, the 4th busiest subway destination in the city.

Study Area Open Spaces Primarily Paved

- 16 open spaces in Study Area are primarily paved
 - 4 paved playgrounds
 - 3 paved parks
 - 4 paved triangles / plazas
 - 3 paved greenstreets
 - 1 paved mall and bikeway
- Sara D. Roosevelt Park
 - 85% active recreation.
 - Paved playgrounds and courts, turf fields, track
 - "D" from NY4P



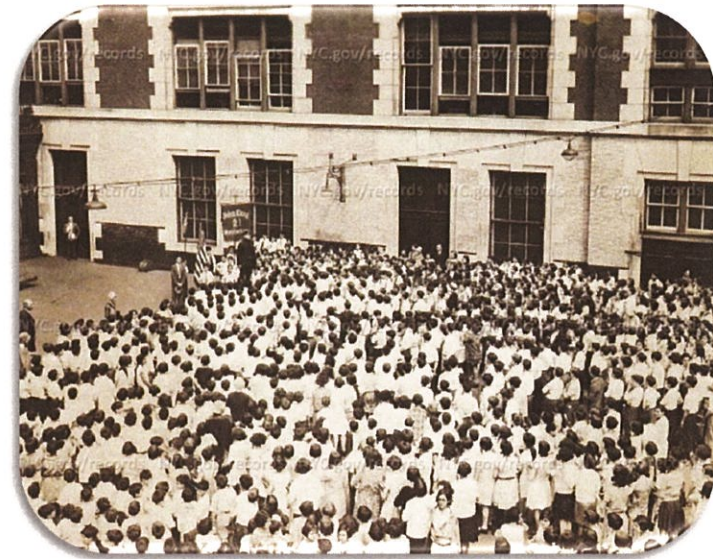
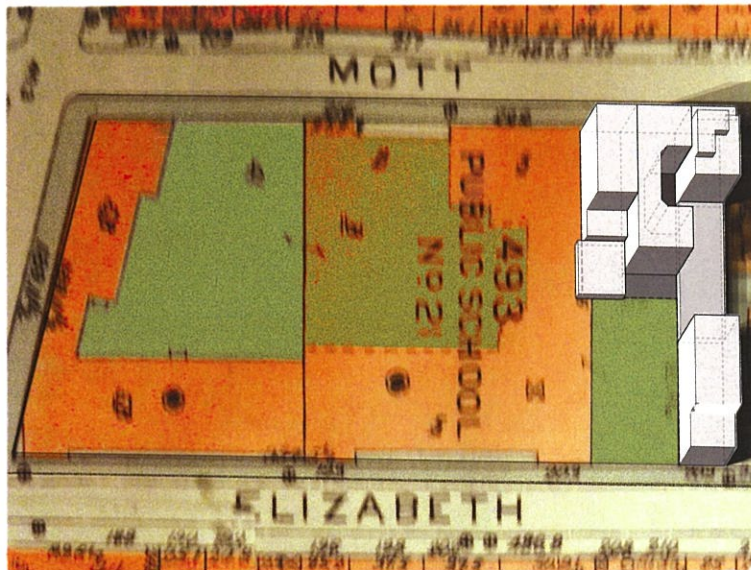
Neighborhood Open Spaces from top left clockwise, Petrosino Square, Grand Canal Courts, DeSalvio Playground and Vesuvio Playground.

About the Garden

- **Beloved community park** with open lawn, majestic trees, flowering garden beds and sculptural artworks, located in Little Italy, Manhattan.
- **100,000 annual visitors** including local elementary students, families and seniors, as well as residents from around the city and tourists from around the world.
 - **Educational programming serves 650 students annually**, including several Title I schools.
 - **Free public programming**, year round focused on gardening, education, arts and cultural events and wellness activities, including the annual Harvest Festival attended by 2,000 neighbors.
- **Significant base of support includes nearly every local elected official.**
 - Rep. Jerrold Nadler; Rep. Nydia Velazquez; State Sen. Brad Hoylman; State Sen. Brian Kavanagh; Assemblymember Deborah Glick; Assemblymember Yuh-Line Niou; NYC Comptroller Scott Stringer; District Leaders Terri Cude, Vittoria Fariello, Dennis Gault, Paul Newell and Daisy Paez; Manhattan Community Board 2; 21 park and community organizations; Former NYC Parks Comm. Adrian Benepe; former State Sen. Daniel Squadron; former NYC Public Advocate Letitia James; More than 10,000 letters and signatures of support from local residents and small business owners; and hundreds of volunteers.
- **Held in Trust for Educational Purposes.** Public School Site since 1822. City-owned. Privately-leased since 1991.
- **Friends of Elizabeth Street Garden supports saving 100% of the Garden as mapped parkland under the jurisdiction of the NYC Parks Department and for the Garden to be open to the public from dawn to dusk.**

Fact Check: Garden Site Held in Trust for Educational Purposes Since 1822

- **1822:** Public School Society (PSS) opens School No. 5, **subject to charitable trust, dedicated to educational purposes in perpetuity**
- **1853:** PSS merges into Board of Education
- **1902:** NYC builds new school, PS 21, with significant playground space (image, upper right)
- **1930s:** NYC expands PS 21 and playground space



Fact Check: Affordable Housing Already Built, Garden Site Promised for Education and Recreation

- **1974:** City Planning Commissioner John Zuccotti announced plans to build a new 600-seat school and affordable housing on PS 21 school site. Due to the city's fiscal crisis, only housing built.
- **1981:** City **sells 65% of public school** site for \$270,000 (not \$1) and reserves 20,000 SF exclusively for "recreational use" and future school site. DeMatteis builds 151 units of Section 8 housing, expiring in 2023.
- **1991:** City leases school site, Gallery builds Garden.

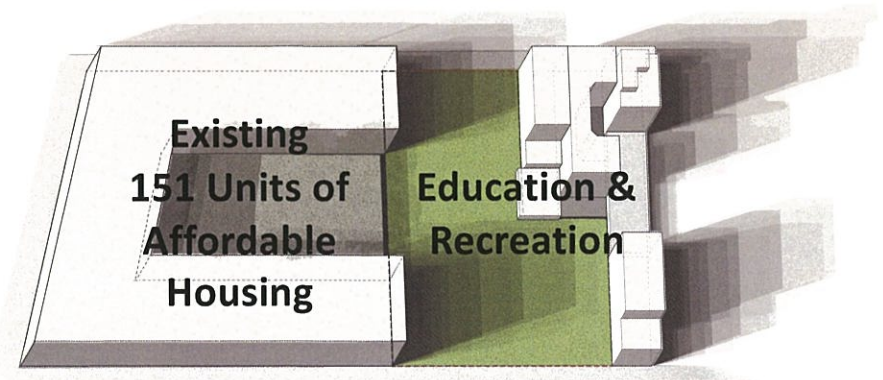
The New York Times

"Glenn Fowler, Sep. 20, 1974.

City to Revive and Refurbish Little Italy



Mayor Beame, examining model of the Little Italy restoration project, was joined by, from right: Theodore Tarsitini, director of the project; John E. Zuccotti of the City Planning Commission; and Percy E. Sutton, Manhattan Borough President.



Fact Check

Grassroots Initiative Uncovers Secret Back Room Deal

- **Spring 2013 – Grassroots Initiative:** Park Advocates learn that Elizabeth Street Garden sits on city-owned land and begin effort to preserve it as a NYC Park.

- **Summer 2013 – CB 2 Learns of Back Room Deal:**

As part of Seward Park rezoning in Community Board 3 on the Lower East Side, Council Member Chin negotiated a non-binding side letter agreement with the city, which included “additional off-site” housing on the Garden site. Despite hundreds of public meetings on SPURA, there was never a public meeting, discussion nor outreach to Community Board 2 where the Garden is located. After learning of the letter, CB 2 requested and received it on June 5, 2013. There also is NO mention of the Garden site in [reports](#) from DCP, the Borough President and CB 3, nor in the SPURA Restrictive Declaration.

- **2013 to 2016 Significant Public Support for Garden:** CB 2 holds four public hearings and overwhelming public support is for saving Garden as NYC Park.
- **2015 – CB 2 Supports Bigger & Better Alternative:** CB 2 supports 388 Hudson as win-win alternative site for housing where up to 5x as much housing can be built without destroying the Garden.
- **2015 to date City Ignores Win-Win Compromise:** HPD issues RFP in 2016, 2016, selects developer in 2017 and begins ULURP in 2018.



Fact Check

Development will Destroy 70% of Garden

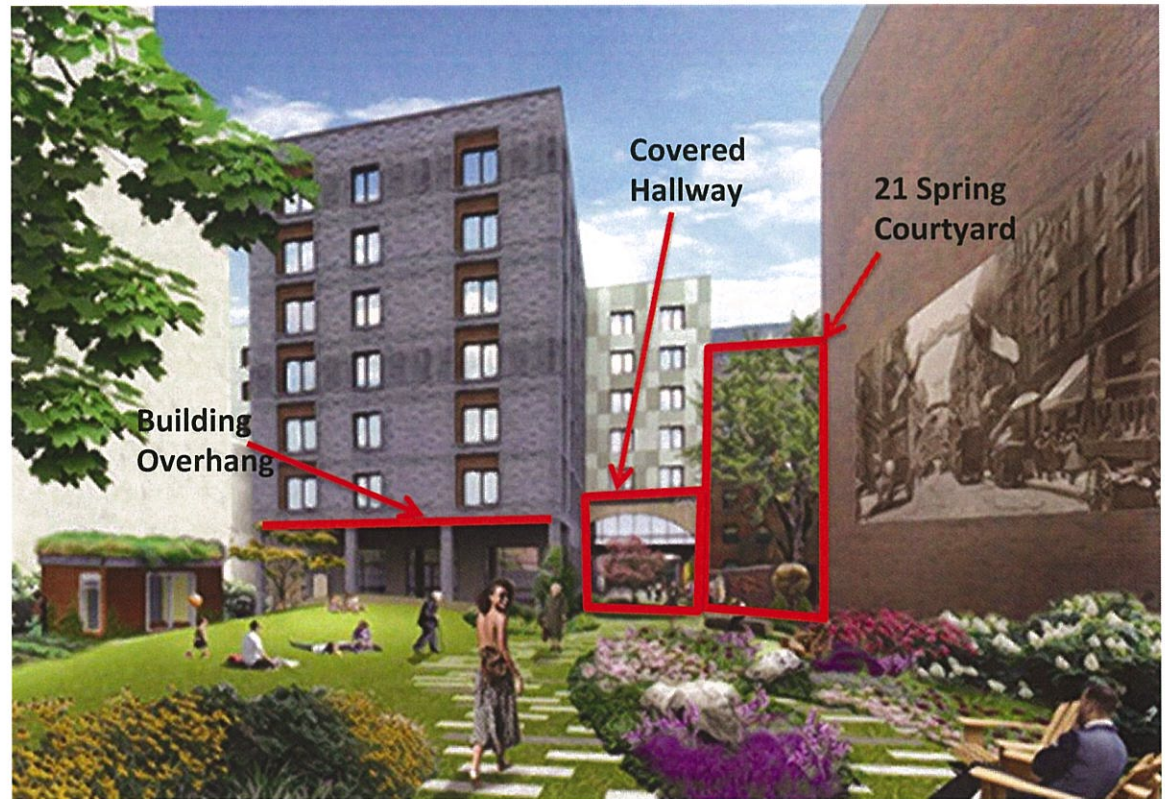
- **Open space numbers inflated**
 - Only 6,700 SF of open space
 - “More than 8,000 SF” on Haven Green’s website includes a 2,000 SF indoor breezeway that is *not open to the sky and not open space*
- **Lot coverage nearly 70%, not 60% permitted under zoning**
 - Otherwise there would be 8,000 SF of true ground floor open space
- **EAS ignores project generated shadows and significant non-residential population**
- **11,200 SF of below market office space** for co-developer Habitat for Humanity, nearly 300 SF per employee



Fact Check

Renderings Extremely Misleading

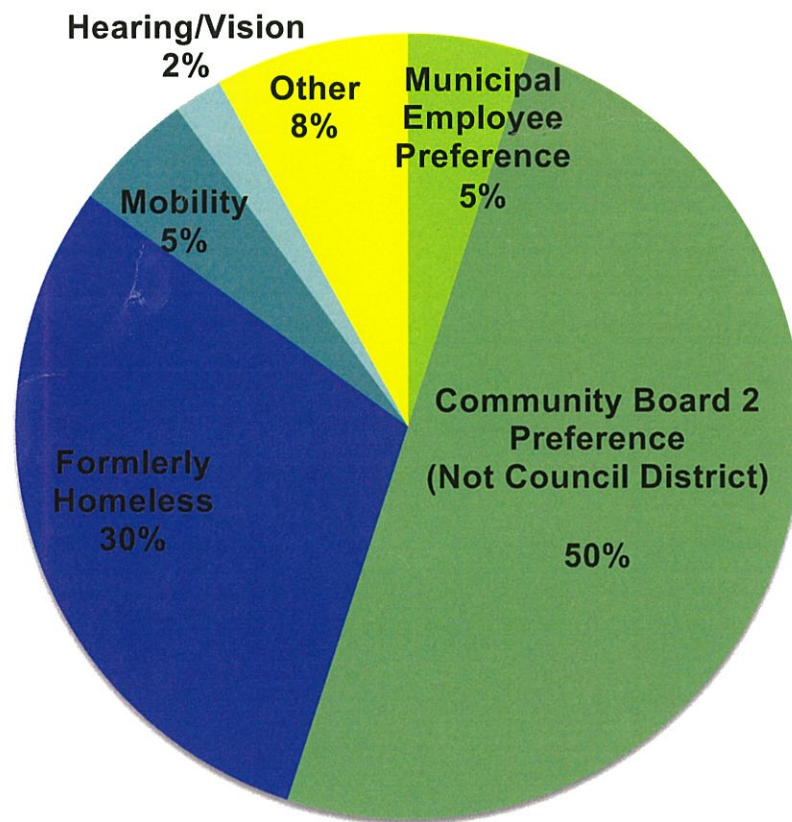
- **Deceptive Perspectives:**
Depth of field manipulated
- **Unsustainable Lawn:**
Due to shadows from development & adjacent building as well as consistent foot traffic
- **Unrealistic Design:**
Addition of ADA circulation paths will leave only a couple patches of grassy lawn possible



Fact Check

Affordable Housing Allocated by NYC HPD Rules

HPD Marketing of Affordable Housing Units



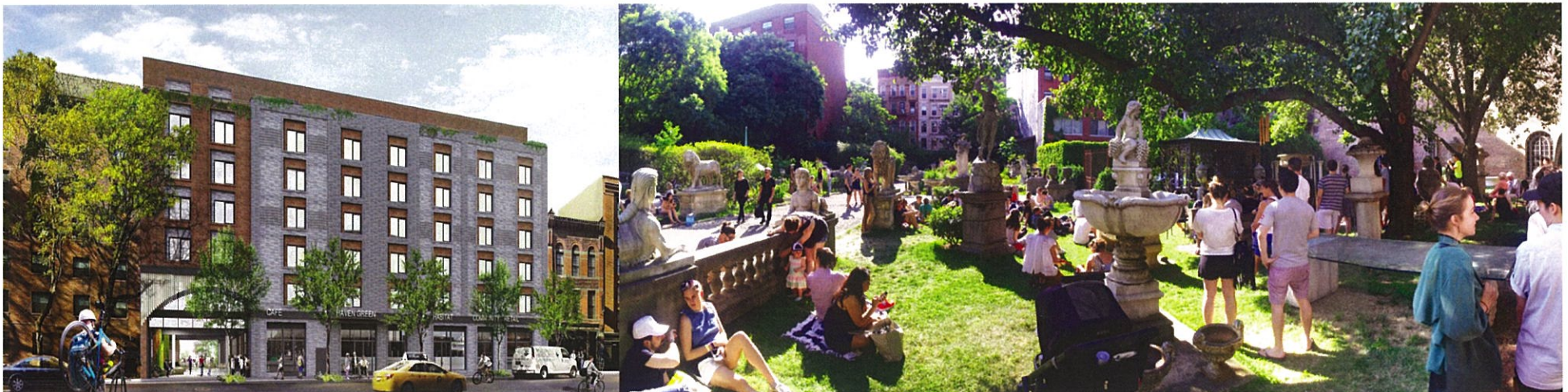
- Housing allocated by age, income and family size.
- 50% Preference for Community Board residents (not Council District)
- 37% Set-Asides for Formerly Homeless, Individuals with Mobility and Hearing/Vision disabilities

“The primary objective of the marketing, lease-up and sales effort is to ensure that the process is fair and provides equal opportunity to all applicants, regardless of race, color, religion, gender, sexual orientation, gender identity or expression, national origin, age, genetic information, disability, or veteran status.”

Source: Marketing Handbook, NYC Department of Housing Preservation and Development, July 2018.
<https://www1.nyc.gov/assets/hpd/downloads/pdf/developers/marketing-handbook.pdf>

City's Plan is No Compromise

- Reduces 20,000 SF Garden by 70%
 - Destroys entire Elizabeth Street side, leaving tiny footprint
 - Eliminates sunlight in public space
 - Bulldozes lawn, trees & programming space
 - Creates private amenity spaces: indoor breezeway for retail tenant, green roof
- Falsely portrays open space as give back rather than compliance with Special Little Italy District zoning
- Pits open space against housing
- Adds 11,200 SF of below market office space for Habitat for Humanity



This is Not a Done Deal!



Appendix: Win-Win Solution Fact Sheet

There is a Win-Win Solution for open space AND affordable housing.

The Win-Win Solution is to save Elizabeth Street Garden -- a beloved, green oasis that serves 100,000 visitors per year -- and build up to five times as much affordable housing for local seniors at a nearby city-owned Alternative Site.

In 2015, [Community Board 2 passed a resolution](#) in support of building affordable housing on a portion of the Alternative Site, only if the Garden is saved in its entirety as a NYC Park.

Both the Garden and the Alternative Site are located in CB 2. The Alternative Site was promised as a park when the city acquired it in 1999, therefore it will not be available if the win-win solution is rejected and the Garden is destroyed.

388 Hudson is a viable Alternative Site.

Yes! The 25,000 sq. ft. gravel-filled, city-owned lot, at 388 Hudson St. at Clarkson St, is less than one mile from Elizabeth Street Garden. The DEP has a “permanent easement” on only 9,375 sq. ft, leaving 15,265 sq. ft. (63%) for a building footprint.

This site is near the [Special Hudson Square District](#) that permits a floor area ratio up to 12 and can provide an opportunity for up to five times as much affordable housing than can be built at the inefficient Elizabeth Street Garden site located in the highly restrictive [Special Little Italy District](#) (SLID.)

The city has supported similar Win-Win Solutions.

Yes! Mayor de Blasio announced a [swap in Chelsea](#), where the city is creating a new park on West 20th Street (formerly a parking lot) and building more housing on a larger city-owned site two miles north.

The Alternative Site provides more housing for local seniors because affordable housing is allocated by Community Board not Council District.

Residents of Community Board 2, from Bowery and Canal to 14th Street and Hudson River, will receive preference for 50% of the units. Affordable housing at the Alternative Site will best serve local seniors because they will have up to 5x times the chance of winning the affordable housing lottery. In addition, in 2016, the city approved plans to build 178 units of senior affordable housing at 550 Washington St.



FOR MORE INFO ON THE LAWSUIT LED BY ESG
ATTORNEYS NORMAN SIEGEL & KATE FLETCHER, VISIT:

[ELIZABETHSTREETGARDEN.COM/LEGAL](https://elizabethstreetgarden.com/legal)

ELIZABETHSTREETGARDEN.COM



Elizabeth Street, Between Prince & Spring Streets, New York City

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YMCA Senior Picnic

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GARDEN SITE TIMELINE

The garden site has an almost 200 year history as public recreational space.

1822
PS No. 5
built by Free
School
Society.



1927
PS 21 Expanded to full
southern part of the
block



1981
Sec. 8 affordable
LIRA Housing built
on part of the lot.
Rest of the lot
promised as
recreational space
for community, but
never followed up

1904
New PS 21 has
outdoor classes and
forums



1970's
PS 21 Torn down.
Lot leveled



Full Timeline:
elizabethstreetgarden.com/intro

Elizabeth Street, Between Prince & Spring Streets, New York City

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GARDEN SITE TIMELINE



2005

Allan moves next-door and opens garden to public through gallery



2017

(April) Original members of community group and new members form ESG



1991

Lot leased by Allan Reiver who builds Garden



2013

Community Involvement starts with group of volunteers working with Allan Reiver to make the garden more accessible

2014

(August)
Community group from into Friends of ESG



Present

ESG continues to manage the garden, community efforts, & all free public programs while working with elected officials & other organizations to save the garden

Elizabeth Street, Between Prince & Spring Streets, New York City

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ELIZABETH STREET GARDEN



Elizabeth Street Garden (ESG)

- Volunteer-based, 501(c)(3) non-profit
- Keeps the Garden open to the public year-round
- Over 100k visitors every year
- Maintains and cares for the garden
- Provides free public programs to the community
- Mission to protect and preserve the garden



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ESG FREE PROGRAMS

200+ free public programs & events every year

EDUCATION



ARTS & CULTURE



WELLNESS



GARDENING



THE CITY'S PLAN FOR DEVELOPMENT



Haven Green - Mixed Use Building

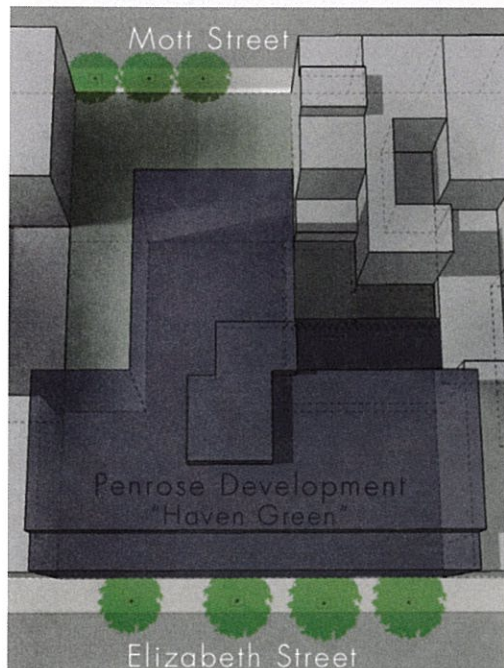
- 123 Units of non-permanent affordable housing for seniors (300 - 375 sq ft each)
- ~4,400 sq ft luxury ground floor retail
- ~11,200 sq ft below-market-rate office space for Habitat NYC
- ~6,700 sq ft of privately owned public open space

ALTERNATIVE SITE FOR AFFORDABLE HOUSING - 388 HUDSON



- 25,000 sq ft City-owned, gravel-filled lot
- Can provide up to 5x as much affordable housing and additional public open space
- Designated by Community Board 2 to be used for housing “only if” the garden is saved entirely
- Not available for housing if the garden is destroyed
- Near other senior affordable housing & Tony Dapolito Recreational Center with many programs for seniors

GARDEN DESTROYED



4,400 sq ft

Luxury Retail



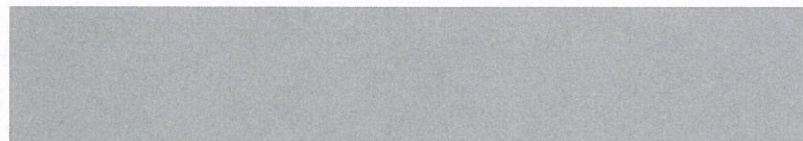
6,700 sq ft

Privately owned open space



11,200 sq ft

Habitat NYC Office Space



77,600 sq ft

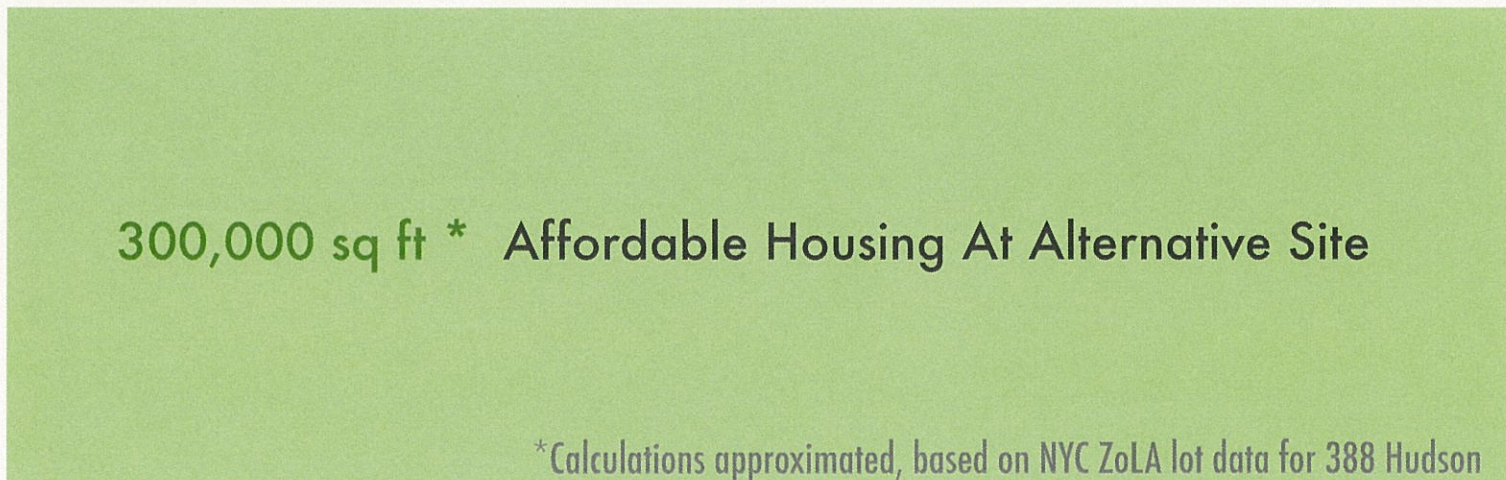
Housing - 123 units

GARDEN SAVED + ALTERNATIVE SITE



20,000 sq ft Elizabeth Street Garden

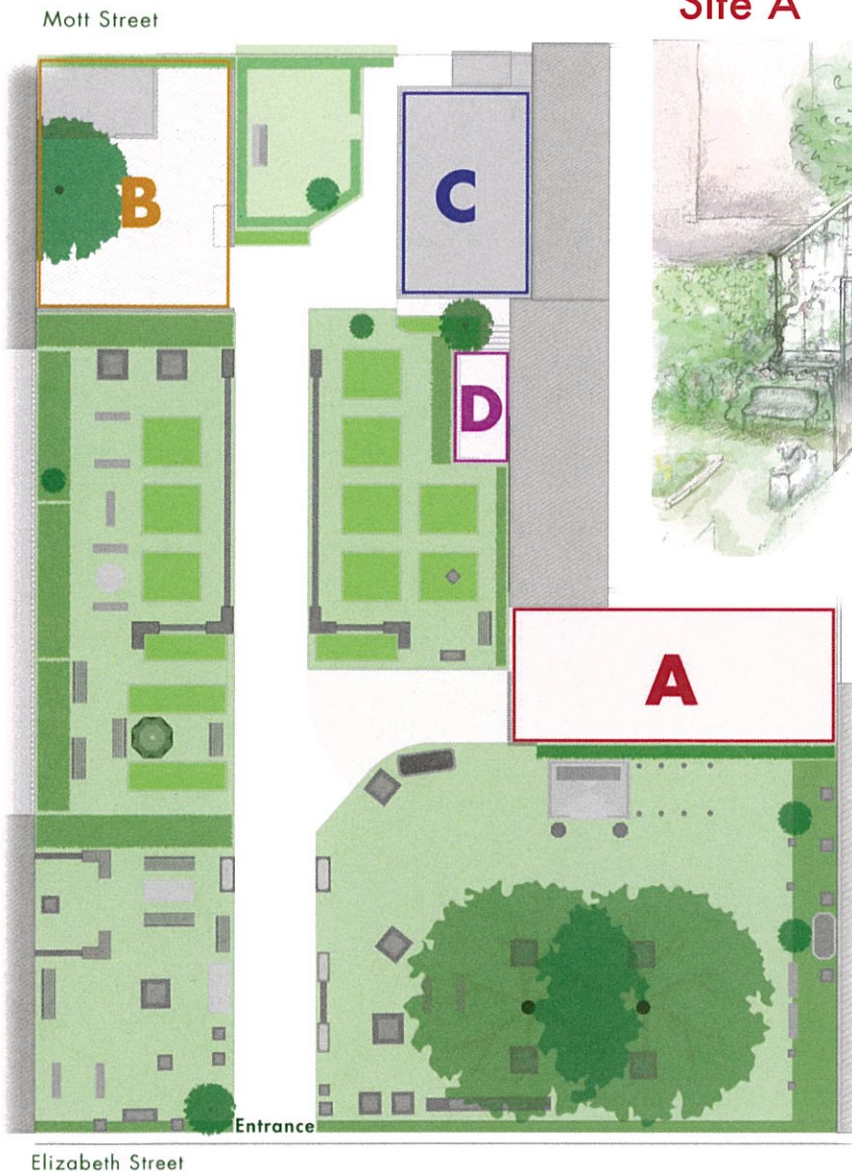
+ Possible new open space at alternative site



300,000 sq ft * Affordable Housing At Alternative Site

*Calculations approximated, based on NYC ZoLA lot data for 388 Hudson

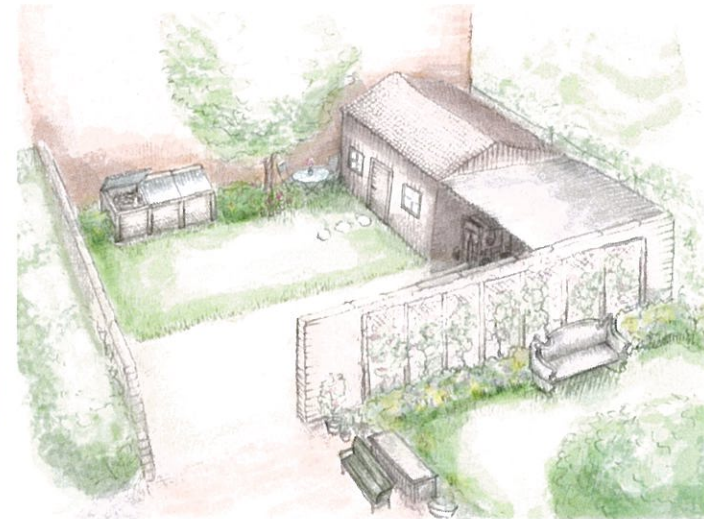
A SUSTAINABLE FUTURE



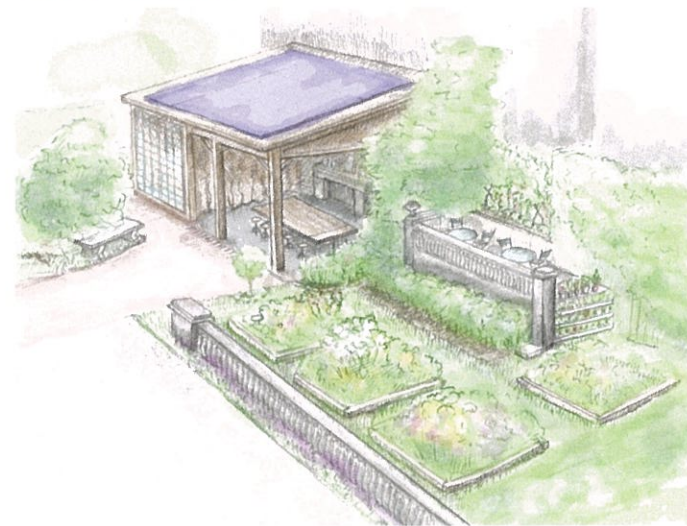
Site A



Site B



Site C & D



For more, visit elizabethstreetgarden.com/future



Testimony to the New York City Council in support of Haven Green
May 2, 2019

I am Marc Greenberg, Executive Director of the Interfaith Assembly on Homelessness and Housing. I am here to offer my testimony in support of the Haven Green project of Habitat for Humanity NYC. Since its founding in 1985, the Interfaith Assembly has advocated for public policies that address New York City's crisis of homelessness and the serious shortage of truly affordable housing. For over two decades, we have been pleased to count Habitat for Humanity NYC as a strong ally in our advocacy efforts, which collectively have helped to create and preserve many tens of thousands of homes for some of the most vulnerable New Yorkers.

When we first learned of the Haven Green project, we were understandably sensitive to the loss of the Elizabeth Street Garden. Green spaces are crucial to healthy communities. However, after further consideration, we have come to the clear conclusion that the creation of 123 truly affordable units of permanently affordable senior housing – including 37 for people who have experienced homelessness. --- plus the inclusion of over 8,000 square feet of publicly accessible garden and green space, flexible community activity space and onsite community services – make this project a significant net gain for its neighborhood and our City. With over 63,000 men, women and children sleeping in NYC shelters each night, including over 5,000 seniors, New York City cannot afford to pass up any opportunity to develop affordable housing for our people in need. Additionally, the inclusion of publicly accessible green open space, in a project that utilizes state of the art energy efficient design can provide a prototype that all city based housing projects should look to replicate.

The loss of a wonderful community garden is regrettable, and the frustration of the neighbors who have celebrated community in the Elizabeth street garden is understandable. It is our hope that the community members who built and celebrated community in the garden will welcome their new neighbors with open arms and continue to invest their energy into a neighborhood that will now include new homes for 123 seniors who will be afforded the blessed opportunity to live out their twilight years in safety and security.

Decent and Affordable Housing is a Basic Human Right

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E-mail: info@IAHH.org
Website: www.IAHH.org

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Church of the Master
Church of St. Francis Xavier
Church of St. Paul and St. Andrew
Church of the Transfiguration (Episcopal)
Collegiate Church of New York
Congregation Ansche Chesed
Congregation B'nai Jeshurun
Congregation Rodeph Shalom
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Hebrew Union College – Jewish Inst. of Religion
Islamic Circle of North America – Relief USA
Metro Baptist Church
Middle Collegiate Church
New York Catholic Charities
New York Society for Ethical Culture
Presbytery of New York City
Project Hospitality, Staten Island
Sisters of Charity of New York
Society for the Advancement of Judaism
St. Francis Friends of the Poor
St. James Episcopal Church
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St. Michael's Episcopal Church
The Reformed Church of Bronxville
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Queens Federation of Churches
Union Theological Seminary
West End Collegiate Church
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(Partial Listing)
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Coalition for the Homeless
Corporation for Supportive Housing
Goddard Riverside Community Center
Goldstein-Hall PLLC

EXECUTIVE DIRECTOR

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Cooper Square Committee

61 E. 4th Street, NY, NY 10003
T 212/228-8210; F 646/602-2260
W <http://www.coopersquare.org>

May 2nd – City Council ULUP Hearing

I am Steve Herrick, Executive Director of the Cooper Square Committee. I am testifying to express our strong support for the ULURP for the **Haven Green** senior affordable housing project on Elizabeth Street. The project partners, Pennrose Properties, Habitat for Humanity NYC and Riseboro Community Development have created a site plan that balances the dual purpose of developing 123 senior housing units while preserving some 6,700 sq. ft. of publicly accessible garden space. They have designed an inclusive project that will set aside 30% of the units to LGBT seniors who have very few gay friendly senior housing options, and will receive supportive services from SAGE. The building will be environmentally green. They have invited the community to participate in a series of design charrettes to determine how the open space will be used.

The Cooper Square Committee has a track record of supporting open space. However, while the loss of 13,000 sq. ft. of open space in the Little Italy community is regrettable, Sara Roosevelt Park is 2 blocks east of this site. It's nearly 8 acres, and the Sara Roosevelt Park Coalition offers community gardening opportunities to local residents.

No one is denying that Community Board 2 and Little Italy are underserved by open space, but the lack of affordable housing is a much more severe crisis. Some opportunities to create more open space exist in and near Little Italy, particularly on a 12,500 sq. ft. site owned by the NYC Dept. of Environmental Protection at 142 Grand Street, 6 blocks from this site. Meanwhile opportunities to create a substantial amount of senior housing are non-existent. There are simply no other city-owned properties in Little Italy that can accommodate housing or in nearby SoHo for that matter. The Elizabeth Street Garden advocates keep proposing locating senior housing at a different DEP site at 388 Hudson Street, in a totally different neighborhood, above one of the City's water tunnels. They claim it can hold over 400 housing units, which is not true. Zoning allows for, at most, 200 units, and engineers have not evaluated whether it is even possible to build there at all given the underground infrastructure.

The reality is that the affordable housing crisis calls for decisive action. In Community Board 2, median rents are \$2,580, and median asking rents are \$3,600. The Furman

Center no longer keeps track of rent stabilized housing, but as of 2010, just 32% of the housing stock in CB3 was rent stabilized, and with rapid deregulation, that percentage is probably far less now. It was noted by Gale Brewer's office that just 93 affordable units have been built in CB2 in the past decade. With the exception of some 80/20 buildings and a small number of Section 8 housing units, low income people are locked out of the Little Italy community.

TNYC's senior population is projected to grow from roughly 1.2 million today to 1.6 million in 2040, a 33% increase. 11.6% of CB 2's population (nearly 18,000 residents) are seniors, and many of them are aging in place in walk up buildings, leaving them with no local housing options if they begin to experience mobility issues. Thousands of seniors in community board 2 are on senior housing waiting lists.

It's unfortunate that two neighborhood needs are in direct conflict with one another, but affordable housing for low income seniors takes priority over open space when allocating public benefits. The garden is only available to the public for just a few months out of the year, and the current garden is open a limited number of hours per day. Affordable housing is put to use 24 hours per day, 7 days per week. The fact that this inclusive project was designed to maximize open space while remaining within the confines of the Little Italy special zoning district demonstrates the sensitivity with which Haven Green was designed.

We urge the City Council to vote in support of the ULURP application for the Haven Green project.



Testimony to the New York City Council Hearing on Haven Green Elder Housing Development

**Delivered in person on May 2, 2019
by David Vincent, PhD, Chief Program Officer**

Good afternoon. My name is David Vincent and I am SAGE's Chief Program Officer. Founded in 1978 in New York City, SAGE is the country's first and largest organization dedicated to improving the lives of LGBT older people.

LGBT older New Yorkers need and deserve affordable, welcoming housing.

That is why SAGE is excited to be involved in the Haven Green project as one of the on-site social service providers. At this development, SAGE will be providing case management services to the LGBT elders who reside in the building, and hope to offer programming to LGBT older people who live in the greater community.

Service-enriched LGBT-friendly housing is crucial for our city's LGBT elders. Aging alone can be wrought with challenges, including social isolation and diminished income. For LGBT older people, however – many of whom have experienced discrimination throughout their lives as a direct result of their sexual orientation and/or gender identity – the deck is stacked against them.

This uneven playing field has lasting effects on their financial security. More than four in ten LGBT Americans over the age of 65 cite financial problems as a major concern. Fifty-one percent of LGBT older people report that they are very or extremely concerned about having enough money to live on, compared to 36% of straight couples.¹ Further, 30% are concerned about their housing stability.²

¹ SAGE (2014). *Out and Visible: The Experiences and Attitudes of Lesbian, Gay, Bisexual and Transgender Older Adults, Ages 45-75*.

² Movement Advancement Project and SAGE (2010). *Improving the Lives of LGBT Older Adults*.

LGBT older people face profound challenges in accessing welcoming housing. A 2014 ten-state investigation conducted by the Equal Rights Center and SAGE found that 48% of same-sex older couple testers seeking housing in senior independent living facilities across the country experienced discrimination.³

The data from this study, combined with anecdotal reports by SAGE's constituents in New York City and elsewhere, shows the pervasive challenges that LGBT elders face when trying to find appropriate housing. In New York City, housing challenges are particularly acute. Countless LGBT older people find themselves priced out of the neighborhoods in which they have lived for years due to rising rents and financial insecurity as they age.

Unless effectively addressed, this housing crisis among LGBT older people will only worsen as the LGBT elder population doubles and more "out" LGBT people age into their retirement years. Currently there are between 2.5 and 4 million LGBT older adults in the U.S. – and this population will double by 2030.⁴ Yet today, there are just ~500 units of affordable housing in existing LGBT-welcoming complexes nationwide.

Finding welcoming housing is one of the most difficult challenges faced by our LGBT elders. There is without a doubt a need in NYC, and Lower Manhattan.

LGBTQ-friendly elder housing is crucial to enable our elders to age in their own communities, avoid isolation and receive culturally competent care. The urgency of addressing our aging New Yorkers coupled with the City's make clear that the time is now to advance new, comprehensive and innovative housing solutions, especially for the most vulnerable older New Yorkers.

That's why SAGE supports the development of affordable LGBT- affirming elder housing at Haven Green.

³ SAGE & Equal Rights Center (2014). *Opening Doors: An Investigation of Barriers to Senior Housing for Same Sex Couples*.

⁴ Choi, S. and Meyer, I. (2016). *LGBT Aging: A Review of Research Findings, Needs, and Policy Implications*. The Williams Institute, UCLA School of Law.

FALL
2018

HAVEN GREEN

PUBLIC PARTICIPATORY DESIGN PROCESS REPORT



PROJECT TEAM

The Haven Green team is a group of community development professionals charged with integrating the dual needs of affordable housing and a publicly accessible outdoor space on the Haven Green site.

Development partners include Pennrose Properties, LLC, RiseBoro Community Partnership and Habitat for Humanity New York City.

The design team includes Curtis+Ginsberg Architects, LLP (lead project architect), Melillo + Bauer Associates (landscape architect), Paul A. Castrucci, Architects (leader of the participatory design process), and the Little Italy community.

"Pennrose is excited to work with the community towards delivering much needed affordable LGBTQ friendly senior housing, critical community services, and beautiful publicly accessible open space in a smart, eco-friendly design. The feedback we received from these participatory design forums will help guide the vision of the site."

Timothy I. Henkel, Principal & Senior Vice President, Pennrose.

"RiseBoro Community Partnership is committed to engaging the array of voices vested in the Site to co-design a successful project and a sustaining neighborhood. Haven Green is an inclusive opportunity to preserve access to cherished open space while providing affordable homes for one of our most vulnerable populations. We couldn't be more excited to steward open engagement towards enriching the quality of life and public assets of the neighborhood."

Scott Short, CEO, Riseboro Community Partnership

"Habitat NYC has historically brought people of all walks of life together to bridge our differences in pursuit of the common good. We have reached out with an open hand, and continue to do so, to the community to seek partnership and collaboration on this compromise project on Elizabeth St. that provides both housing and open green space. We invite all interested individuals and community groups to participate in the design and stewardship of the project's open and public space by submitting input through our open survey on www.havengreencommunity.org"

Karen Haycox, CEO, Habitat for Humanity New York City

PENNROSE
Bricks & Mortar | Heart & Soul

RiseBoro
COMMUNITY PARTNERSHIP

 **Habitat**
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HAVEN
GREEN

HAVEN GREEN

PUBLIC PARTICIPATORY DESIGN PROCESS REPORT

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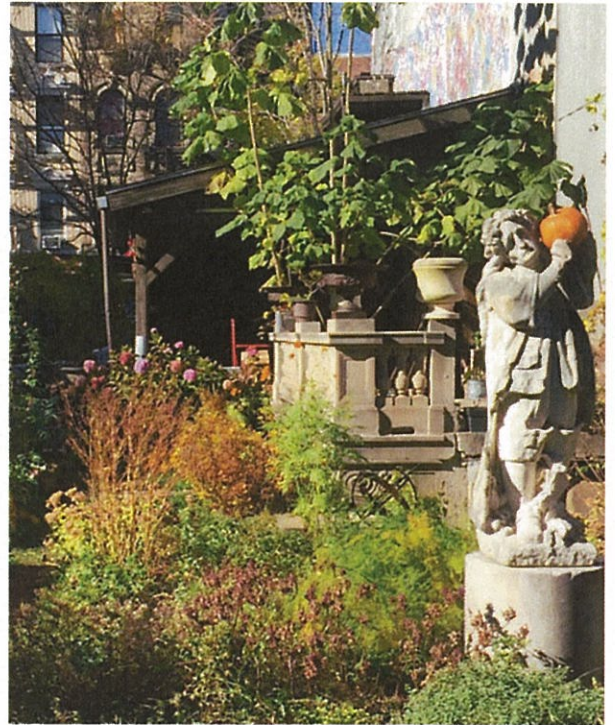
I. INTRODUCTION

In the summer and fall of 2018, the project team led a participatory design process to collectively imagine the future of the open space on the Haven Green site. The process engaged community members, gardeners, and housing advocates. We obtained input on the activities, design elements and character of the space, with the goal of envisioning an open space that meets neighborhood needs and is grounded in community input. The process was designed to be open, inclusive, and engaging, allowing a wide range of stakeholders and participants to provide input.

CONTEXT

The Haven Green project is located on city owned land in the Little Italy neighborhood of Manhattan. The site is approximately 20,000 sf of highly valued space that spans from Elizabeth Street to Mott Street. The lot is currently privately leased on a month to month basis by Elizabeth Street, Inc. The current sculpture garden's characteristic statuary are privately owned in connection to its relationship with the adjacent Elizabeth Street Gallery. In 2005, the garden became accessible through the gallery as an exterior showroom. After the site was slated to be developed for affordable housing, the site was opened to the public, and is now commonly referred to as the 'Elizabeth Street Garden.'

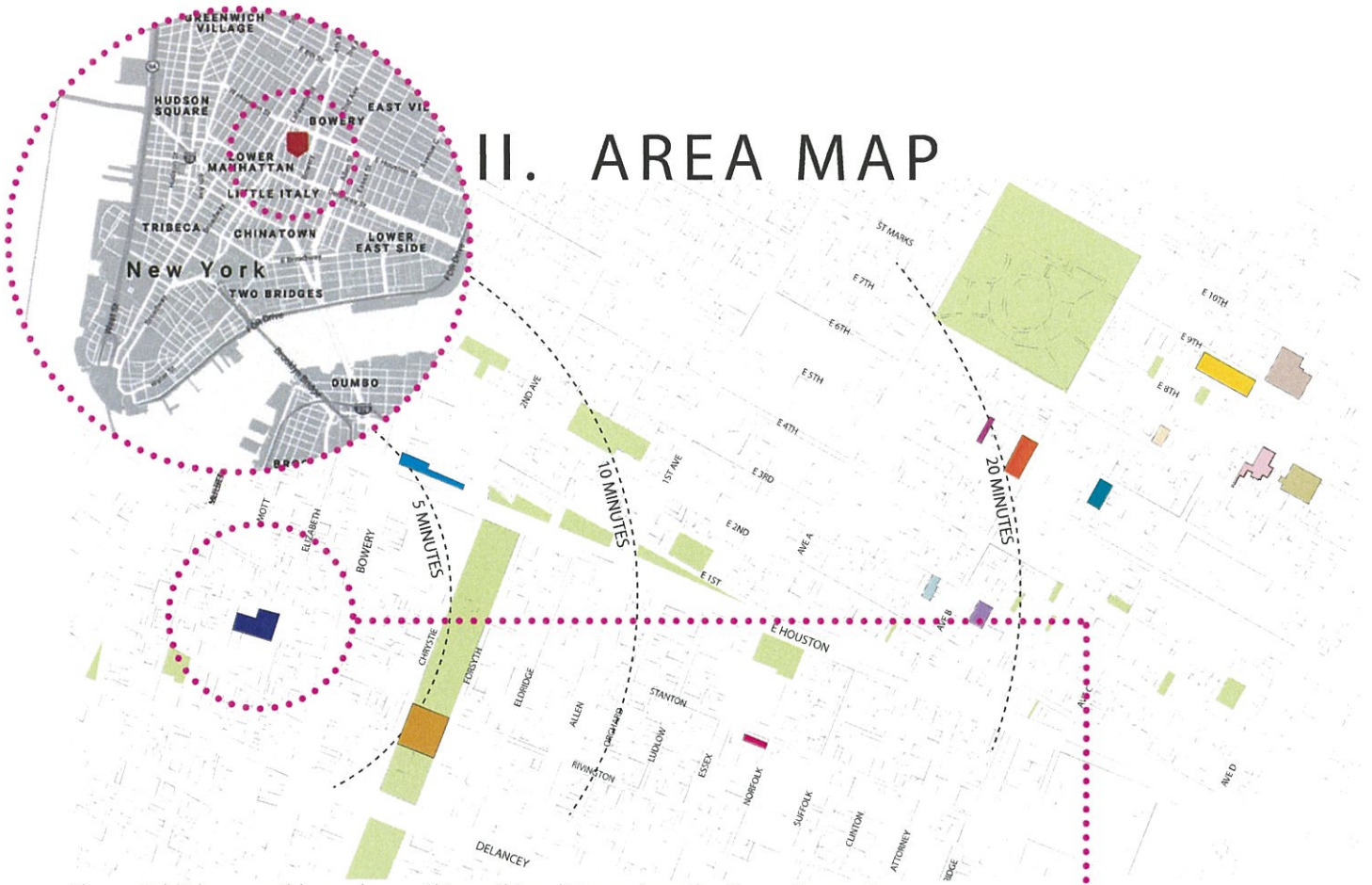
In the 5 years since the site was designated for affordable housing, a public debate has arisen around the planned development of the site. Many garden advocates have called for saving the existing space in its entirety, highlighting its importance within the community and arguing that there is an alternative site within Community Board 2 (approximately 1 mile away). Housing advocates have pointed out that, to meet even a fraction of the community district's need for affordable housing, all available sites would need to be developed. Further, fair and equitable housing requires all neighborhoods contribute to meeting this great need. The alternative is seen as both delaying senior housing that is badly needed now, and transferring yet more of the burden for addressing the affordable housing crisis to less affluent communities.



AFFORDABLE HOUSING + PUBLICLY ACCESSIBLE GREEN SPACE

It is in this context that the Haven Green project seeks to combine two vital community resources on one site: Affordable housing and publicly accessible green space. This project is a response to a competitive RFP issued by New York City Housing Preservation and Development (HPD) in 2017. The building provides 123 LGBTQ-friendly affordable housing dwelling units for seniors. The building is slated to be built to the Passive House standard, which will result in a drastic reduction of energy use and carbon emissions for the project. With Habitat for Humanity NYC as the anchor tenant for the ground floor community facility space, the project will provide expanded services for its residents, as well as ongoing community outreach and programming with local non-profits.

II. AREA MAP



Above: Publicly accessible gardens within walking distance from the Haven Green site

MAP LEGEND:

LIZ CHRISTY GARDEN
E. Houston St. btwn 2nd Ave + Bowery
SATURDAY 12- 4pm (All Year)
SUNDAY 12 - 4pm (May - Sept)
TU & TH 6pm - dusk (May - Sept)

CHILDRENS' MAGICAL GARDEN
129 Stanton Street
MON-SUN 3 - 6pm

MIRACLE GARDEN
194 E 3th St
SAT - SUN 12 - 7pm

6BC BOTANICAL GARDEN
622 E 6th St (btwn Ave B & C)
SAT - SUN 12pm - 6pm (April - Oct)
MON - FRI 6pm - dusk

LES ECOLOGY CENTER COMMUNITY GARDEN
210 E 7th St
SUNDAY 8am - 5pm

FIREMEN'S MEMORIAL GARDEN
358 E 8th St
MON - FRI 1 - 5pm

KENKELEBA HOUSE GARDEN
212 E 3th St
TH - FR 10:30am - 6:30pm
SAT 10am - 4pm & when gate is op

6TH ST & AVE B COMM. GARDEN
E 6th St & Avenue B
SAT - SUN 1pm - 6pm (Apr 1 - Oct 3
& when gate is open

CREATIVE LITTLE GARDEN
530 E 6th St
DAILY 11am - 6pm

LA PLAZA CULTURAL DE ARMANDO PEREZ COMMUNITY GARDEN
E 9th St & Avenue C
SAT - SUN 10am - 7pm (Apr 1 - Oct 31)
& when gate is open + members

9TH ST COMMUNITY GARDEN
E 9th St & Avenue C
SAT - SUN 12 - 5pm (Apr - Oct)

GREEN OASIS GARDEN
Ave D & E 7th St
DAILY 8am - 5pm

M'FINDA KALUNGA GARDEN
133 - 165 Forsyth St
SAT - SUN 12 - 4pm
TH 5 - 7pm



III. THE PARTICIPATORY DESIGN PROCESS

WHAT IS PARTICIPATORY DESIGN?

Participatory design seeks to engage all stakeholders in the design process. This approach encourages input from voices beyond the client and the designer, inviting end users, neighbors, and other stakeholders to imagine and shape the future of the site.

WHY PARTICIPATORY DESIGN?

The end users of any space – especially public spaces – are very much the experts of how the place is used, how it feels and how it should be designed. The public participatory design process allows us to harness that expertise, resulting in the best possible design – both in process and result.

COMMITMENT TO COMMUNITY INPUT

The magic of the gardens of lower Manhattan is seen in how each of these community spaces manifests the unique energy and vision of its users and gardeners. A public participatory design process allows the final design of the space to reflect the ideas and vision of its community.

PARTICIPATORY DESIGN PRINCIPLES

INCLUSIVE

All people with an interest in the project are invited to participate. To ensure the greatest possible participation, we conduct multi-faceted and broad-based outreach, provide multiple modes of participation, and hold design meetings during the week and the weekend.

ACCESSIBLE

The design meetings are physically accessible to all people. Translation services are provided to ensure that non-English speakers can participate.

ENGAGING

The design process should be fun, engaging and allow for participants to provide input in a variety of mediums: through surveys, storytelling, drawing, preference boards, and group discussions.

THE PARTICIPATORY DESIGN OUTREACH PROCESS

INITIAL OUTREACH

Beginning in the winter of 2018, the team initiated a broad outreach process to identify the many local and citywide stakeholders. Early meetings with elected officials and key community groups provided an opportunity to introduce the project, team and our proposed design process, as well as to gain understanding of their concerns and suggestions to best target further outreach.

STAKEHOLDER MEETINGS AND COMMUNITY ENGAGEMENT

Through the spring and summer of 2018, the team continued to meet with key stakeholders including the Friends of the Elizabeth Street Garden, Elizabeth Street Garden Inc, and other local community gardening, preservation, business, and service organizations as well as Councilmember Margaret Chin, Borough President Gale Brewer, Community Board 2, Assemblymembers Yuh-Line Niou and Deborah Glick, State Senators Brad Hoylman and Brian Kavanagh, Representatives Jerry Nadler and Nydia Velazquez and other community representatives. A series of local meetings provided opportunities for discussion of the project.

PARTICIPATORY DESIGN OUTREACH

Through these engagement efforts, the team identified a wide range of stakeholders to invite to the participatory design process. A press release announced the effort and invitations to participate were distributed through mailers, flyers, in-person meetings, bulletins and through email invitations to community members who signed up through the website and other outreach, civic and community leaders. The team requested that Community Board 2 leaders notify their constituents – particularly for the third session they requested - but citing past opposition resolutions they opted not to inform the community for any of the sessions.

Altogether, nearly 900 organizations and individuals received information and invitations to the community design workshops including:

- Elected officials and political organizations @40+
- Citywide organizations @65+
- LGBTQ support organizations @9+
- Grassroots local organizations @100+
- Landmarks & Preservation organizations @5+
- Local business groups @10+
- Housing CDC/CBO's & HDFO's @32+
- Senior Citizen support & service providers @11+
- Park and garden groups @16+
- Schools and children's service providers @13+
- Faith communities @58+

850+ EMAILS to community contacts through several waves of outreach by email, direct mail, and via organizations in advance of the 4 participatory design workshops.

1500 FLYERS distributed to local businesses, community service providers, and by street canvassing at key neighborhood locations including the Spring & Lafayette #6 subway stops, Whole Food and the Chinatown YMCA at Housing and Bowery, and the M103 bus stop at Bowery and Prince.

4

MEETINGS

596

PREFERENCE
BOARD RESPONSES

229

NEW IDEAS
GENERATED

Participants collaborate
on design charrettes

IV. THE PARTICIPATORY DESIGN MEETINGS

In September 2018, the team held four participatory meetings. All meetings were open to public, with the fourth meeting focused on local senior citizens. The public meetings were held on weeknights and a Saturday afternoon at local community spaces (University Settlement and Judson Memorial Church), with the senior citizen focused meeting occurring in the middle of a weekday at the Chinatown YMCA. The participatory design meetings elicited input through three primary methods:

1. PREFERENCE BOARDS

Preference boards were prepared for four major categories: Activities, Design Elements, Planting and Seating. For each category, imagery evocative of a wide range of options was shown to participants. Participants were invited to place stickers next to the images they liked. The results of the preference board data were used along with survey data to provide quantitative analysis. Using these 'counting stats' alongside the qualitative results of the design charrettes, the team was able to 'rank' the many great ideas we received by magnitude of community support. Please see the appendix for the results.

2. DESIGN CHARRETTES

At each design meeting, participants worked in small groups (2 to 8 people) in a design charrette for the open public space. Each group was given a site plan and toolkit consisting of markers, colored pencils, and collage materials. The groups engaged in a discussion about what design concepts they'd like to see implemented and how they should be arranged on the site. Results from these site plans ranged from a short list of reasons why participants love the existing garden to colorful site plans brimming with ideas about the future of the space.

3. SURVEYS:

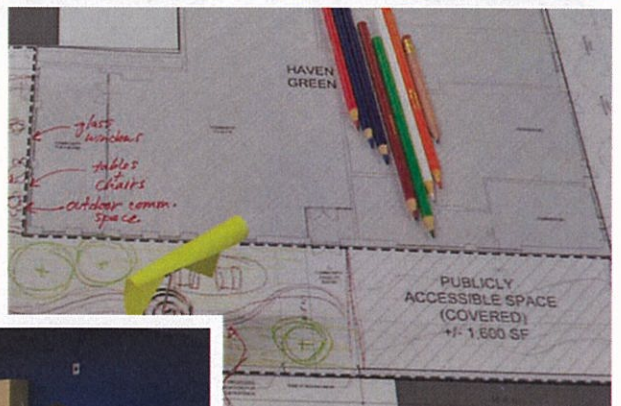
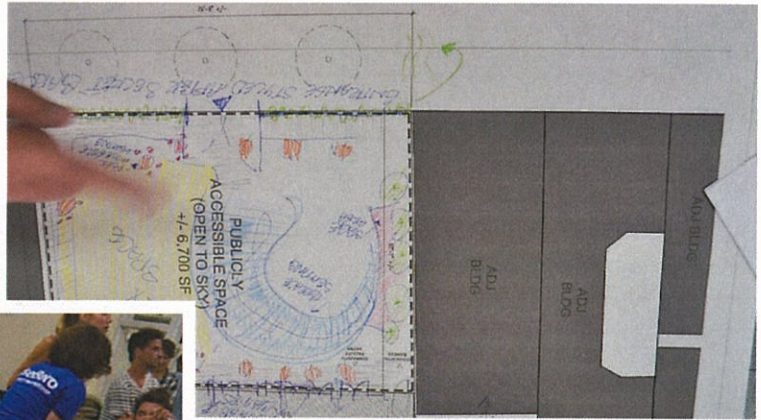
A 15 question survey was developed for the project. The questions were designed to gather both quantitative and qualitative input. The survey included questions on how participants used the existing garden, what activities people would like to see in the space, what design elements they would like to implement, and what stories people could share about the current or another garden. The survey was available both online (through the project website) and during participatory design meetings.

Outside of the participatory design meetings, the team also pulled a wealth of information from articles published by those opposed to the development. These articles highlighted ways that the existing space is appreciated and utilized.



Preference boards from the senior focused meeting

DESIGN SESSION PHOTOS



V. WHAT WE LEARNED

The public engagement process generated numerous and diverse design ideas. We received input on the types of uses of the space, the character of the space, how the space feels from the street, types of plants and seating, and ways to engage the community. From this input, the team highlighted recurring themes and ideas that were prevalent across the surveys, preference boards, public comment, and design charrettes.

Where possible, the design should implement the following ideas and comments, while also understanding that the space is not intended to be developed as a 'paint by

numbers' exercise. The team will prioritize the strongest and most recurrent ideas to build up an exceptional design around those concepts.

As such, we have identified 'Essential Ideas' and 'Great Ideas.' The 'Essential Ideas' are ideas that recurred throughout the public input, to the extent that we recommend that they should be included in the design. The 'Great Ideas' concepts include a range of exciting design ideas – many of them also recurrent across much of the input – that should be strongly considered for inclusion in the design.

'ESSENTIAL IDEAS'

These 'Essential Ideas' are concepts and suggestions that recurred throughout the public input process.

- no.1 The space should provide a sense of sanctuary from the street. One approach could be to use dense plantings to create a sense of privacy and separation from the street (the 'secret garden' approach).
- no.2 The space should include a water element. The water element should engage the senses and be used in support of creating an ambient environment that is a sanctuary from the street.
- no.3 The space should provide a grass lawn area.
- no.4 Where possible, save existing mature trees. Where not possible, re-plant at least as many trees (as mature as feasible) as being taken away.
- no.5 The space should use native, drought resistant plants that attract birds, butterflies, bees and other wildlife.



'GREAT IDEAS'

These 'Great Ideas' include a range of exciting design ideas. Though these ideas weren't as recurrent as the 'Essential Ideas', there was enough support for these concepts to warrant strong consideration.

no.1 Consider bringing aspects of the existing garden – specifically the sculptures – into the new garden.

no.2 Consider providing new sculptures throughout the garden. Arrange the sculptures on the perimeter so that garden space is still maximized.

no.3 Where existing trees must be removed, consider utilizing them to make furniture for the new garden. For example, craft a large communal dining table from the wood of the existing site trees.

no.4 Consider extending the garden area onto the sidewalk with planters, benches, canopies and art/signage.

no.5 Consider minimizing pathways. Where possible, consider grass or permeable paver ADA paths wherever appropriate to maximize green space.

no.6 Consider using movable seats and chairs.

no.7 Consider implementing terraced seating to create opportunities for meeting and small outdoor performance.

no.8 Consider locating some of the permanent seating on the north side of the Central garden to capture winter sun.

no.9 Consider implementing a therapeutic herb garden or herb spiral on the site.

no.10 Consider implementing vertical gardening to extend the garden up the building walls (both the Haven Green building and neighboring buildings).

no.11 Consider providing a 'demonstration' garden that highlights a gardening/sustainability feature such as vegetable growing, composting, rainwater collection and re-use, etc.

no.12 Consider extending the garden into the 'overpass' area with plantings, green wall, and similar path material.

no.13 Consider implementing a 'rain garden' or other rainwater collection strategy in the garden.

no.14 Consider strategies for controlling 'cut-through' foot traffic of the garden space by pedestrians. Consider implementing a winding path with intermediate planting area 'barriers' that encourage a meandering route through the site rather than a direct 'cut-through.'



'BIG PICTURE IDEAS'

Many participants had great 'big picture' ideas that, while infeasible to implement within the footprint of the Haven Green garden space, are worth mention for future planning and development in the neighborhood and the city as a whole.

no.1 Create an 'Elizabeth Street Garden' network on multiple affordable housing sites in the community. Advocate for the integration of publicly accessible garden space on future affordable housing developments.

no.2 Provide a public garden on the building's roof.

no.3 Work with the southern neighbor (21 Spring Street) to combine the garden and the neighbor's open courtyard.

no.4 For future projects, engage in a participatory design exercise prior to designing the building massing to allow the process to inform site layout and garden/building balance.



ACTIVITIES AND USES

Input on activities was wide ranging – from a full slate of programmed activities to a desire to leave the space completely unprogrammed. Given the wide range of potential activities, and the desire to meet other design requirements, we recommend providing an adaptable outdoor space that can flexibly accommodate a variety of uses and activities. Some of the desired activities include:

no.1 Active use programs (such as yoga and tai chi)

no.4 Community movie nights.

no.7 Fall activities such as harvest festival and pumpkin carving.

no.2 Checkers and chess games.

no.5 Art installations/shows.

no.8 Winter activities such as 'igloo' or snow fort building, snowman building, hot cocoa and caroling.

no.3 Community dinner nights, possibly highlighting ingredients grown on the site.

no.6 Solstice and equinox celebrations.



VI. NEXT STEPS

The participatory design process resulted in a wealth of input, including exciting design ideas, preferences for how the space should look and feel, and stories on how the existing space has affected the community. But how will community input be included in the design process for the space?

At the conclusion of this participatory design process, our results and recommendations are being provided to the project design team. Recommendations shown on the previous pages are provided to the landscape architect and the development team, along with the data shown in the appendix following this report. The design team will use this report as both inspiration and a guiding framework, seeking to capture the spirit of the design input while addressing specific needs expressed by participants. The team will strive to incorporate as many community ideas as possible, while also recognizing that the design of the space is not a 'paint by numbers' exercise. The best design for this space will thoughtfully respond to the community input, resulting in a rich and vibrant space that the site deserves.

ACKNOWLEDGMENTS

The participatory design process relied on the hard work of numerous community development professionals, local community groups, political leaders, garden advocates, housing advocates, and the Little Italy community. We extend our sincere gratitude to all of those who participated in this process, including our Haven Green team, University Settlement, Judson Memorial Church, Chinatown YMCA, New York City Department of Housing Preservation and Development, New York City Department of City Planning, Community Board 2, Councilperson Chin, Borough President Brewer, Assemblymembers Niou and Glick, State Senators Hoylman and Kavanagh, Representatives Nadler and Velazquez, and most importantly, all those who participated in this process as co-designers.

VII. APPENDIX - PARTICIPATORY DESIGN DATA

The participatory design process provided our team with invaluable community input, providing numerous insights and design ideas to build from. The following pages show in more detail what we learned from the community engagement in the design surveys, storytelling, preference boards and the design charrettes.

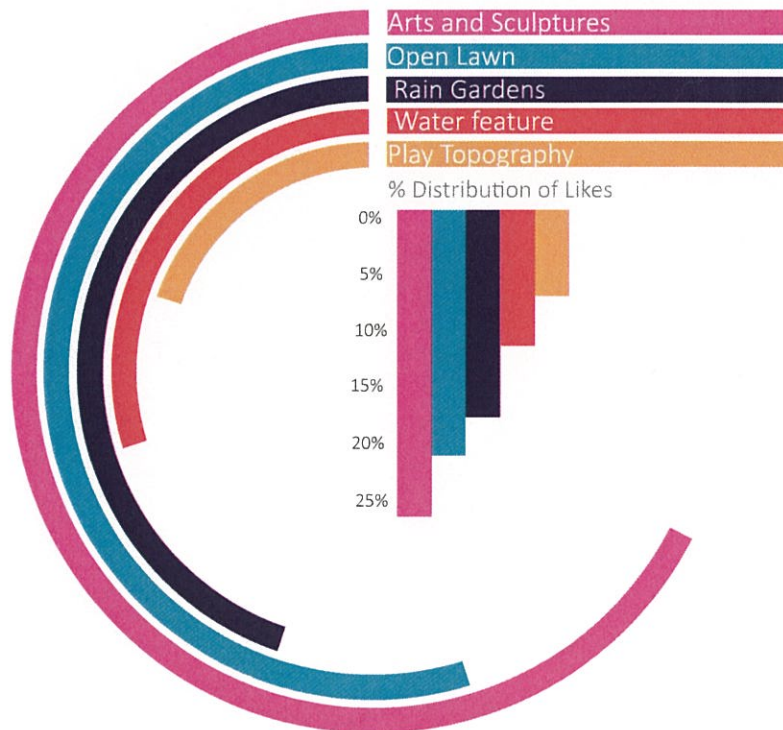
PREFERENCE BOARDS

DESIGN ELEMENTS

Preference boards were made for four major categories: Activities, Design Elements, Planting and Seating. For each category, imagery evocative of a wide range of options was shown to participants. Participants were invited to place stickers next to the images they liked. The results of the preference board data were used along with survey data to provide quantitative analysis. When viewed alongside the qualitative results of the design charrettes, the team was able to rank the great ideas we received based on the magnitude of community support.

Preference Board Question:

What kind of design elements do you want to see here? Design elements - or features - help give a space its distinct character. Can you imagine a space that features art and sculpture from local artists? Or a series of rolling hills for children to run and jump on? How about a rain garden that sustainably manages rainwater?



Arts and Sculptures



Rain Gardens



Open Lawn



Play Topography

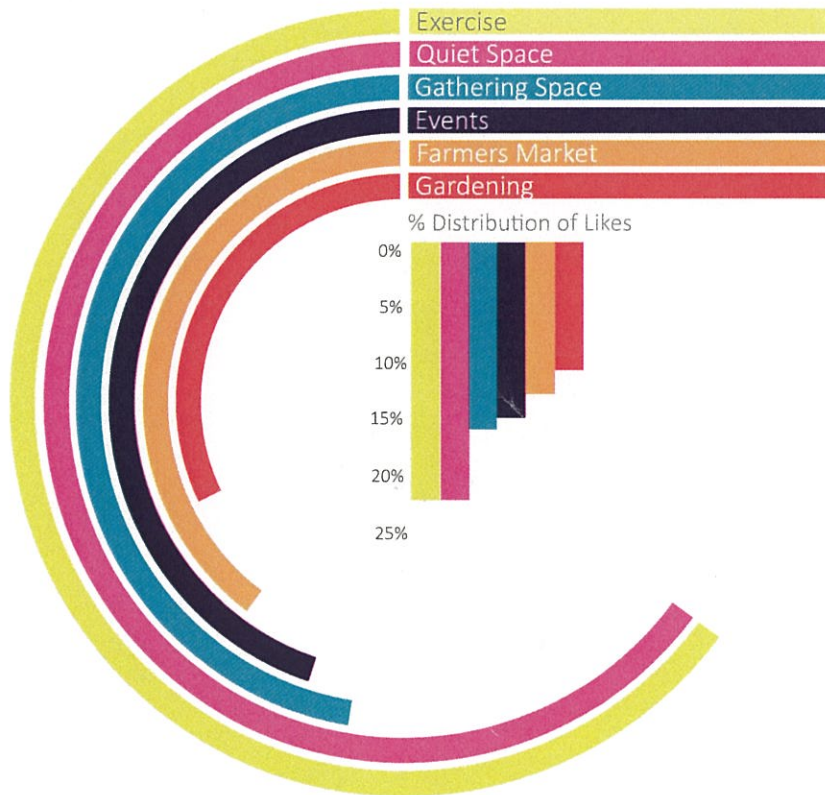


Water feature

ACTIVITIES AND USES

Preference Board Question:

What kind of activities do you envision for this space? How do you think it should be used? Do you imagine a quiet, restful space to read a book? Or a lively space for meeting with your neighbors? Will this be a space for gardening? What do you want to see happen here?



Exercise



Quiet Space



Events



Gathering Space



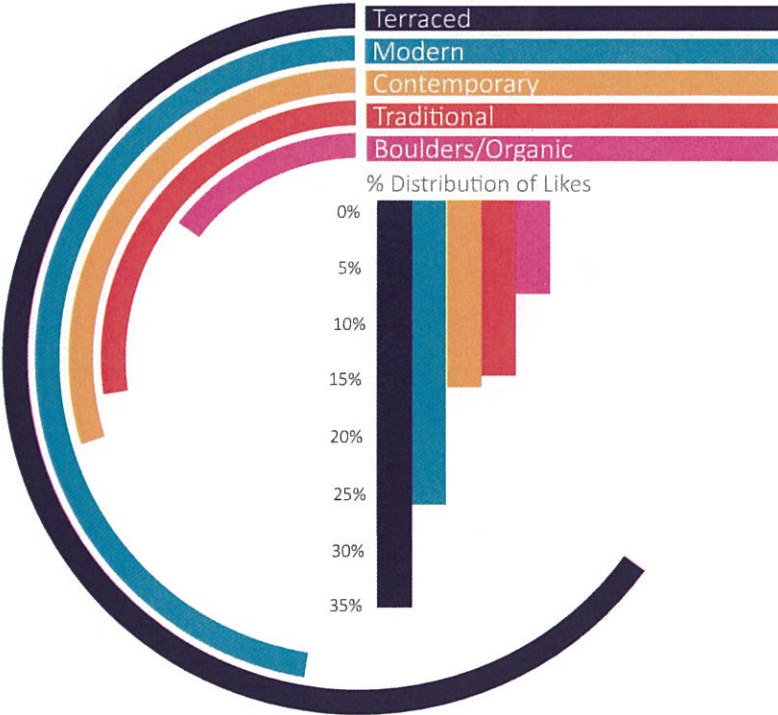
Farmers Market



Gardening

SEATING

Preference Board Question:
 Providing a comfortable respite from the busy streets is an essential aspect of publicly accessible outdoor spaces. The type of seating installed will help define the character of the space, as well as determine what kind of interactions people will have in the space. Do you envision traditional park benches for this space? Modern benches? Or something wild and natural like boulders? Do you envision seating that encourages interactions and gathering, or seating for quiet solitude?



Boulders/Organic



Terraced



Modern



Contemporary



Traditional

PLANTING

Preference Board Question:

Plants define the character of an outdoor space. Should this be a wild, lush space with dense greenery? Do you want to see wildflowers blowing in the breeze? Should there be a formal garden here? Or should this space include fruit and vegetable gardens?



Therapeutic Herb Garden



Sensory Plants



Wildflowers



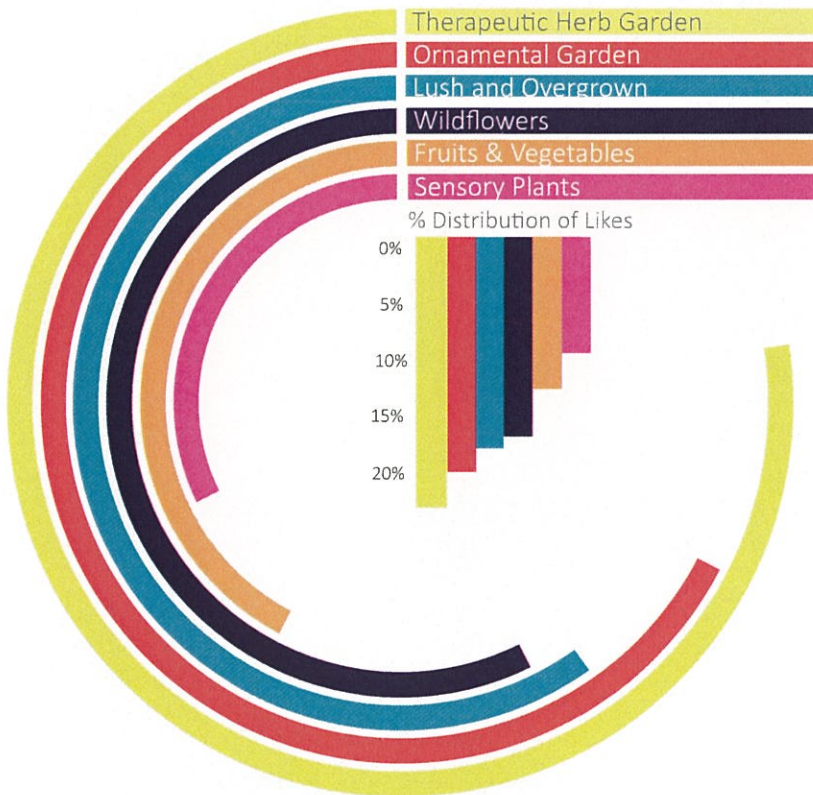
Lush and Overgrown



Fruits and Vegetables



Ornamental Garden



81% of those surveyed walk to the garden.

59% would use the garden in mornings, midday and afternoons

66% would use garden on weekdays and weekends

48% would like to use the garden all year long!

DESIGN SURVEY

SURVEY RESULTS: VISITING THE GARDEN

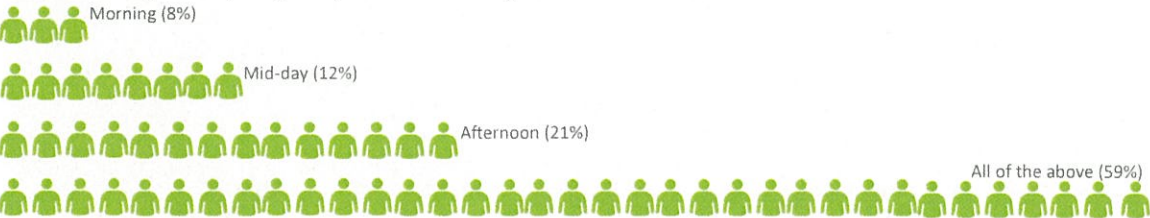
When you visit the garden, where are you traveling from?



How do you typically travel to the garden?



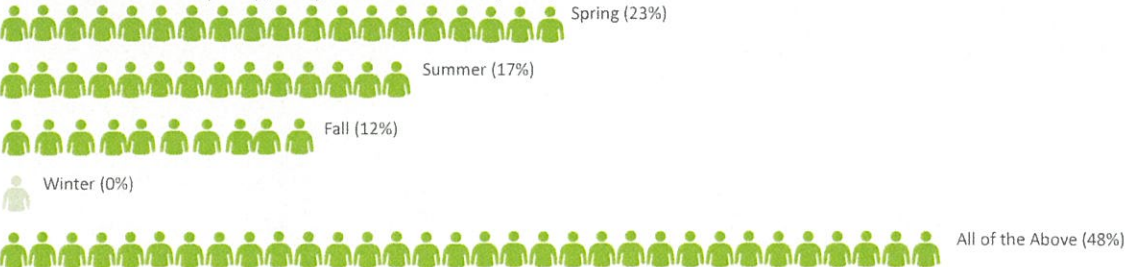
What time of day would you typically want to visit the garden?



What part of the week would you typically want to visit the open space?



What season(s) would you typically want to visit the open space?



SURVEY RESULTS: ACTIVITIES AND USES

What open space activities/uses matter most to you?



SURVEY RESULTS: WHO PARTICIPATED?

Have you visited Elizabeth Street Garden? (82% Yes, 18% No)



Participant who are members of community based non-profit in the area:

51% are not members of local non-profit community groups.

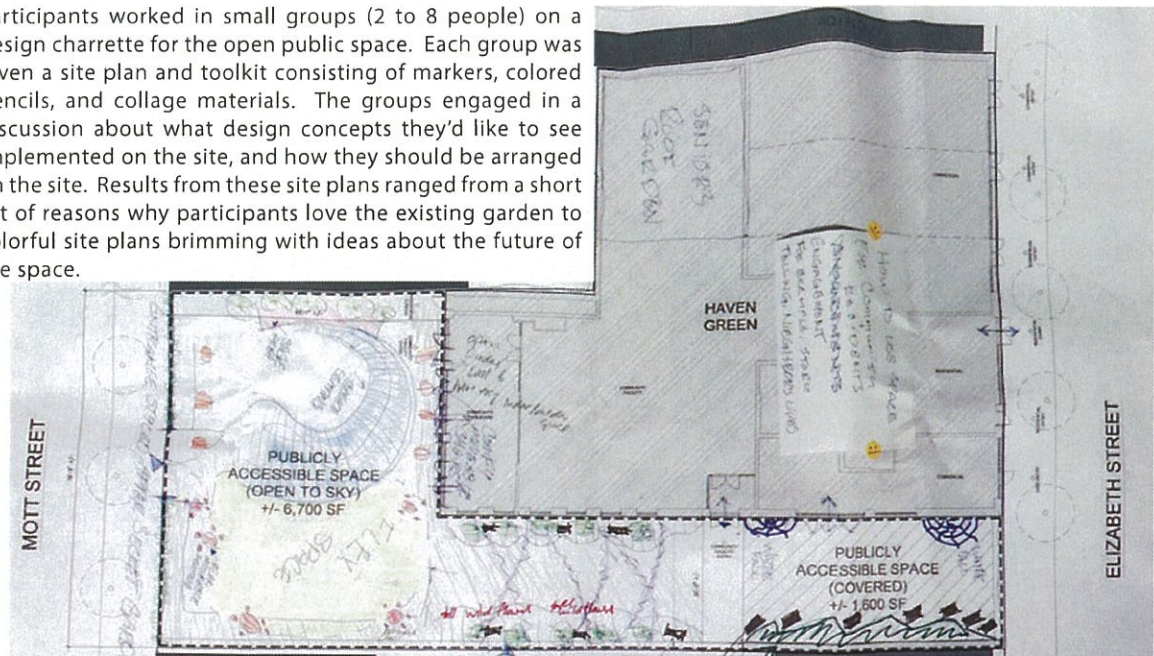


49% are members of non-profit community groups.



DESIGN CHARETTES

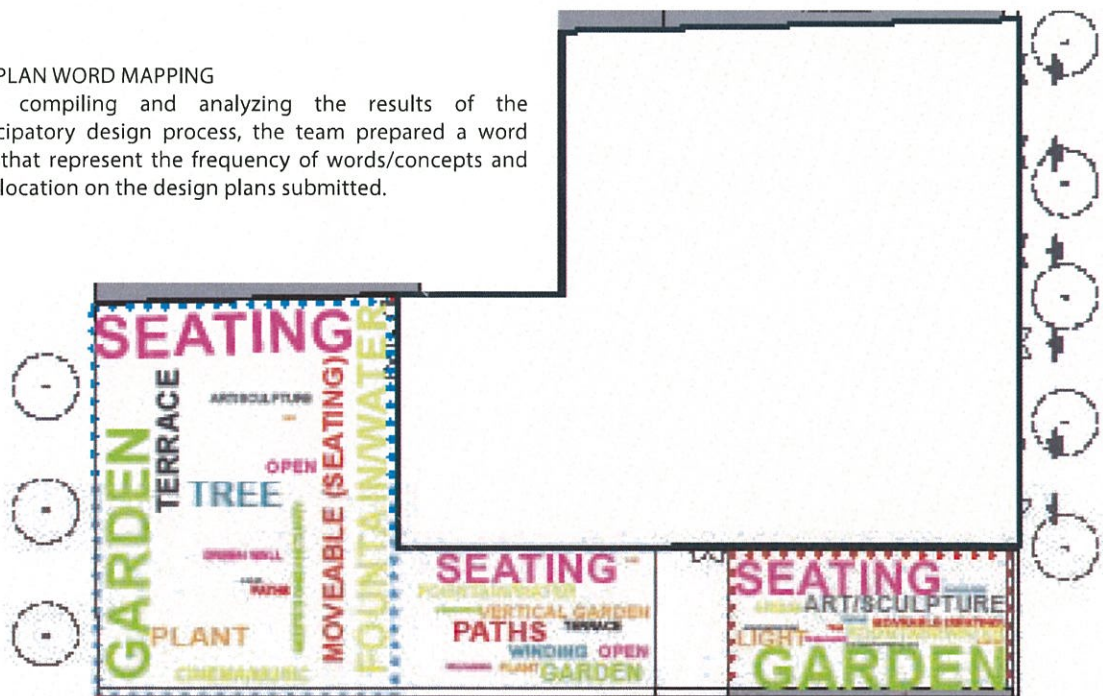
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Above: Raw data of design session 1, Table 7: Ideas include terraced seating, flexible open space, wall planting, and an entrance on Mott Street styled after 'secret garden'.

SITE PLAN WORD MAPPING

After compiling and analyzing the results of the participatory design process, the team prepared a word map that represent the frequency of words/concepts and their location on the design plans submitted.



Above: Word map shows frequency and location on the site of words/concepts obtained from community input.



PARTICIPANT STORIES

Storytelling is a powerful tool for conveying essential ideas and feelings that can't be captured in statistics or design exercises. Participants were asked: "Do you have a personal memory or story about the garden that talks about what the space means to you? If you haven't used the garden, do you have a memory of another open space you can share?" Following are a sampling of the stories we heard:

"I like coming to this garden when taking a break from work. Its a nice place to collect my thoughts."

"I use the garden to get away from the noise and chaos of NYC. I send tourists there."

"Yes - fell in love there."

"Yesterday I found a sitting place to read"

"I noticed the space since I first moved to NYC 20 years ago and lived nearby. I longingly looked through the fence. It was such a treasure to behold when it opened to the public and has become even more so. The plantings are very inspiring. It's a magical space. Kudos to those who have created such community around the garden as well. Your (ESG) events are impressive and an inspiration to those of us who belong to other gardens."

"I had left my job as a teacher and I was back looking for a job as an informal Environmental Educator. A former colleague said that Elizabeth Street Garden was looking for help to do environmental education with a neighborhood school, so I volunteered and got my hands back in the soil at the garden. It was good for me to get back into the work, and great for the students to experience the sights, sounds, smells and feel of the garden away from their overly urbanized environment."



PARTICIPANT STORIES

"Each and every neighborhood in NYC should be open to caring for our elderly, because, as a city, we collectively should be responsible for our most vulnerable."

"Discovery, chance encounters, and opportunities for genuine engagement create memorable public spaces."

"I found a seat secluded from the rest - I put my feet up and read a book and had a snack - I could hear only wind chimes in the trees and a soft murmur of other visitors"

"No personal memory but I want to reiterate my support for this project. The neighborhood (and the city) need affordable housing for seniors. Thank you for your commitment to housing and open space."

"I came to New York 3.5 years ago alone and have found a family in the people who strive to protect the garden. I can meet people of different ages, backgrounds, ambitions and religions and work with them to build a sustainable community project."

"Just pleasant sitting there."

ERIC DIAZ IN FAVOR OF HAVEN GREEN

I am the Executive Director of VISION URBANA, INC. a Community founded nonprofit organization providing Programs + Services for seniors which include a NOEC Senior Program that offers holistic services to Seniors living vertically + horizontally on Delancey st as well as a weekly food pantry service that offers food security for hundreds of seniors every week on Essex street. I have been joined today with Seniors from our NOEC Program who ~~are~~ passionately support the Haven Green development.

I represent a community & population that needs opportunities. Opportunities to age in NYC in ^{brand} new affordable housing because, sorry to say, their current housing within NYCHA & walk-up ~~housing~~, are no longer acceptable living conditions for seniors. I represent a population that deserves their latter years to be better than their former. And I fight for their opportunity to have this!

I personally look forward to holding accountable & working with the CBO Habitat 4 Humanity responsible for providing services to residents w/ cultural sensitivity in multiple languages such as Spanish, Chinese, Mandarin.

Once more, I am in favor of ^{the} Haven Green Development.

HAVEN GREEN PROJECT TESTIMONY
By, Alison Smith- Director, University Settlement
May 2, 2019

University Settlement ***supports senior affordable housing and the Haven Green project on Elizabeth Street.*** The Haven Green development will provide 123 affordable senior housing units while preserving over 8,000 sq. ft. of accessible garden space.

With over 200,000 low-income seniors on affordable housing waitlists, for an average of 7 years, the Haven Green project is a compromise that allows New York City to prioritize our most vulnerable neighbors ***AND OPEN GREEN SPACE.*** The elder population is growing more rapidly than other segments of the City's residents, rising over 26% in the last ten years! Currently, ***over 200,000 low-income seniors*** are on waiting lists for senior housing. ***Five thousand of those seniors waiting are in our local community.***

University Settlement's housing protection program, Project Home, sees this crisis first hand. Over 750 neighbors with housing crises come to us each year, including over 105 households (over the years) near the proposed Haven Green site, ***and over 60% were seniors.*** Projects like Haven Green are an important part of the solution to this crisis.

The Haven Green project is a compromise to the greater good, and preserves 8,000 square feet of open and public space. It's important to note that there is also a large public park two blocks away with active neighbors and invested organizations like ours, who welcome more volunteers! The incredible energy of the Elizabeth Street Garden supporters would be invaluable in volunteering, and continuing to improve our community.

We recognize the feeling of loss that the gardeners will have as the garden changes significantly, and we hope that they ***--- and you on the council ---*** also share the deep loss of those neighbors who lost their apartments on Elizabeth Street when we could not save them from landlord harassment, rising rents & lack of physical accessibility as they grew older. These apartments, and the 123 new neighbors Haven Green will provide will bring incredible new benefit to the community.

We don't dispute the need for green space, but even higher on the priority list is safe, affordable housing, particularly for those with greater health vulnerabilities, ***those who have built this community before us.***

With a desperate situation for our elders, the choice to prioritize housing on Elizabeth Street is clear, both morally, and in terms of public health.

Rodney Washington in favor of HAVEN GREEN.

I represent older adults who work long into their retirement age just to continue affording living in their apartments. I support the development of affordable housing for my older adult peers & neighbors striving to remain in NYC. I stand with the proposal for housing + Garden against no proposal for only a garden (that barely deserves the name).

Emily Hellstrom Statement:

Do you know what I have here in my hand? A rubber stamp. We have been told, don't bother with the City Council, they just use the rubber stamp. They will never vote against the Council Person out of fear. This rubber stamp is a symbol of what is wrong with this process.

How else to explain how this got so far?

When a giveaway of public land that has been held since the 1800's is sold to a developer for a dollar, decided during a secret backroom deal with Sheldon Silver without so much as a courtesy call to our Community Board. Rubber Stamp. After the residents held hearing after hearing where hundreds of people turned out to show their support for the Garden...Rubber Stamp. When literally THOUSANDS of letters have been written in support of this stunning outdoor community center that many call the SOUL of our neighborhood...rubber stamp. The Borough President came to our Harvest Festival, saw the people coming together and declared that this space should never be destroyed, but then out came The Rubber Stamp.

So our grassroots coalition went further...we realized how deep this housing crisis was and pleaded with our electeds to help us find an alternative so that green space and housing would not be pitted against each other, tearing our community apart. And they did! The leaders of our community board found a piece of land that could house up to 5 times as many seniors and they passed a resolution to allow that swap. And what do we get...Rubber Stamp.

Did our Council Member ever even bother to visit the Elizabeth Street Garden to see why this community has never given up? Sit down with us work on a solution? Did she forge coalitions, and find a win win compromise, actually do the work of a leader, and harness the energy in this room. She could save the Garden and in return demand that unite our efforts towards making more housing. But no, she did not. She is simply relying on this rubber stamp.

But I have faith that you know better, That you will put an end to this cynical process, that robs people of their voice. Please vote against the destruction of our precious green space and put away this dreaded rubber stamp, and in doing so, you will have a community ready to get to work. Put away the rubber stamp, because we are ready to participate!



VOTE NO

REJECT BACK ROOM DEALS, SUPPORT TRANSPARENCY AND A WIN-WIN SOLUTION

Good afternoon, I am Jeannine Kiely, president of Friends of Elizabeth Street Garden and a park and education advocate. Yesterday, I testified in support of greater diversity in our public schools and today, I speak in **OPPOSITION** to the Haven Green development.

We are here because our *grassroots initiative uncovered a secret back room deal*. Meanwhile, the city ignores a win-win solution that will provide up to 5x as much housing for our seniors.

- The effort to save Elizabeth Street Garden started from a **Grassroots Initiative** by local activists to get more **public** park space!
- It was only then that we uncovered a **secret back room deal** that our Councilmember negotiated as part of the Essex Crossing rezoning (on the Lower East Side) -- a **non-binding**, behind-the-scenes deal with **zero public review, zero public discussion and zero transparency!**
- Since then, CB 2 held seven public hearings, passed five resolutions for the Garden and identified an **alternative** city-owned site – a nearby gravel-filled lot (previously promised for park space) – where up to 5x as much senior housing can be built.
- But the city ignored our community and a win-win compromise!
- Council Member Chin herself has called for greater transparency against back-room deals on Rivington House, the Two Bridges Mega Towers, the Chinatown Jail and many other projects, yet there was **NO** transparency on this deal.

I've shared a detailed presentation and will highlight:

1. The Garden site is held in trust for educational purposes, since 1822.
2. The city committed to a new school and housing, and the promised affordable housing was **already built** in 1981.
3. This development will destroy the Garden, leaving behind a tiny, shadow-filled **private** open space. The renderings sure are pretty, but they are misleading and unrealistic.
4. Affordable housing is allocated by age, income and household size, not sexual preference. But, with 50% preference for CB 2 residents, the win-win alternative will benefit 5x as many of Council Member Chin's constituents.

Support transparency and a win-win solution! Please vote no!

Thank you.

Jeannine Kiely
President, Friends of Elizabeth Street Garden
jeanninekiely@elizabethstreetgarden.org
917-297-4475

View presentation at <http://bit.ly/SaveESG>.

Elizabeth Street Garden, Inc.
209 Elizabeth Street, New York NY 10012
elizabethstreetgarden.com
joseph@elizabethstreetgarden.com

**STATEMENT REGARDING ELIZABETH STREET GARDEN
AND HAVEN GREEN DEVELOPMENT BY
JOSEPH REIVER, EXECUTIVE DIRECTOR OF ELIZABETH STREET GARDEN**

**BEFORE CITY COUNCIL SUBCOMMITTEE ON LANDMARKS, PUBLIC SITING, AND
MARITIME USES**

[New York, NY, May 2, 2019] My name is Joseph Reiver. I am the Executive Director of Elizabeth Street Garden, Inc. ("ESG") the 501(c)(3) nonprofit organization that manages the garden. I have been involved with the effort to save Elizabeth Street Garden ("the Garden") from the beginning in April/May of 2013.

Elizabeth Street Garden is a 20,000 square foot unique community garden located in the neighborhood Little Italy, Manhattan. The Garden is open year-round by neighborhood volunteers and attracts over 100k visitors annually from neighborhood locals and New York residents to visitors from all around the world.

ESG

Elizabeth Street Garden, Inc. (ESG) is a volunteer based 501(c)(3) not-for-profit organization committed to exploring every option available to protect & preserve Elizabeth Street Garden and save our much needed community green space in Little Italy. ESG is a volunteer based organization. Our committed team volunteers their time and energy to organizing hundreds of free programs, tending to greenery and maintaining the space, and keeping the garden open to the public year-round – over 50 hrs/week during the summer and 28hrs/ week during the winter – all the while working with local elected officials and organizations to protect and preserve Elizabeth Street Garden for our community.

Our founding members have been involved with the community lead effort since its start in 2013. Elizabeth Street Garden, Inc. filed its nonprofit Certificate of Incorporation with New York State in October 2016. On January 26 2017, Elizabeth Street Garden, Inc. received federal tax-exempt 501(c)(3) determination from the IRS.

While ESG maintains a healthy working relationship with the Garden creator and lessee, ESG is independent in all operations/management. ESG is responsible for all Garden maintenance, including cleaning and sustaining the space, water bills, and tree, lawn and plant care.

VOLUNTEERS

ESG's volunteer community is a diverse group of people ranging from neighbors to outer-borough-commuters to world travelers. The past two years have seen the largest outpouring of volunteer support in the Garden's history. Garden visitors are greeted by a volunteer who sits by the front gates, offering information and monitoring all garden activity. It is our volunteer garden greeters who enable us to keep the gates open, keep all visitors safe, and ensure a peaceful environment. ESG volunteers facilitate free public programs offered in the garden year-round and share our story across the city and online, supporting our efforts to protect and preserve the Garden we all cherish. From rallies to fundraisers to art exhibitions to community events, our volunteers are always there, making all that we do possible.

HOURS

ESG solely maintains the garden through our volunteer base 7 days a week, all year long. As we rely on our volunteers to keep the gates open each day, our hours change with the seasons to account for the weather conditions. Currently, our annual hours are as follows:

	April - May	June - August	September - October	November - March
Weekdays:	12 PM - 5 PM	11 AM - 6 PM	12 PM - 5 PM	12 PM - 4 PM
Weekend:	10 AM - 5 PM	10 AM - 6 PM	10 AM - 5 PM	12 PM - 4 PM

On days where the real feel temperature falls below 45°F, we do not ask our volunteers to brave the cold for such long hours and the gates remain closed. Occasionally and if a volunteer is willing, we will open to gates during temperatures below 45°F, and/or if there is light rain or snow. Volunteers often keep the Garden open to the public past scheduled operating hours, especially if the weather is nice and the Garden is crowded.

While currently much of our efforts are concentrated on saving the garden, it is our intention that when we do so, we will refocus our resources so as to expand these hours to accommodate all those who wish to visit the garden year-round. ESG remains open to community input and preference on this matter.

PROGRAMMING

At Elizabeth Street Garden, we offer year-round free public programming based on environmental awareness, sustainability, gardening, education, wellness, fitness, art, and culture. As a center for our community, ESG organizes events for neighbors and tourists from all different backgrounds, providing countless opportunities to come together and foster unique bonds of friendship and affinity. So far, we have over 200 free programs planned for 2019. Over 300 people attended ESG's Annual Easter Egg Party on April 21st, 2019. This past year, over 2,100 people enjoyed games, activities, and free food and refreshments donated by local businesses at our 6th Annual Harvest Festival held on October 20th, 2018.

Each year through volunteer efforts, ESG sustains an ever-changing outdoor classroom in which to educate both children and adults about urban wildlife, habitat restoration, eco-gardening and sustainable stewardship. In 2017, ESG partnered with the Lower East Side Ecology Center to plant fruits and vegetables and teach over 200 local PS 1 students about composting and earthworm benefits. In 2018, ESG partnered with iDig2Learn to teach over 550 local PS 1 and PS 130 students about the benefits of urban green space through learning about native plant species, seeds and garden wild life, and planting a shade garden. ESG continued its PS 130 class visits in the fall and winter of 2018 so that students could learn about the transitions of the seasons in nature. We are currently planning this year's educational workshops and anticipate working with over 800 public school students between the months of April and June, and September and November of 2019. ESG's educational programs have shown a steady growth in participating schools and classrooms from the beginning.

As a healing oasis where visitors can breathe fresh air and rejuvenate, the Garden is an escape from the bustling streets of New York City. Along with offering weekly Yoga and Qi Gong classes, ESG has partnered with Golden Bridge Yoga and NYPD 5th precinct for the annual Zen (in) Your Precinct domestic violence awareness event & yoga / fitness practice. Since April of 2017, ESG has provided year-round programming continuing through the winter with our weekly Warm From Within breathing workshop based on the Wim Hof Method of exposure adaptation through breath that continues to draw devoted participants even on the coldest of days.

Marked by its unique balance of nature and statuary, the garden is a place of inspiration for artists, poets, musicians, performers and thinkers of all kinds. In 2017, ESG celebrated these artistic presences with *Summer Nights Wishes*, a group show curated by Marie Salomé Peyronnel on the importance of nature in the city, and our ongoing Call To Artists, where we showcase submitted works inspired by the garden online each week, eventually manifesting as an exhibition in the garden. In 2018, ESG hosted the *The Color Of*, an exposition by two local artists incorporating a towering hand collaged totem and botanical installations, and *Murmurs*, an installation featuring a recorded collection of stories whispered by local New Yorkers. ESG continues our ongoing Call To Artists, highlighting creatives of any kind of who are inspired by the Garden to be showcased to our following in an effort to promote local artists and their work.

With Little Italy and lower Manhattan changing at such a fast pace, ESG focuses on providing a safe and beautiful space for neighbors of all backgrounds and ages to meet one another and grow together as a community.

ESG FUNDING

ESG raises money through public donations, fundraiser events, grant applications, and garden rentals. The public is invited to donate to ESG through our website (elizabethstreetgarden.com), GoFundMe page, SpotFund page, Venmo account, at the

Garden via donation box, or by check made out to Elizabeth Street Garden, Inc. mailed to 209 Elizabeth Street, New York, NY 10012.

ESG hosts events and video/photo shoots in order to raise enough funds required to protect & preserve the Garden. 100% of the money raised from rentals goes directly towards our efforts to save the Garden for the community, including the legal fund, PR, free public programming, Garden operations, and maintenance. ESG's rental program is similar to many such programs implemented by fellow community gardens and parks in the city.

ESG considers each inquiry on a case by case basis with preference to local and nonprofit organizations. ESG maintains our commitment to ensuring that the Garden is never over saturated with private events and shoots and has established a cap on how many rentals can take place each month. I am personally dedicated to making sure the Garden does not "sell out" or become "over commercialized." Renting the Garden allows ESG to raise the significant funds required for legal action and for the Garden to be entirely self-sustainable.

THE EFFORT TO SAVE THE GARDEN

ESG works to protect and preserve the garden through legal action, PR, and coordinating with local elected officials. Through our volunteer-led effort, ESG uses community-based action, online and social media campaigns, and day-to-day interaction with garden visitors to raise the awareness of our efforts and how anyone can help save Elizabeth Street Garden for the community. To date, ESG has collected over 10,000 signatures in support of saving the garden through our petition implemented in April 2017.

ESG is represented by attorney Norman Siegel of Siegel, Teitlebaum & Evans who continues to aid us in developing a legal strategy to stop the City from destroying the garden. ESG's legal strategy is further bolstered by our coordination with fellow garden advocacy group Friends of Elizabeth Street Garden.

Beyond our legal strategy, ESG is focused on executing strategic actions that spread awareness, engage the community, and put pressure on the development. In October of 2018, ESG announced our Call to Action at a rally attended by over 350 people. The action features a letter writing campaign designed by our volunteers to challenge Habitat for Humanity NYC's role as partner in the development:

- 1) Donate to the legal fund at elizabethstreetgarden.com/donate
- 2) Write a letter to Habitat For Humanity about Habitat NYC's involvement in the development at elizabethstreetgarden.com/write
- 3) Sign the petition at elizabethstreetgarden.com/petition
- 4) Spread the word using the garden's social media accounts: Instagram/Facebook - @elizabethstreetgarden Twitter - @elizabethstgrdn #SaveESG #ElizabethStreetGarden

SUPPORTERS

ESG is grateful for the support of the following Elected officials – Congress members Jerrold Nadler and Nydia Velazquez; state Senators Brad Hoylman and Brian Kavanagh; City Councilmembers Rafael Espinal and Eric Ulrich; Assemblymembers Deborah Glick, Yuh-Line Niou, Ron Kim, and Daniel O'Donnell; City Comptroller Scott Stringer; Former Public Advocate Letitia James; District Leaders Vittoria Fariello, Paul Newell and Daisy Paez.

As well as the following organizations – Bowery Alliance of Neighbors, Citizens Committee for New York City, NoHo Neighborhood Association, Society for the Architecture of the City, SoHo Alliance, SoHo Broadway Initiative, Tribeca Trust, 596 Acres, American Society of Landscape Architects, The New York Chapter, The Trust for Public Land, Friends of Petrosino Square, Green Below 14, Green Guerrillas, Lower East Side Ecology Center, Loisaida United Neighborhood Gardens, The Merchants House, The Municipal Art Society of New York New York City Community Garden Coalition, New Yorkers for Parks, and The Cultural Landscape Foundation.

The Cultural Landscape Foundation has identified the Garden as a "Landslide site," or a threatened landscape with unique features, with the goal to draw immediate and lasting attention to the cause and to encourage informed, community-based stewardship decisions.

NEED FOR OPEN SPACE

Little Italy & SoHo are park/garden starved with an open space ratio of 0.07 acre per 1,000 residents (3 sq.ft. per resident), leaving the district with one of the lowest ratios of public open space in the city. While these neighborhoods make up 23% of Manhattan Community Board 2's population, they only have 3% of the district's open space.

Saving this 20,000 square foot green space – including trees, lawn areas, garden beds hosting plants, flowers, fruits and vegetables, and herbs – would help to greatly improve the local environment and neighborhood.

The Garden is key to the resiliency of Little Italy and the surrounding neighborhoods by reducing heat build up by countering the heat from paved surfaces, and absorbing rainfall from storm water runoff. The garden improves our urban environment by regulating and improving air quality with the trees and shrubs removing pollutants, dust and smoke from the air.

ALTERNATIVE SITE FOR HOUSING - 388 HUDSON

In an effort to save Elizabeth Street Garden from being developed and avoid pitting affordable housing against public community green space, our community strongly supports the alternative site for the housing identified by Community Board 2. This site is a near by city-

owned, gravel-filled lot that can provide up to 5x the amount of affordable housing, and possibly additional public green open space.

The 388 Hudson alternative site is across the street from a park and down the street from the Tony Dapolito Recreation center, making it a more viable location for housing. Building the housing at this location not only achieves more affordable housing and more public open space, doing so also avoids pitting communities against each other. Affordable housing and community gardens are separate necessities for metropolitan livelihood and one should never come at the expense of the other.

HAVEN GREEN DEVELOPMENT EAS

The Environmental Assessment Statement released by Housing Preservation and Development (HPD) and Pennrose contains many false, self-serving statements and conclusions and do not accurately depict the Garden and all that the Garden offers to the community. Please see May 2, 2019 statement from ESG attorneys, Norman Siegel and Kate Fletcher.

The Haven Green development team has taken advantage of the orchestrated "housing-versus-greenspace debate". By perpetuating this false choice, the developers are actively dividing people and pitting communities against one another. As part of my testimony, I am submitting an ESG fact sheet designed to inform the public on key information regarding the Haven Green development and alternative site solution.

FUTURE

Elizabeth Street Garden has been under the threat of being destroyed since the community first came together to make it more accessible to the public. Without the threat, the garden would have immense capacity to grow. After researching different possible solutions for ensuring the garden's preservation in perpetuity once saved from the City's development plans, ESG concluded the best possible choice to be converting to a Conservation Land Trust. ESG has also considered saving the Garden as mapped NYC Parkland and additionally so under GreenThumb. But we believe we can best preserve the Garden our community has grown to love as a Conservation Land Trust, where the land would be owned by ESG, and thus, the community.

As a Conservation Land Trust, ESG will require no City funding in order to maintain the Garden's physical upkeep, hundreds of free public programs, staffing, and future plans through the implementation of a sound fundraising structure. The community would continue to manage the garden. In exploration of the site's potential, ESG has planned a future for the garden when it is saved, expanding upon the space's vast potential to grow as

an environmentally and financially sustainable, energy efficient community garden with improved year-round public access.

Our future plans include constructing a large and permanent greenhouse, a composting station, and outfitting the existing northwest lean-to with solar panels for green energy efficiency.

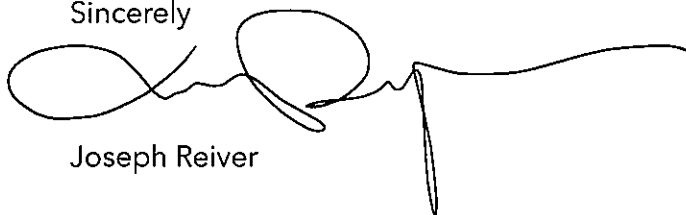
A greenhouse on the northern paved area would allow for year-round food and plant growth to increase the site's sustainability with food security and winter programs based around planting and harvesting. A composting station at the southwest corner would be available for public use and be the only one of its kind in Little Italy and SoHo, allowing for neighbors and local restaurants to participate in composting and sustainability. Outfitting the existing lean-to with solar panels further expands our ability to make even more resources available to the community as we enhance the space for year-round and productive use.

As stated before, with a saved Garden, ESG would be able to expand garden operating hours and activities even more than we have over the past two years.

Elizabeth Street Garden is beloved a community garden, a park, a neighborhood resource, a museum, and a center for the community and for all who visit – an iconic New York City landmark unlike any other.

I strongly urge City Council and the members of this Subcommittee to objectively take a hard look at all that is at stake with Elizabeth Street Garden, to first consider and truly explore using 388 Hudson to build up to 5 times the amount of affordable housing, and to support saving Elizabeth Street Garden in its entirety.

Sincerely

A handwritten signature in black ink, appearing to read 'Joseph Reiver', with a long horizontal flourish extending to the right.

Joseph Reiver

April 30, 2019

Dear New York City Council Members,

I write to you today to encourage the New York City Council to take into account the historic significance of the Elizabeth Street Garden as you consider proposals to redevelop the site. As an Architectural Historian qualified by the Secretary of the Interior's Historic Preservation Professional Standards, I feel that this landscape is of regional and national historic significance.

While the Elizabeth Street Garden is significant as a green space in a neighborhood starved of such infrastructure, there is an additional exceptionalism in that the landscape is the expression of an outsider artist. Outsider art is that which is produced by a person who is creating work outside the mainstream art world and often without any formal training. Allan Reiver created Elizabeth Street Garden as an artistic expression of his vision for the Little Italy lot. He laid out the garden design in 1991, adding lawn spaces, pathways, and horticultural features including the two still extant anchoring pear trees.

Reiver added statuary and architectural elements in response to the site's layout and with regards to their own spatial relationship. According to the Cultural Landscape Foundation, Reiver's curated collection of garden statuary includes "marble columns and an iron gazebo designed by Olmsted Brothers for the Long Island estate, Burrwood, and a stone-and-granite balustrade designed by French landscape architect Jacques-Henri-Auguste Gréber. The balustrade was removed from the 36-acre Lynnewood Hall, considered to be one of the largest Gilded Age mansions in the Philadelphia area." (online at www.tcl.org) Reiver collected and curated art by noted architects and placed these pieces in an inspired, expressive design within the landscape. His curation of the landscape came from his own expression rather than formal training in landscape design. The artifacts, art, and plantings were displayed in a thoughtful manner to create a particular interaction between the pieces. Reiver produced similar work, slightly later, on a property at 63rd Street and 2nd Avenue in Manhattan. This landscape is no longer extant, which makes Elizabeth Street Garden the last remaining expression of his vision.

Outsider art has been recognized by the National Register of Historic places in such landmark listings as Opus 40 in Saugerties, New York, and Watts Towers in Los Angeles, California. More closely to home, the outsider artwork at 5Pointz in Queens, New York, and was most recently highlighted for its value in highlighting the in situ work of artists outside of the academy.

There is further in that this is potentially the only green space that exists as a singular artist-driven creation in New York City. This novice artistic expression can be linked to predecessors such as the Liz Christy community garden network, which was recently determined to be of historic significance, and the no-longer-extant Garden of Eden earthworks by Adam Purple.

As noted in *The New York Times* article dated June 20, 1991, Elizabeth Street Garden was built on what “had been an abandoned lot filled with the usual urban detritus.” While the garden has been a noteworthy element of the North of Little Italy neighborhood since its construction in 1991, it has also served as a community building spaces since it was opened to the public in 2005. The Elizabeth Street block on which the garden is located has transformed from a predominantly industrial strip to a diverse block of residential, commercial, retail, and restaurant spaces. The garden has served as a key in this transition—the community as it exists today was created around the garden.

I very much appreciate the opportunity to submit comments and hope that you will consider the above concerns as you move forward with your review. In light of the site’s historic significance, I have begun preparing and plan to work with New York’s State Historic Preservation Office on application to the National Register of Historic Places. I would ask that the City Council review the outcome of that application in order to better assess the impact of the proposed work.

Sincerely,
Melanie Macchio
Architectural Historian

cc: Manhattan Community Board 2

Testimony for New York City Council Subcommittee on Landmarks, Public Siting and Maritime Uses - May 2nd 2019.

My name is Lisa Fairstein and I am adding my voice in opposition to the proposal known as Haven Green, which will destroy Elizabeth Street Garden, the only open green space in our densely urban neighborhood, without providing anywhere near enough truly affordable, supportive housing for New York's neediest senior citizens. I thank the Committee for considering the implications of this misguided and deceptive plan.

I want to draw your attention to two issues that are most troubling. First, despite the rhetoric of the real estate companies and the department of Housing Preservation and Development, the Haven Green proposal will not help the most vulnerable elderly New Yorkers. As Council Members will know from experiences with HPD's so-called "affordable housing" in East New York and elsewhere, what HPD counts as affordable is not actually affordable in the real world. According to their own prospectus, and Comptroller Stringer's 2017 "Aging with Dignity" report, only 32 of the small studio apartments at Haven Green will be affordable to a New York City senior citizen who is reliant on Social Security and Disability payments, which average \$1,500 a month. To put this in context, these 32 affordable studios occupy about as much of Haven Green as do the proposed offices for Habitat for Humanity.

Even more worrying is the fact that HPD is supporting this destructive Haven Green plan, while at the same time the neighborhood's largest and most successful genuinely affordable housing project, the adjacent Section 8 apartments at LIRA right next door, is being allowed to slip away into the private market. Because of HPD's inattention, these 150 spacious 2-bedroom apartments will be lost in the next few years. Other testimony will have told you about "alternative sites" for affordable housing. The alternative site at the existing LIRA complex could be preserved and adapted to provide more than 300 senior-friendly studio apartments, 10 times the housing promised by Haven Green, while preserving and protecting Elizabeth Street Garden in its entirety.

I share the concerns of the thousands of New Yorkers who support Elizabeth Street Garden. I urge you to reject this Haven Green proposal - tell HPD to do its job and preserve truly affordable, supportive housing for our neediest citizens, and save Elizabeth Street Garden as a public, civic space for New Yorkers of all incomes and ages.

Thank you.

LISA FAIRSTEIN - 219 MACARTHUR ST. BROOKLYN, NY 11211



Principles and Policies: Age Justice in the Workplace
Age Justice: Economic Security, Not Insecurity
February 2019

1. **Raising public awareness of age discrimination in the workplace for workers over age 50** – Age discrimination in the workplace is a rampant, but hidden crisis. Public awareness can be raised through advocacy, educational forums, research, and empowering individuals to organize and speak up for age justice. The workplace is a critical economic and social/cultural institution in American society. Being walled out is leaving thousands in financial hardship and invisible. This also includes raising the overall impact of ageism in society on all of us. Develop a neighborhood based “know your rights” awareness campaign including a public transit campaign about age discrimination in the workplace.
2. **City policies prohibiting employment discrimination based on age** - Through utilization of its pension funds, job training and employment programs, city contracts, RFPs and other services, New York City can establish policies prohibiting employment discrimination based on age. Age discrimination in the workplace is an economic barrier preventing older New Yorkers from earning the income they need to live in NYC and support others. This has an individual and community impact.
3. **Human Rights Commission** – Work with the NYC Human Rights Commission to expand and strengthen its legal services and outreach ability to protect individuals from age discrimination in the workplace. People over age 40 are a protected class.
4. **Research and data collection and its economic impact** – Research to collect data and information on the scope, consequences of age discrimination in the workplace and solutions. Collecting stories from those individuals who have experienced age discrimination to show trends and empower those being discriminated against. Utilization of this research to establish anti-discrimination policies and laws in New York.
5. **Supporting older workers in city programs/policies** – Include older workers, age 50+, in all city employment and training programs. Develop an older worker employment/training opportunity program.
6. **Working in coalition for age justice** – Collaborating with coalitions advocating for social justice in the workplace and equal opportunity. Coalitions working on job development and discrimination, women’s issues, anti-racism, immigrant rights and other economic justice groups. Older women have experienced the lack of gender parity for pay in the workplace throughout their career. Many have also lost compensation due to time taken off for caregiving of children and older parents, spouse and other relatives.
7. **Media coverage** – Working with the media to raise their awareness of the importance of the stories around age discrimination in the workplace and the need for solutions leading to change. Putting a human face on the discrimination by encouraging individuals to tell their stories.

For further information, please contact Bobbie Sackman, Radical Age Movement, Workplace Justice Coordinator, bobbiesackman6@gmail.com or Alice Fisher, Founder and CEO, Radical Age Movement, confrontingageism@gmail.com



The Radical Age Movement

does a community need to make to commit itself to allowing its older residents to remain and grow old in an affordable apartment. Naturally, responsible community members will have different opinions about how land should be used.

We all know that finding land to build on is tough in NYC. Land near transportation seniors need is even harder to find. Available funding is often not there and yet, it exists for this project. The Elizabeth Street land has the potential for 75-100 apartments for seniors. Upwards of 100 or more seniors can be safely housed at an affordable level. Services to support them aging in place can be enjoyed by both the residents and the surrounding community of elders. Family caregivers, mostly women, will have local services to assist them with aging parents. This is the cascading effect of affordable senior housing in a community. Yes, it is bricks and mortar. More importantly, it is human beings remaining in the matrix of a community. The plan for Elizabeth Street senior housing includes green space that will be open to the community - your voices have been heard.

Community decisions made today will have consequences for years to come. It also sends a message that New Yorkers are willing to make the tough decisions necessary to keep elders in the community.

Thank you.

Radical Age Movement's mission is to confront ageism in its many forms. www.radicalagemovement.org

My name is Valerie Reyes-Jimenez, and I am a community organizer for NYC with Housing Works.

I am a Native New Yorker with roots firmly planted in Manhattan. I was born in NYC council district 4, as were my children and grandchild. I grew up in council district 2, where my mother has lived since she was 9 years old and still lives there. I worked for many years at the Housing Works offices just three blocks away from the Haven Green proposed site, and many of my colleagues still work there. I went to Junior High School and High School in council district 1 and my son learned to sail in the shadows of the Twin Towers.

During the 70's, 80's and 90's there were an incredible number of lots decaying in filth from dilapidated buildings. My summer youth jobs weren't in offices, or parks. They were in these abandoned lots. We were charged with clearing them out and it was dangerous work. I found myself knee deep in piles of garbage, junk, vermin and bricks. Later, many of these lots were turned into what I believe should have been temporary gardens. Gardens that were kept by people who had housing. Gardens, that after which at almost every turn, until this day, has been a fight to return into housing.

When young it's next to impossible to imagine oneself as an elderly person, we can think of it in familiar terms of sitting in a rocking chair, growing old with a life partner, and reminiscing of our youth. Our grandparents are "old". Not so with this generation of grandparents and seniors.

Coalition for the Homeless just released its *State of the Homeless 2019* report this past Monday. According to that report, New York City has reached the highest levels of homelessness since the Great Depression of the 1930s. In February 2019, there were 63,615 homeless people, including 15,344 homeless families with 22,717 homeless children, sleeping each night in the New York City municipal shelter system. These are only counting people in the shelter system, it is not counting street homeless people or the hidden homeless. As a formally homeless woman, I believe that a percentage of any new housing that is created in this city should go to actual homeless people.

There are many injustices for people who are poor, or black and brown, but the greatest injustice in this society is how the rich get richer and the poor get pushed out of the neighborhoods that have been called home for generations. One third of all New Yorkers spend over one half of their income on housing, making it hard to achieve financial stability. Anyone who has lived in New York City all their lives should be able to live in any neighborhood they want, and not be beholden to their race, family composition, sexual orientation, age or income.

Right now, I have a 69-year-old uncle named Pablo in a nursing home that is hell on earth. You see, he's in there not because he is old and frail. He is in there because, although he has been ready to be discharged for weeks, he can't, because he is now homeless. Why am I talking about a nursing home when we are

here to talk about senior housing? Well, it's simple. No one should "have to" live in a place like that. I know that his psyche and spirit is affected, because as a longtime advocate for homelessness I know that I am affected. As someone that works for a powerful organization with the word "housing" in its name, I cannot find housing for him. As a niece, I feel like a failure. As an employee, I feel like a failure. As a New Yorker, I feel that my city is a failure. A failure at being able to provide an affordable home for a 69-year-old NYC veteran that lives on \$1,109.00 a month. A man that was walking across the street, in the crosswalk, with his light, no more than 100 yards from where he lived, (which by the way was in District 12), when an out-of-control, unlicensed, uninsured motorcyclist mowed him down, dragged him and pinned him underneath a vehicle that was stopped at a light. The driver of the vehicle waiting at the light, then panicked and moved it—to get it off my uncle—and in the process, finished ripping his legs apart. That was on Nov. 2nd, 2018. Today makes 6 months to the day of the accident.

Some senior he was! He was a man, who just last summer would roller-blade with my 16-year-old granddaughter and rode his bicycle everywhere he went. So, through no fault of his own, he finds himself now with one leg missing and the other that is barely above functioning. How many more stories like his exist in NYC? Although the opening of this building may not help my uncle, but it will help someone else's uncle whether their name is Pablo, Paolo or Paul.

The question should not be, "*Why build here?*" It should be, "*Why not build here?*" In my experience, some of the most hurtful biases, and discrimination I have ever encountered, came from people who I considered neighbors and fellows. People who I believe, fear—that life as they know it—life in their safe comfortable cocoons—are in jeopardy and will change drastically. People who have said things like, "No. This is not going to be built here." "No, not in my backyard." "I don't want 'these people' here." It's a public display of discrimination and shaming that goes by the name NIMBY. Not in My Back Yard.

At least Haven Green is going to be more than just a part-time community garden for some. It will be a safe haven for its senior residents; and though it will have a different shape and vibe, it will continue to be a green space for the entire neighborhood.

In my mind's eye, having 123 real affordable housing units for seniors vs. a community garden really is no contest; you don't have to be a senior or even a homeless person to appreciate the true human value in that.

City Council Testimony in support of Haven Green

Hello. My name is K Webster. I'm the President of the Sara Roosevelt Park Community Coalition and I help spearhead the fight for Rivington House, but I am speaking here primarily as a resident of Little Italy.

Thank you for this opportunity.

I moved to Bowery and Prince in 1990. When our son arrived in 1999 we sought places that welcomed children. We joined a new parent cooperative housed in Community Board 2's Thompson Street Park House and when my son went to PS 130 we played daily in the DeSalvio playground. And to our delight we found GreenThumb's M'Finda Kalunga Garden in Sara Roosevelt Park. We did not lack for community gardens (Liz Christy/M'Finda/New Forsyth and more) and vibrant diverse outdoor spaces two blocks away.

With the influx of many wealthier newcomers we have endured the losses of many neighbors and small businesses. A number of seniors in walk-ups were forced out with high rents or are trapped in walk-ups due to disability. One died of complications from a fire in her fourth floor walk-up. High rents forced out most of the small businesses that served our practical needs: the bodegas, the boot repair, the copy shop, the grocery store - all owned or operated by people of color.

This is a punishing city to grow old in if you're poor. In this neighborhood, dozens of homeless men, almost all African-American, sleep on our streets. Elderly Asian-American women gather recycling balancing enormous bags on a pole. Our city has 63,615 homeless people and elders who wait 7 long years for housing. The median income for immigrant seniors is \$9,900 a year. More than 1 in 5 older women live in poverty. Among older women who live alone, 1 in 3 is poor. The Stonewall Generation, having fought Gay oppression, are now elders living in walk-ups they can't always manage. The ones who survived the AIDS epidemic are now hoping to survive a low-income housing shortage. All this exists while on Elizabeth Street \$3.5 million (plus) condos, renovated historic buildings (now luxury housing), and a building that just sold for \$55 million a block away have created a real estate paradise for the privileged.

And we always want more green spaces.

This is a compromise. It will not be the statuary of the garden/luxury marketplace that was opened to the public in 2013 only *after* affordable housing was proposed here. But 123 people who need it will have a home. 50% of them will be from Community Board 2. The rest will come from all over NYC. Thirty-seven units will be set-aside for those who were formerly homeless. There will be an explicit welcome for LGBTQ seniors.

How beautiful we make this new garden will be up to us.

Council Member Chin risked her re-election to ensure low-income seniors could live here. She has been opposed at times with reasoned disagreement, opposed always by a well-financed campaign assisted by a high-powered lobbyist and a local media outlet. And sometimes opposed, disturbingly, with smears, misinformation, and oppression-laced commentary. Those of us in favor of a shared site have been booed and heckled in public meetings and smeared in some press.

This is no charitable offer – this is about a chance for an affluent neighborhood to get 'right' in these times. Our city is in deep trouble due to a lack of affordable housing, racism, sexism, gay oppression and poverty. We don't get to say, "build this elsewhere" and pretend we've done our due diligence in this crisis. We are not going to get out of our current mess of wealth disparity without feeling some 'sacrifice'.

I don't want to walk down my streets, and look at people who are struggling and not have done anything to make a difference where *I* live. I *don't* want to ask someone else from across town to take this on if we won't. I want this in *my* neighborhood – where I have some authority to ask for it.

I've attached an Op Ed I wrote in 2015.

Thanks you.

Best regards,

K Webster
246 Bowery
NY NY 10012

FOR THE RECORD

NY City has a shortage of Green Space. With the alternative site for housing located at 388 Hudson, there is no need to destroy this invaluable resource for the community.

We need to think 6 generations ahead not one mayoral term ahead. Mayor De Blasio to my knowledge has never visited the Garden and my understanding is "this" affordable housing goes up to market rate in 30 years. This seems like a blink of an eye solution to housing at the cost of losing precious green space forever.

I feel a sense of hopelessness in this current political culture. With climate change upon us why would we not want to save a space for trees, pollinating bees and butterflies that are so important to our eco system. It seems that it politics and money first, regardless of the long-term consequences. Deblasio and Habitat for humanity are simply ignoring the huge numbers of people and local business asking for the garden to be saved. In my view this is very much in line with Trump. The person with the most power wins?

It is shameful that we have to fight for what should be our natural right, which is to keep our current green space and not have it turned into more shops and office space. It is a scam that this is about affordable housing when it will go up to market rate. It's a scam that it's about senior when it outlined with luxury offices and retail. Soho has enough and there is affordable housing elsewhere.

I am a single mother with an infant who depends on Elizabeth Street Garden for fresh air, nature and community. The word community gets tossed around a lot. But this is true in that we have a real connection with the Italian and Chinese Grandmothers who give my baby loving attention. Here at the Garden we observe the wild bird sounds, colorful leaves and blossoming flowers. This is a true sanctuary for those who do not have vacation homes or big spaces to live in. For a magic moment we can get away and feel the beauty and friendship around us.

With all my heart I urge you to reject the proposed development that would destroy Elizabeth Street Garden.

This is NYC. We will always need housing and we will always build. But we can also be like Paris or Berlin. A busy city that still has a beautiful well curated gardens. This is something to cherish and take pride in. not destroy.

I urge habitat for humanity to pull out of this agreement. To look at the alternative site for housing located at 388 Hudson, there is no need to destroy the garden.

Sincerely,
Dylan and Baby Ella


FOR THE RECORD

I am a SoHo resident of 23 years. The Elizabeth Street Garden is part of my life, not only as a much-needed green space, but also as a truly unique out door museum.

We know that there are other nearby spaces (spaces not gardens) for senior housing, but apparently, it's more important for our politicians to take credit for senior housing in their district, than saving a wonderful garden that can never be replaced.

At 81, I look back in the long history of misguided destruction of the cities' landmarks, Penn Station, being the symbol for all cities of the lack of vision and greed and power plays that are part of it. Sadly we don't learn from our mistakes.

One thing that really galls me is the name "Haven Green". It will no longer be a "haven" and no longer "green".

Crista Grauer 
523 Broadway

In these precarious and perilous times, we 'all' need meaningful connections and interactions with nature and natural places for solace, recovery and renewal.

The Elizabeth Street Garden is a unique and cherished oasis in a neighborhood starved for parks and gardens. It is a vibrant place of refuge, solace, and the healing forces of nature. Life began on this planet in a garden. This island of Mannahatta was once a garden.

The Elizabeth Street Garden is alive. Once discovered, you enter a magical world – a synthesis of sculpture and nature that was created and is maintained through the passion of the public – 'we the people'. It is an embracing and comforting environment of renewal and inspiration for an experience that expands, heals, and transforms you.

The preservation of this unique space speaks to the heart of our humanity. We are not destroyers – we are creators.

It speaks to the heart of who we are. What do we value and celebrate, as people. What do we strive and fight to preserve and protect.

Cannibalizing this natural oasis to build a 'minimal' amount of housing is not a win/win for the City of New York – it is a lose/lose.

I ask you to create a win/win for our City. Save and preserve this magnificent oasis that is 'free for all' to experience and enjoy - and build much more housing on the nearby alternate city-owned site [supported by Manhattan Community Board 2].

Honor the memory of Parks Commissioner Henry Stern.

If he held funerals for one single tree – and fought for 'arborcide' laws – what would he do now?

In the words of John Muir - the Founder of our National Parks:

"Everybody needs beauty as well as bread, places to play in and pray in, where nature may heal and give strength to body and soul."

From The Secret Garden by Frances Hodgson Burnett:

"Sometimes since I've been in the garden I've looked up through the trees at the sky and I have had a strange feeling of being happy...Everything is made out of magic, leaves and trees, flowers and birds, badgers and foxes and squirrels and people. So it must be all around us...In this garden..."

continues

From The Healing Power of Gardens by Oliver Sacks [world renowned Neurologist + Author]:

"As a writer, I find gardens essential to the creative process; as a physician I take my patients to gardens whenever possible..."

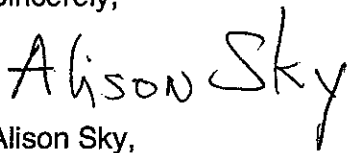
Clearly, nature calls to something very deep in us. Biophilia, the love of nature and living things, is an essential part of the human condition. Hortophilia, the desire to interact with, manage and tend nature, is also deeply instilled in us....

The effects of nature's qualities on health are not only spiritual and emotional but also physical and neurological. I have no doubt that they reflect deep changes in the brain's physiology, and perhaps even its structure."

Please say NO to the application for the proposed Haven Green development that will cannibalize this treasured and vibrant garden oasis.

Thank you.

Sincerely,

A handwritten signature in black ink that reads "Alison Sky". The signature is written in a cursive, flowing style. The first name "Alison" is written in a slightly larger, more prominent script than the last name "Sky".

Alison Sky,
Alison Sky, LLC
SoHo Pioneer and Certified Artist

DEVELOPMENT WILL DESTROY THE GARDEN THIS IS NOT A COMPROMISE!!

FOR THE RECORD

Good afternoon, my name is Tessa Grundon.

I am an artist and have lived and worked in the neighborhood for nearly 30 years. I have brought up 3 children here. I am testifying in OPPOSITION to the Haven Green development that will destroy the beloved and much needed Elizabeth Street Garden.

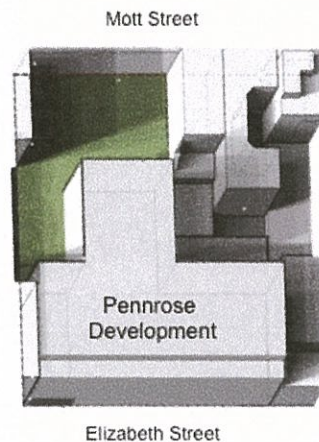
Mayor Bill de Blasio himself said "Every New Yorker deserves access to clean, safe green spaces, no matter what neighborhood they live in. By doubling our investment in historically underserved neighborhood parks, we are significantly improving the quality of life of families and children across this city. Our sustained investments in additional neighborhood parks will expand the Community Parks Initiative's impact to 3 million New Yorkers – ensuring countless more families and children will have a revitalized park right in their neighborhood."

The community has created this neighborhood garden and is everything and more that de Blasio wanted to initiate.

The proposed development will Destroy Elizabeth Street Garden.

1. **Open space figures are inflated.** The city's ULURP application notes only +/- 6,700 sq. ft. of publicly accessible open space¹, not the "more than 8,000 SF" touted on the applicant's website,² nor the 8,800 sq. ft. presented at the March 13, 2019 City Planning Commission Hearing. The difference is an indoor breezeway, which is not open to the sky and not open space.
2. **The development will cover nearly two-thirds of the lot,** not the 60% permitted under Special Little Italy District zoning.⁴ Haven Green's ULURP application³ excludes from its lot coverage calculations a one-story building of approximately 1,705 sq. ft.⁴, resulting in total lot coverage of 13,025 sq. ft. or more than 65% of the lot.⁵ **The city falsely portrays the open space as a compromise, not an attempt to comply with zoning.** In fact, because the proposed development exceeds the 60% permitted lot coverage, the applicant should request a special permit to waive the zoning.

Elizabeth Street Garden: Saved vs. Destroyed



Please help us save the heart of our community. Thank you.

Tessa Grundon
59 Crosby Street, #2
NYC 10012

TESSA GRUNDON

¹ Haven Green ULURP application, 190184HAM, page 15, 109-141, "Ground Floor Garden Area = 6,746 sq. ft."

² Haven Green homepage at <https://www.havengreencommunity.nyc>, "More than 8,000 square feet of publicly accessible open space."

³ Haven Green ULURP application, 190184HAM, page 15, 109-122, "Lot Coverage=11,321.3 sq. ft."

⁴ Haven Green ULURP application, 190184HAM, page 16, one-story building area is $(33' 1 \frac{3}{4}) * (51' 4 \frac{3}{4}) = 1,703.56$ sq. ft.

⁵ Actual lot coverage is $(11,321.30 + 1,703.56) / (19,995) = 65.14\%$.



FOR THE RECORD
Ronnie Wolf <ronniewolf54@gmail.com>

Opposition to Haven Green Application

1 message

Ronnie Wolf <ronniewolf54@gmail.com>
To: friends@elizabethstreetgarden.org
Cc: Ronnie Wolf <ronniewolf54@gmail.com>
Bcc: emilyhellstrom@mac.com

Thu, May 2, 2019 at 10:24 AM

Dear Members,

The idea that the Haven Green's application is even being considered for approval is preposterous.
The adjacent neighborhood's Green Haven is and has been The Elizabeth Street Garden.

Please don't grant those involved in the Haven Green project the ability to shrink the present GREEN lot to a postage stamp size so that to Habitat for Humanity can build an office and tiny affordable homes. The the new residents will actually end up fighting with the present residents to secure a seat on the tiniest patch of grass surrounded by flowers. This area of Manhattan DESPERATELY NEEDS All and any greenery and open space there is. It supports both human and animal well being.

And just in case you think that the lot at Grand and Lafayette will be a "park", you should be fully aware, only one tree is planned and it's for within the sidewalk outside the park. There is a tiny patch of astroturf covering a climbing "mound" and even smaller patches scattered throughout.

I stand in opposition of HavenGreen's application.

Thank you,
Ronnie Wolf

Sent from my iPhone

FOR THE RECORD

May 2, 2019

Dear Committee Members,

My name is Hamilton Regen and I've been a New York City resident for over ten years. I took time off of my job, from which I paid hourly, to attend today's proceedings. I would like to voice my strong opposition to the Haven Green project and my support of making the Elizabeth Street Garden a permanent and protected NYC greenspace.

The Elizabeth Street Garden is one of those only-in-New-York spots that "speaks": The statues seem to say, "You are welcome here"; the open gate urges you to linger, listen, and de-stress. The Garden and its activities are a vital component of the daily life of its nearby residents and the children of the neighborhood, as well as an important spot for downtown tourism.

I will never forget the moment I first discovered laid on this gorgeous gem, and I have followed the proposed development in the news and on Facebook with a sinking, grieving feeling that a terrible mistake is about to be made and can never be undone.

I urge you to read Eddie Panta's April 30th op-ed in *City Limits*, as he argues his points far better than I am able to do here.

Thank you for taking the time to hear my thoughts.

Sincerely,

Hamilton H. Regen
44 Remsen Street, Apt 8
Brooklyn, New York 11201

East side, west side

May 2, 2019

FOR THE RECORD

and all around the town, from Amazon to Google the people have been losing their green spaces, their public spaces, even their living spaces to greedy landlords and real-estate speculators.

~~AM~~ newspaper N.Y. one recently reported New York City among the worst of ~~cities~~ cities when it came to providing children's playgrounds for its population. N.Y.'s Children and our future are being ~~st~~ squeezed by the real estate baron's steel fingers.

And although Elizabeth St. Gardens is not a playground it is a one of the disappearing spaces where New Yorkers, young and old can relax, enjoy a bit of nature and breathe free in Manhattan.

Everywhere in the city high rent ~~luxury~~ ~~luxury~~ ~~luxury~~ habitable space is threatened by high-rise kingdoms, who ~~threaten habitable space~~ ~~casting~~ often get a pass from the city, ~~for~~ flouting the rules that protect public space and cast shadows ~~casting~~ shadows on our eyes, our gardens and our lives.

It is time for the citizens to ~~retain~~ reclaim their right to walk, to sit and to see in their own city.

We need to preserve the living spaces in New York before it becomes ~~unlivable~~ ~~unlivable~~ ~~unlivable~~ ~~unlivable~~ ~~unlivable~~ only ~~livable~~ to the few.

~~only livable~~ only ~~livable~~ to the few.

Patrick Christiano.
nyartist@hotmail.com

May 2, 2019

FOR THE RECORD

RE: ESG/HAVEN GREEN ULURP HEARING – WRITTEN COMMENTS

Dear Council Members,

I am submitting my opposition to the Haven Green Project in writing as I will not be able to stay for the entire hearing.

I'm enclosing a letter that I sent to Mayor DeBlasio and Council Member Chin in December. I received no response or acknowledgement from either.

I'm greatly troubled by the privatization of public spaces as an answer to our housing crisis. In particular we should not be privatizing green spaces for any building developments, low income or not. The city already has so little green space and it is green spaces that makes big cities, great cities and beautiful cities that attract residents of all income levels. This "solution" is a failure of the mayor, council, city planners and non-profit housing organizations to actually address the issue and develop a plan for affordable housing.

I would also like you to consider that the majority of Little Italy/NoHo residents work. And it is very difficult for them to show up at hearings like this one to show their support for the garden. But I know when I talk to my neighbors they all hope the garden will be saved.

I hope you will do the right thing for New York and vote along with the Community Board 2 to deny approval for the is project.

Sincerely,



Kari Thorstensen

640 Broadway 5A

New York, NY 10012

Mayor Bill de Blasio
City Hall
New York, NY 10007

Council Member Margaret Chin
101 Lafayette St., Suite 903
New York, NY 10013

December 10, 2018

Dear Mayor De Blasio and Congress Member Chin,

I am writing to you as someone who is pro-Elizabeth Street Garden, pro-low-income housing and a Noho resident. And as a constituent who attended the recent CB2 meeting on Haven Green, I am troubled.

I am troubled by how the project came about, I am troubled by the process, I'm troubled by the tiny lies and exaggerations that obscure the real nature of the development. These, rather than creating support from the community, create distrust, as if we are being purposely misled to garner our support.

In the name of transparency, it would be great if all parties involved with Haven Green could acknowledge:

- ***The housing in the project is not particularly LBGT-friendly*** – the city cannot discriminate against anyone based on race, sex or gender. And to be more LBGT-friendly than other low-income housing projects would be discriminatory to non-LBGT folks which, I believe, would be illegal?
- ***There is no "community space" in the building*** – there is office space for a non-profit (or two? SAGE was not mentioned at the CB2 meeting). And while non-profit office space is considered community space by zoning regulations, it's not what any ordinary person would call community space.
- ***That publicly-accessible space is not public space, nor is it legally binding that it remain accessible*** – accessible could mean between the hours of 1:00 pm and 2:00 pm, or it could mean that "with all good intentions we were going to allow public access but too many people were accessing it making our residents uncomfortable," or "we had to spend way too much money on maintaining the grass."
- ***That low-income housing for a "minimum of 60 years"*** – means that the building will become market rate in 60 years unless there is a way for the developer to get out of the deal even earlier. (really is there any developer in NYC who didn't jump out of rent control the moment they could?)
- ***The proposed "alternate" sites are actually "additional" sites*** – Several times in the CB2 meeting the proposed alternate site was noted as unsuitable by HDP because of current infrastructure needs by another city agency and/or because it wasn't owned by HDP. Though at the beginning of the meeting there was a comment that housing would also be built on the alternate site and Habitat for Humanity in communications to me has implied the same. If so it is egregious not to be completely upfront about the intent to build on both sites.

But more than the spreading of the above propaganda, I am incredibly disappointed that the project takes into account only one of the many constituents who make up our community. Yes, seniors need affordable housing, so do families, so do single people. And those seniors, families and single people need a lot of other things too.

Do you know how hard it is to raise a child in downtown Manhattan if you are not wealthy? When the Children's Aid Society sold their Sullivan Street property, we lost the only non-membership indoor playroom in the neighborhood. When the NYU Key Park is demolished, we will lose the only safe, clean AND large playground in the neighborhood. (Washington Square is too packed to even walk through from May to Sept, the playgrounds along Houston Street are disgustingly dirty, DiSalvo is a small concrete square easily accessible from the street – and if it was used for senior housing in exchange for playground equipment on the ESG site, no one would care a whit.)

How is it that there are no community amenities planned for Haven Green that benefit the surrounding neighborhood, yet Habitat for Humanity will receive office space in the building at a drastically reduced rate? What is it about their mission -- housing preservation and advocacy -- that is best accomplished from office space on the ESG site? What is it about their mission that is serving the families and other residents that are giving up precious outdoor space? What is it that is so important about their mission that they should receive a sweetheart deal on rent in prime real estate location while 100's of other equally worthy non-profits in the city also need affordable office space?

In my 18 years living in New York City, there are three places where I've experienced community -- the feeling that in this big city of millions of residents that I actually belong, and here are the people and the place that are my responsibility. I found this at worship and the many community events held at Judson Memorial Church, socializing with other moms at the NYU Key Park, and watching my son chase fire flies with other neighborhood kids at the Elizabeth Street Garden. What they have in common is they are free spaces, open to everyone, where people can just be. What's even rarer in NYC than HPD owned lots available for developing housing? Rarer than green space? Free places like these that we can return to again and again that give us a sense of belonging.

The goals for Haven Green should be three-fold as to address all the community constituents - 1) provide low-income senior housing, 2) provide real services and space for the community, and 3) generate quality foot traffic for local businesses. Its over-arching mission should be to foster community. Haven Green's focus on #1 at the expense of the surrounding residents and businesses and does great damage to the fabric of the community.

I worked in the early nineties for the Pike Place Market Foundation. We raised funds for housing and housing services located in the vibrant, mix-income Pike Place Market, which was and still is a model for urban development. I know when you consider the needs of all constituents in the community something magical happens; the constituents take care of each other, businesses provide free meals, free hair-cuts, donate to the food bank, higher income residents take all the tags off the holiday giving tree, they charter a bus to take seniors on a trip, they volunteer at the senior center, at fundraisers. . . because the low-income residents are seen as vital part of the community.

The Haven Green project shows a complete lack of imagination by the City in approaching and resolving our housing crisis and of being good stewards of the precious few open spaces that are left. You can leave your last terms checking of the box of your list of accomplishments "provided 130 more new units

of low-income housing” but really, what accomplishment is that when the net-net is thousands of people who just lose -- a space that made their days just a bit brighter and space that makes them feel a little bit more connected to their neighbors – without gaining anything?

Mayor De Blasio, you are quoted in Vogue magazine as calling Haven Green a “Solomonic Decision” – That is a misreading of the story of King Solomon. He did not make a decision between two equally valid parties where one would win and the other would lose. He used his wisdom to find a way to determine the true mother. I doubt he ever planned to destroy the baby. And there is no baby here. There is a garden that one side is quite happy to destroy, without regard to the needs of the other.

You both seem to feel so right in your decision that there can be no discussion of alternatives or real compromises. I ask you to take a step back from that certainty, though the wheels are in motion on Haven Green, you still have time to step up – step up to lead, putting it on a new track and ensuring that this is not a one winner and one loser in a zero-sum game.

Sincerely,



Kari Thorstensen
640 Broadway, 5A
New York, NY
Kari.thorstensen@gmail.com

Copied to:

Community Board #2, Manhattan, 3 Washington Square Village, #1A, New York, NY 10012
Karen Haycox, Habitat for Humanity New York, 111 John Street, 23rd Floor, New York, NY 10038

61 Seniors maximum
Tues 49
June
100,000
Seniors
every day
of the
yr
No Sav
No

don't
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to
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pat
nting
w
local
Seniors - U shut out

Seniors - U shut out

Capacity 120 Participatory
TIPD 21 Spring Mayor hill
DEAR NEIGHBORS
WE NEED TO TAKE BACK OUR BUILDING AND OUR NEIGHBORHOOD
WE NEED OUR SUBSIDY SAVED! WE NEED REAL AFFORDABLE HOUSING FOR SENIORS & FAMILIES IN LITTLE ITALY!
I TRIED TO MANAGE MY POLITICAL SCHOOL SYSTEM
WE NEED TO TELL THE MAYOR NOW!
THEY ARE MAKING BIG DEALS THIS WEEK! WE ARE LOSING NOLITA CHEMISTS AND DAISY ON MAY 22ND.
IT'S ALL THE SAME DEAL.
IT'S ALL THE SAME PIECE OF CITY-OWNED LAND.
THEY WANT US TO BE IGNORANT.
WE CAN'T LET THEM GET AWAY WITH IT.
THE LAND BELONGS TO THE PEOPLE WHO LIVE IN THE COMMUNITY AND WHOSE FAMILIES MADE IT!
GATHER DOWNSTAIRS AT NOON TODAY SO WE CAN TELL THE MAYOR
ITALIANS STILL LIVE IN LITTLE ITALY
OUR HOUSING WAS BUILT IN 1981
WE ARE STILL HERE
RESPECT US - RESPECT LITTLE ITALY - THE CITY IS MAKING TONS OF MONEY OFF OF US SHOOTING MOVIES EVERY DAY WE CAN'T GET AROUND THE STREETS.
SAVE OUR BUILDING
PUT SENIORS HERE!
PUT SENIORS AT 34 SPRING ST!
PUT SENIORS AT 2 HOWARD!
PUT SENIORS AT HUDSON STREET!
WE LIVE HERE. WE KNOW THE TRUTH. YOU CAN'T LIE TO US ABOUT OUR NEIGHBORHOOD!
SAVE OUR NEIGHBORHOOD
DON'T CLOSE NOLITA CHEMISTS. WE NEED DAISY AND NICK!
DO IT NOW
21 Spring
There's a grandmother. Talk to her at the bar.

WEAITHA COMMUNITY
I have the emails. I taped the phone calls.
I'm tired of my neighbors thinking I'm a talent 2 cities.
Howard LUCY
Chyitic Steinbergs
ayr 2-3 hrs
I can tell you
my father
Central Park
Lucy HERE
Dying
ANIE
ST.
Lucy
FAITH
DEMOCRACY
Relphar
Chy
my

get a ^{Chris} 2, 2013 Marie Licata - on Monday morning funeral mass Alex

I can't sit in the garden now. Where will I go? This is all we have left. Alex is right by seat



Sez I since 2012 told hyl what will happen to me which will I go. Can't get to Sarah Poo select

CAN'T GO TO SARAH ROOSEVELT PK

Even if they do something here

to 1 year child hyl Alex has been to try to talk to the mayor

REEL 569.2017

The building will cover approximately 62% of the site and the apartments will be for family housing. The number of rooms per acre is 765.

The security system proposed for the benefit of residents consists of a tandem bell-buzzer connected to each apartment and to the lobby.

The Plan and Project, together with the zoning analysis and other data to be submitted to the City Planning Commission, makes provision for height and bulk of structures, density of population and percentage of land coverage by structures which conform to the purposes of Section 114 of the Private Housing Finance Law and to the Master Plan of the City of New York insofar as adopted. The density of the population contemplated by the project bears appropriate relationship to the distribution of population in other parts of the City.

Existing and planned public facilities, planned streets, provisions for light and air, and cultural and recreational facilities are adequate for the density of population contemplated by the project and conform to the purposes of the Private Housing Finance Law.

Tenant selection will be in conformance with U.S. Dept. of Housing and Urban Development regulations.

Management will be provided by either Jerome Belson Associates, a licensed, experienced, management organization or by another agent either of which will be subject to approval of HPD.

Tenant selection will be made after consulting with community representatives and will comply with all requirements of HPD.

Management will be provided by either U/A Management Corp., an affiliate of Jerome Belson Associates, a licensed, experienced, management organization or by another agent, either of which will be subject to approval of HPD.

Tenant selection will be made after consulting with community representatives and will comply with all requirements of HPD.

As part of this Plan and Project, LIRA Apartments shall maintain an off site recreational area which shall be developed on City owned land (Block 493, portion of Lot 41), by the City through its Interim Site Improvement Program, in such manner and for such length of time as will be set forth in a Maintenance Agreement to be entered into between LIRA Apartments and the City of New York, which Agreement shall be attached to and made part of the Land Disposition Agreement between LIRA Apartments and the City.

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ARCHIVES | 1974

City to Revive and Refurbish Little Italy

By GLENN FOWLER SEPT. 20, 1974

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Mayor Beanie announced plans yesterday to restore and strengthen Little Italy, the neighborhood on the Lower East Side that generations of Italian immigrants have been proud to call home but that has fallen prey to neglect.

Timing his announcement with the Festival of San Gennaro, the fair taking place this week on Mulberry Street in the heart of Little Italy, Mr. Beame called for a "risorgimento" — a resurgence — that would upgrade the residential and commercial area.

Two proposals that will be implemented at once are construction of a 600-pupil elementary school and 180-unit moderate-income apartment house at Elizabeth and Spring Streets and the refurbishing of De Salvio Park at Mulberry and Spring Streets — the only public park in Little, Italy.

Other proposals call for 520 additional housing units on seven scattered sites, rehabilitation of older housing, restoration and preservation of historic storefronts and a program of economic development to attract new businesses and jobs. Social services would be increased, with ambulatory and geriatric-care facilities and community programs for youths and the aged.

May 2, 2019

NY City Council

Letter in support of Haven Green

I have had the good fortune to have both lived and worked in the neighborhood since 1977. Being a long-time resident does not give me special privileges, but rather obligates me to share with the newly arriving and certainly with the less fortunate. We are now one of the wealthiest communities in this country, we can work together and we can do better.

I have designed and installed green roofs and gardens throughout our city. The New York Times recently reprinted an Oliver Sacks essay that beautifully illustrates the importance of a garden. My love for gardens however is not inconsistent with my support for Haven Green.

Those that oppose this housing say that it should just be built somewhere else. The reality is that there are many more possible locations for gardens than there are for housing. Unlike housing, a garden can be adapted to many different spaces. Just as a derelict rail line was transformed into the High Line Garden, Elizabeth Street itself – not the current garden but the street itself - could have a beautiful garden laid over it. This is not at all far-fetched. Similar to the High Line, a garden can be created in shallow soil and without breaking the pavement. Political will is more difficult, but just this week Scott Stringer put forward a proposal he calls 'Pavement to Playgrounds'. Why not pavement to gardens starting with Elizabeth Street?

Our Borough President supports Haven Green, but she wants it to include 30% more open space. Instead, we should be asking that Haven Green provide 30% more apartments. The building will be on the north side of the site, an extra floor or two would have zero downside, yet provide more homes.

I volunteer with Visiting Neighbors, an organization that helps our elderly. Many of the people I assist are essentially trapped on the upper floors of old walk-up buildings. They are trapped because they cannot afford to move into more suitable accessible housing. Our community can do better by helping to get Haven Green built as quickly as possible.

Let's not think small. Let's not pit gardens against housing. Let's take back our streets for better uses than storing and moving cars. Let's build housing on every available lot. Most importantly let's consider those in need before serving ourselves.

Thank you,

Christopher Goode
646-337-8824

lives in Alex Vela - Marie Licatta - Talked to NYA

Box
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CCAP
PEN
ONLTS



in
2012.
Since
2012
To
have
others.

Main Source of income

Alex Vela + Nephew



we know each other's names because of the ESB

Gordon, Mary, Mary, Sarah



EXCELL University Summer



FOR THE RECORD

FOR THE RECORD

If you think this has anything to do with elderly homeless you believe rocks grow.

This is Real-estate development period. This proposed building will go to fair market housing in time and as we know Realestate developers can wait, the community can't.

We need green spaces not basketball courts or soccer fields as in Sara D park on Christy st. or rat infested playgrounds like

on Spring and Thomson st. My grandson is afraid to go into either of those parks. We live and nurtured this neighborhood Little Italy, not the developers who named it NOLITA.

We made this place a neighborhood people want to come to and this garden is an essential part of our community, built and used by natural selection not bureaucratic myopia. You can't sell off wonderful property like on Forsyth st. & Lafayette st. where buildings already exist and start construction projects in an area rancid with construction projects. Something stinks in this pork barrel. John Campo Supports the Garden

184 Bawery
nuc. nr 10012

FOR THE RECORD

John R Scott

Haven Green Project

May 2, 2019

300 Greenwich ST NYC 10013

- As a long-term IPN resident and housing and labor advocate, I am so grateful to have a chance to raise my family, contribute to my community and age in place in a neighborhood that I've fought to protect.
- Stories like mine shouldn't be the exception – we should all have an opportunity to age with dignity within our communities.
- Projects like Haven Green will afford more than 123 seniors a chance to do this in the historic neighborhood Little Italy – including dozens of homeless seniors who have been desperately waiting for a stable, safe home of their own.
- It will also create a beautiful open space that's truly accessible and welcoming of people of all ages, incomes and walks of life.
- Instead of buying into a narrative that paints affordable housing as something that could destroy a community, we need to uplift the stories that show affordable housing as an asset – and a meaningful opportunity to preserve the character of the community.
- It's time that our leaders do the right thing and support a plan that could change lives for the better.

John Scott

IPNTA chair of senior committee

Kirsten Theodos – oppose Haven Green development at Elizabeth Street Garden

My name is Kirsten Theodos and I strongly oppose the Haven Green project. Everyone in the city agrees that NYC is in an affordable housing crisis. And while we desperately need to create affordable apartments for NYers I ask this question: "At the expense of what?" The Elizabeth Street Garden is only one example of Mayor de Blasio's "Build Baby Build" administration stealing public assets to be handed over to private developers. In fact, its already happened to our libraries, kid's playgrounds and parkland in the Bronx. Should we demolish all of our gardens, libraries, playgrounds and parkland into oblivion for the sake of *air quotes* "affordable housing?"

The truth is the City refuses to effectively manage the low-income housing it already has, thus establishing the premise that the private sector is the only way to create affordable housing. Another truth is the de Blasio Administration is completely controlled by the Real Estate Board of New York also known as REBNY. Today the Daily News reported de Blasio's deputy mayors, commissioners and high-ranking aides had at least 358 meetings and talks with both commercial and in-house lobbyists in just 11 months. In-house lobbyists who got meetings with top city officials include the President of REBNY, John Banks himself. It's also recently been reported that the de Blasio administration opted to buy 17 buildings from notorious slumlords Podolsky brothers to be converted into affordable housing and the lawyer who represented them in the portfolio sale is Frank Carone, a longtime de Blasio ally and fundraiser. In the case of the Haven Green project, the developer has teamed up with RiseBoro. According to RiseBoro's website, one of their Board Members is Frank Carone. So this is just another one of de Blasio's many Pay2Play scandals involving city owned land to be given away to private developers. If the city green lights this project it will be the most egregious developer giveaway since Rivington House. SHUT IT DOWN.

**New York City Council
Subcommittee on Landmarks, Public Siting and Maritime Uses
May 2, 2019**

LiveOn NY Testimony in Support of Haven Green

LiveOn NY proudly supports Haven Green, an exciting project that aligns with our mission to make New York a better place to age. Both RiseBoro Community Partnership and SAGE, both of whom will provide services on this project, are members of LiveOn NY, and are members of our Affordable Senior Housing Coalition.

New York City faces an unprecedented affordable housing crisis. As found in LiveOn NY's 2016 study, more than 200,000 low-income seniors in New York City languish on wait lists for affordable housing, and that is just within the HUD 202 senior housing system. This affordable housing crisis is intensified as the cost of renting or purchasing apartments and the cost of living continues to rise, which is particularly detrimental to seniors who often live on a fixed income.

Haven Green will provide much needed 123 units of affordable, LGBTQ friendly, senior housing as well as a range of services, new neighborhood retail, community space and neighborhood gardens. The development team of Pennrose LLC, Habitat for Humanity NYC and Riseboro Community Partnership, as well as SAGE who will also offer services, have community-based and senior services experience that will benefit the future tenants and the community.

For seniors, the dire need affordable housing with services cannot be overstated, as rent-burden often leads to adverse life choices such as skipping meals or medicine to afford rent. Affordable housing is consistently included in what is needed for a community to be considered "age-friendly", a priority of both the state and city government, and one we should all work to support.

Not only will Haven Green serve the eldest among us, but the development will be a vibrant and necessary resource for the entire community as it provides numerous opportunities for communal use. Services to support seniors aging in place, community gardens, retail and other services can be enjoyed by residents and the surrounding community. Further, seniors who are able to age in community surrounded by the networks they have maintained are invaluable sources of community and civic activism in their neighborhoods. Co-located services will allow them to live independently in the neighborhoods they call home.

We know there are many important factors to consider when making decisions that affect the community and we greatly appreciate you keeping the needs of seniors in mind when making these policy considerations.

Thank you for the opportunity to testify in support of Haven Green.

Statement in Opposition to the Elizabeth Street Haven Green Development

Date: May 2, 2019
Place: New York City Council Public Hearing
Name: Siegrid Raible /51664 RAIBLE
Address: 160 Bleecker Street, Apt. 5E, New York, NY 10012

I have lived in my present apartment for close to 40 years. I am opposed to the development of this project for two reasons.

1. I hardly support affordable apartment development for both seniors and homeless seniors. But I do not support this proposed development. Over the last two/three years I have attended many of the Community Board forums and meetings regarding the development of the Elizabeth Street Garden. I object to this development because there is a vacant city owned parcel located at 388 Hudson Street which would provide far more than the 121/123 tiny single room occupancy senior living units proposed by Habitat for Humanity and the developers. The community was presented with this plan developed by the "three men in a room" (in this case Habitat for Humanity, the city's representatives and the developer) as a done deal. The pitch to the community was that "it could develop/design the small portion of the garden that the developers carved out for the new "garden." I have been told that the public will only have access to the privately owned space from 9:00 AM to 5:00 PM. As part of the deal Habitat for Humanity will be afforded 11,000 square feet at a below market rent because it is considered a "community use" organization when in reality it will be used by Habitat as office space.

The Hudson Street parcel was never discussed.

Once the plan was presented, community residents and store owners as well as Community Board 2, and many elected officials joined together to oppose the development and have remained opposed to this development. Even so the proponents wish to go forward with the plan notwithstanding the community's objections. This is not what democracy looks like.

2. The second reason for my opposition relates to the late Oliver Sachs opinion piece which appeared in the New York Times Sunday, April 18th edition,

entitled **Oliver Sacks: The Healing Power of Gardens** which is excerpted from "Everything in Its Place," a collection of his essays. Dr. Sachs is famous for his neurological research which was popularized in the movie "Awakenings." In the opening to this piece he states "As a writer, I find gardens essential to the creative process; as a physician, I take my patients to gardens whenever possible." He goes on to say "In my 40 years of medical practice, I have found only two types of non-pharmaceutical 'therapy' to be vitally important for patients ...: music and gardens" [emphasis supplied]. As part of the opinion piece there is a photo of people enjoying themselves at the Elizabeth Street Garden. I think the article (with the photo) speaks for itself (and me). (I have attached a copy of the article to this statement.)

I want to point out that I live two blocks south of Washington Square Park. It is always crowded with tourists and New Yorkers. But it is as its name states a park. There is greenery, but not as extensive as the green space at the Elizabeth Street Garden. The garden is an oasis and serves as both a space for meditation as well as healing. It is a community garden formed and supported by the community. This is a unique space and we shouldn't pave paradise and put up housing when there is an alternative site which would provide far more residential units (and possibly units with enough space for senior couples).

Opinion

Oliver Sacks: The Healing Power of Gardens

Even for people who are deeply disabled neurologically, nature can be more powerful than any medication.

By Oliver Sacks

Dr. Sacks was a neurologist and author. He died in 2015.

April 18, 2019

This is an excerpt from "Everything in Its Place," a posthumous collection of writings by Dr. Sacks.

As a writer, I find gardens essential to the creative process; as a physician, I take my patients to gardens whenever possible. All of us have had the experience of wandering through a lush garden or a timeless desert, walking by a river or an ocean, or climbing a mountain and finding ourselves simultaneously calmed and reinvigorated, engaged in mind, refreshed in body and spirit. The importance of these physiological states on individual and community health is fundamental and wide-ranging. In 40 years of medical practice, I have found only two types of non-pharmaceutical "therapy" to be vitally important for patients with chronic neurological diseases: music and gardens.

The wonder of gardens was introduced to me very early, before the war, when my mother or Auntie Len would take me to the great botanical garden at Kew. We had common ferns in our garden, but not the gold and silver ferns, the water ferns, the filmy ferns, the tree ferns I first saw at Kew. It was at Kew that I saw the gigantic leaf of the great Amazon water lily, *Victoria regia*, and like many children of my era, I was sat upon one of these giant lily pads as a baby.



The Palm House at Kew Gardens in London. Mike Kemp/in Pictures, via Getty Images

As a student at Oxford, I discovered with delight a very different garden — the Oxford Botanic Garden, one of the first walled gardens established in Europe. It pleased me to think that Boyle, Hooke, Willis and other Oxford figures might have walked and meditated there in the 17th century.



Hortus Botanicus in Amsterdam. Karen Massier/E+, via Getty Images

I try to visit botanical gardens wherever I travel, seeing them as reflections of their times and cultures, no less than living museums or libraries of plants. I felt this strongly in the beautiful 17th-century Hortus Botanicus in Amsterdam, coeval with its neighbor, the great Portuguese Synagogue, and liked to imagine how Spinoza might have enjoyed the former after he had been excommunicated by the latter — was his vision of “Deus sive Natura” in part inspired by the Hortus?

The botanical garden in Padua is even older, going right back to the 1540s, and medieval in its design. Here Europeans got their first look at plants from the Americas and the Orient, plant forms stranger than anything they had ever seen or dreamed of. It was here, too, that Goethe, looking at a palm, conceived his theory of the metamorphoses of plants.



Padua's botanical garden, in Italy was founded in 1545 by Francesco Bonafede, professor of botany in the medical school of Padua's university. David Lees/Corbis, via VCG, via Getty Images

When I travel with fellow swimmers and divers to the Cayman Islands, to Curacao, to Cuba, wherever — I seek out botanical gardens, counterpoints to the

exquisite underwater gardens I see when I snorkel or scuba above them.

I have lived in New York City for 50 years, and living here is sometimes made bearable for me only by its gardens. This has been true for my patients, too. When I worked at Beth Abraham, a hospital just across the road from the New York Botanical Garden, I found that there was nothing long-shut-in patients loved more than a visit to the garden — they spoke of the hospital and the garden as two different worlds.



People enjoying the Elizabeth Street Garden, in Manhattan. An Rong Xu for The New York Times

I cannot say exactly how nature exerts its calming and organizing effects on our brains, but I have seen in my patients the restorative and healing powers of nature and gardens, even for those who are deeply disabled neurologically. In many cases, gardens and nature are more powerful than any medication.

My friend Lowell has moderately severe Tourette's syndrome. In his usual busy, city environment, he has hundreds of tics and verbal ejaculations each day — grunting, jumping, touching things compulsively. I was therefore amazed one day when we were hiking in a desert to realize that his tics had completely disappeared. The remoteness and uncrowdedness of the scene, combined with some ineffable calming effect of nature, served to defuse his ticcing, to “normalize” his neurological state, at least for a time.

An elderly lady with Parkinson's disease, whom I met in Guam, often found herself frozen, unable to initiate movement — a common problem for those with parkinsonism. But once we led her out into the garden, where plants and a rock garden provided a varied landscape, she was galvanized by this, and could rapidly, unaided, climb up the rocks and down again.

A water lily at the New York Botanical Garden in February.
Timothy A. Clary/Agence France-Presse — Getty Images

I have a number of patients with very advanced dementia or Alzheimer's disease, who may have very little sense of orientation to their surroundings. They have forgotten, or cannot access, how to tie their shoes or handle cooking implements. But put them in front of a flower bed with some seedlings, and they will know exactly what to do — I have never seen such a patient plant something upside down.

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My patients often live in nursing homes or chronic-care institutions, so the physical environment of these settings is crucial in promoting their well-being. Some of these institutions have actively used the design and management of their open spaces to promote better health for their patients. For example, Beth Abraham hospital, in the Bronx, is where I saw the severely parkinsonian postencephalitic patients I wrote about in "Awakenings." In the 1960s, it was a pavilion surrounded by large gardens. As it expanded to a 500-bed institution, it swallowed most of the gardens, but it did retain a central patio full of potted plants that remains very crucial for the patients. There are also raised beds so that blind patients can touch and smell and wheelchair patients can have direct contact with the plants.

Clearly, nature calls to something very deep in us. Biophilia, the love of nature and living things, is an essential part of the human condition. Hortophilia, the desire to interact with, manage and tend nature, is also deeply instilled in us. The role that nature plays in health and healing becomes even more critical for people working long days in windowless offices, for those living in city neighborhoods without access to green spaces, for children in city schools or for those in institutional settings such as nursing homes. The effects of nature's qualities on health are not only spiritual and emotional but physical and neurological. I have no doubt that they reflect deep changes in the brain's physiology, and perhaps even its structure.

Oliver Sacks was a neurologist and author of many books. This is an excerpt from the forthcoming collection of his essays, "Everything in Its Place." He died in 2015.

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A version of this article appears in print on April 21, 2019, on Page SR4 of the New York edition with the headline: The Healing Power of Gardens

Elizabeth St Garden

Who do the developers and the people in government—who supposedly represent this community—think they are fooling when the term “affordable housing “ is invoked to promote their scheme? They know it is a sham and so does everyone else. And certainly, in this case “affordable housing” and its contingencies is a mockery.

That said, Elizabeth St. Garden is an oasis. Not only because of its physical beauty, but it is also the essence of what community should be, where conversations by young and old from all walks of life exchange histories and futures. An oasis not just for the neighborhood but for thousands of tourists, as well, who desperately try to find the bits and pieces of the “real New York “ which still survive in the midst of the shopping mall that much of the City has become. The Garden and this neighborhood embodies that spirit of new and old New York.

Within a three block area of the Garden one third of the store fronts are continually empty. These empty spaces are not viable, except for tax write offs—but not for a functioning community. The proposed development would only add to the glut. This kind of greed is not sustainable, but the Garden is an oasis that sustains life, Do Not let it be destroyed.

kate kobayashi

SUPPORT FOR HAVEN GREEN

FOR THE RECORD

I am Celestine Jones, and I would like to thank Council Members for this opportunity to testify in support of senior housing and in particular, Haven Green.

Increasingly, people that come to my center are in need of affordable and accessible housing.

As ^{they} people grow older, their needs change and they may live in walk-up buildings. They become homebound when they become more dependent on mobility aids. The inability to leave their home then becomes a vicious circle and the senior becomes more isolated and in turn their health deteriorates. Instead of being able to access the community and stay healthy and thrive, the actual cost for in-home services is greater to the city.

Also as neighborhoods gentrify, seniors are beginning to live more and more with family members in 2 or 3 family households. We also are seeing an increase of seniors who are going into shelter because there are no options to access senior housing.

More accessible senior housing that offers space to participate in programs, meet other seniors and attend health and exercise programs will enable us to live healthier lives and stay connected to our communities.

FOR THE RECORD

HAVEN GREEN RALLY SPEECH

THURSDAY MAY 2ND 2019

English

Presented by
Nancy Sanchez

Haven Green Rally Speech

I arrived at Riseboro in 2012 in the moment when I was no longer able to pay for rent with my mother, there were moments of suffering, and we saw each other living in the streets. My mother had Alzheimers and I was sick with chronic illness. Senior affordable housing is vital, it allows for seniors to have low cost accessible rent and on site services that offer support, and allows for seniors to age in a way that makes the seniors feel appreciated and dignified.

I receive support from the service coordinator and property manager. What has made a big difference in my life are the classes: the Yoga classes, restored my inner harmony, the exercises have improved my mobility and balance; the Zumba classes bring happiness, music and it fuels my will to live, it has greatly improved my overall health. The Painting classes have allowed me to discover my artistic abilities, build a connection with my inner most feelings and it has furthered my learning. I have an extraordinary teacher.

Thank you for all of the good that Riseboro has brought into my life. Thanks to the people who fight for our rights at an age where adulthood is underestimated. I'd like to take this opportunity to support the construction of Haven Green. Projects like this help defend our aging communities and allows for access to just and equitable housing for disadvantaged and vulnerable aging people.

FOR THE RECORD

HAVEN GREEN RALLY SPEECH

THURSDAY MAY 2ND 2019

English

Presented by
Juan Munoz

Haven Green Rally Speech

Housing for the elderly is important because it gives you the opportunity to live in a decent, dignified and happy way, for our last days. Without the help of Riseboro, I would live with the help of a relative or of a friend. But we are old and in all places that aren't our own, we feel like a hindrance to those who lend their homes to us. Thank you Riseboro, for giving me this opportunity.

My stories of living in this home that Riseboro gives me has been wonderful! I have the peace of mind to live my last days in joy and gratitude. I thank Riseboro very much, because I could not live in an apartment like this on my own means. For me it is very important to have the tranquility that Riseboro gives me through all of the services granted to me.

My stories are one of fortune and luck, I have no words to say how happy and grateful I am. Many other low-income seniors may also have the opportunities that they have given me, if more people give their support to organizations like Riseboro and to projects like Haven Green, which strive to get affordable housing available to all seniors. I formally give my support to Haven Green.

City Council meeting - May 2, 2019, City Hall Subcommittee room, 1 pm.

I would ask the Council to take needs of the Northern Little Italy area seriously and not simply defer to our Councilperson, Margaret Chin. There is no green space in the area which has become so congested that besides community and environmental reasons it is now becoming necessary to maintain the Elizabeth Street Garden as a pressure valve. The small, shaded, space allotted by Haven Green will not suffice. The Elizabeth Street Garden, which looms large in our minds and to those who visit from all over the world and all boroughs of New York City, is not actually that large - only half an acre - but it is a unique treasure. To trash the large trees, statuary and growth would be nearly criminal.

The Elizabeth Street Garden allows visitors to breathe fresh air, see flowers bloom, hear birdsong, watch butterflies, and talk with each other easily and in a relaxed way. It provides a sop for excess water in this dangerous time of climate change, a fact that our Mayor has realized in his collaboration with officials from Copenhagen in that city's efforts to protect itself from damage due to water overflow.

Speaker Johnson in his role as Committeeperson from Chelsea arranged a swap in order to save a garden in his district. The same thing can be done here since the City's gravel lot on Hudson Street would be a perfect swap for the Elizabeth Street Garden since the lot on Hudson Street would be able to support five times more housing than the Elizabeth Street site besides providing green space for its residents.

Our Community Board 2 has issued a report that painstakingly detailed the reasons for maintaining the Elizabeth Street Garden. Community boards have a clear advantage in understanding community needs because they know the people and concerns of the community so well and are available to listen and investigate in a way the Councilperson cannot or does not. Community Board 2 supports the swap of Hudson Street for Elizabeth Street and does not support the use of the Hudson Street site unless the Elizabeth Street Garden is saved.

I have been a resident in northern Little Italy for 32 years, and am now a senior. I was here to help federal and local police rid the area of drugs, and now need a green space I can walk to. The Elizabeth Street Garden is a place I need and love. There are other long time residents who are like me in needing a green space they can walk to. Mayor De Blasio publicized his desire to have nearly all New Yorkers be within walking distance of a park. Now's the chance to deliver on that promise before it's too late.

Your input is near the end of the ULURP process. Please study the Community Board 2 report, listen to the voices of most City officials who support the Elizabeth Street Garden and vote yes to save the Elizabeth Street Garden. You will then be doing the right thing.

Thank you.
Nina Taylor

HEARING OF
N.Y. CITY COUNCIL PRESERVATION SUB-COMMITTEE
MAY 2, 2019

COMMENTS OF MICHAEL S. GRUEN
ON BEHALF OF FRIENDS OF ELIZABETH STREET GARDEN

I am the attorney for Friends of Elizabeth Street Garden.

The subject project concerns two worthy social goals: housing for homeless persons and open space for all. The issues are significant and deserve the informed and focused attention of the Council.

Unfortunately, the Council is being asked to make a decision on the basis of a woeful lack of essential information. Worse than that, much of the information it has is appallingly misleading.

My purpose is to point out the difficulties you face in making a decision on the basis of the information available to you.

I. Environmental Impact.

A. The Conditioned Negative Declaration.

A Conditioned Negative Declaration by the Department Housing Preservation and Development started the ULURP process. A negative declaration means a formal determination that there are no possible significant negative impacts from the project. A conditioned negative declaration says that certain things must happen before there is certainty to the negative declaration. In this case, the main open item is that HPD's environmental study turned up a likelihood that industrial uses on the property decades ago are likely to have left a residue of industrial chemicals and petroleum products which present environmental hazards and must be removed.

The mere statement of the issue presents a paradox. On the one hand, you have been assured by the intended purpose of a negative declaration that there are no possible significant environmental impacts. On the other hand, you are led to believe that, if any hazardous materials are found upon testing that has not yet been conducted, they will be addressed. But you have no assurance, and no information as to who will pay and how much it might be.

The paradox is magnified by further details. HPD's environmental assessment acknowledges, from the start, that this is a Type I action, meaning one that presumptively will create significant environmental impacts, and presumptively requires a full-scale environmental

impact statement. The information about possible hazmats confirms the risk. But a negative declaration says just the opposite.

Logically enough, SEQRA expressly provides that one cannot adopt a conditioned negative declaration for a Type I site.

In sum, the negative declaration is legally invalid. It is also logically invalid. It gives you none of the assurance you need in order to understand what the hazmat problem means and what its resolution will entail. It shoves the issues under the rug of what the preparer would obviously like you to believe is a minor condition.

B. The Loss of Open Space.

Sometimes, in fact too often, writing an environmental assessment focuses more on justifying what the sponsor wants to build than on what environmental impacts that goal might trigger.

Here, in the interest of replacing a beautiful and successful public sculpture garden, with low income housing, HPA has disserved the public and decision-makers acting on behalf of the public. It has elevated the status of promoting the project above the obligation to protect the environment. That is not the spirit of SEQRA's fundamental purpose of integrating planning for the environment with consideration of a project, from the earliest possible time, and giving environmental issues a hard look at every step along the way.

In its environmental assessment, HPA makes a joke of the process. A prime example is its superficial and utterly careless analysis of whether elimination of the Garden will significantly affect the environment. Essentially its conclusion is that the subject area has very little public open space; so little that taking away a piece of what little there is will be hardly noticeable.

The authors overlook that the CEQR Technical Manual explicitly points to a diametrically contrary assessment: the more acute the lack of public open space there is in a given area, the more attention should be paid to preserving even small spaces. The Manual advises that, where public open space meets or exceeds the general minimum standard of 2.5 acres per 1,000 residents, it may be acceptable to allow reduction of as much as 5%. That percentage of acceptable decline goes down as the base diminishes from the general standard. As the Manual suggests, "the existing open space ration may be so low that even an open space ratio change of less than 1 percent may result in potential significant open space impacts." The drop forecast here by the EAS is 2.24% (we compute it at 2.61%). And the current available open space in the one-mile diameter study area is 0.193 acres per 1,000 inhabitants, or more than 90% below what the City considers a healthy minimum. Quantitatively, it is an exceptionally dismal amount of open space. Fortunately, at least for the moment, the Elizabeth Street Garden counters lack of space with excellence of design, programming and maintenance.

The authors of the EAS unconscionably ignored the advice of the CEQR Manual that the very paucity of open space in the area militates in favor of preserving what there is of it. They made matters worse by offhandedly suggesting that new residents of the site might avail themselves of the park space of Washington Square, a border of which lies just beyond the half-mile radius of the study area chosen because it is recommended as the generally appropriate circle for such studies. If half a mile is the generally acceptable radius, should one think that elderly people can readily hike further to reach open space? The EAS does not address that issue. Nor does it address the obvious necessity of determining whether Washington Square is already overused or must serve a substantial population beyond the half-mile radius defining the project study area. If one is going to reach beyond the prescribed radius, then surely one must consider the needs of the people living in the area of the expanded study and the sufficiency of their open space for their needs. This EAS ignores that. They did not give anything approaching a "hard look."

C. Shadows.

Shadows reduce the amount of sunlight reaching an affected area and may adversely affect growth of trees and plants. The Manual requires that they must be considered. Shadow diagrams in the EAS show significant increase in shadows over the entire property – particularly the minimal planned open space on the west side of the lot – throughout the year. The EAS totally discounts these on the ground that the shadows do not reach beyond the lot itself to other surrounding lots. The Manual, however, indicates that, if new shadows would affect any part of the subject lot that had formerly been free of shadows, they must be considered.

D. The upshot.

The absence of reliable environmental assessment stymies the Council and its reviewing committees. It forces them to shortchange the public by making decisions in a vacuum of information. All this adds up to treating the Council as a rubber stamp. Part of the problem is in the structure of SEQRA; in theory, the reviewing governmental bodies must accept what the adopted EAS says. But they do have the power to say NO. And that is certainly a viable means of expressing the Council's dissatisfaction with being asked to make a significant decision on the basis of unsatisfactory, and even disingenuous, information. Because a court is likely to force a new environmental assessment anyway, thereby compelling redoing the whole ULURP process, this may be regarded as a quite satisfactory case for saying loud and clear: we will not put up with being exploited.

Maneuvering to avoid having to do an EIS has significant side effects. For one thing, it evades consideration of alternative solutions. The preparer of an EIS must consider alternative solutions. The preparer of a negative declaration need not. Here, the City owns another parcel within Community District 2, 388 Hudson Street. It is larger and would provide more housing

than the Garden site, and appears not to present any serious issues. It should be considered as an alternative to the Garden site.

II. Zoning

CPC fails the Council by giving no review of zoning issues.

CPC neglects to advise you that the applicable zoning allows no more than 60% lot coverage, mean that structures may cover only 60% of the area of the lot. (ZR 109-122). That means that more than 8,000 square feet must be open. The plans call for only 6,700 square feet of open space. Inevitably, that means fewer apartments.

Based on Community Board 2's statement that apartments will measure 370 square feet, it appears that about 21 apartments would be eliminated by reducing the footprint to fit the zoning of the structure by 1,300 square feet. That is about a 17% reduction in the public purpose of the project. (Commercial space would be reduced by another approximately 1,300 square feet.)

Other zoning factors raise questions that, at this point, we do not have answers to:

Height: the Special Little Italy District allows a maximum building height of 75 feet. Drawings of the project indicate that, including the mechanical bulkhead, the height will be 84 or 86 feet.

Floor area: the Special Little Italy District allows a floor area ratio of 4.1. The EAS states the planned gross floor area of the building will be 92,761 square feet. CPC states, without explanation, that FAR would be only 43,342 square feet and would come within the 4.1 FAR maximum.

Assumption of extensive community facility space: This has been expressed in different amounts in different papers, without explanation of the exact use. The CPC Report does not mention it at all in its reference to allocation of floor area, with the implication that this space may always have referred to office space for Habitat for Humanity.

III. Trust issues:

Petitioners have raised the issue that the western portion of the project parcel, in 1824, became the subject of a charitable dedication to permanent use for educational purposes, and remained subject to that dedication when transferred to the City for use of the Board of Education in 1855. Community Board 2 discussed the issue in its report on the project. I understand that the Chair of CPC asked about the issue at the CPC hearing and requested that HPD provide a legal assessment. CPC's report, however says nothing about the issue.

IV. Financing

Through earlier stages of ULURP, it was stated that the project would be designated as an Urban Development Action Area Project (UDAAP). Arguably, that would have justified the intended \$1 selling price, exemption from real property taxation, and other benefits. In the course of proceedings before the City Planning Commission, that plan was dropped. We are unaware of why, but one good reason would have been, as we had urged, that the necessary finding that the property or surroundings are “blighted” or “slum,” had no conceivable justification.

Whatever the reason, the abandonment of UDAAP designation changes the financial picture and raises the question how this project will be financed. Is the Council being asked to approve a project that may never be built, but may readily, and with little cost, proceed to the point of destroying the existing Garden? Is that what the Council wants? We think you have a right, even an obligation, to know.

Peter Davies
548 Broadway #5A
New York, NY 10012

May 2, 2019

Adrienne E. Adams, Chair
Subcommittee on Landmarks, Public Siting and Maritime Uses
New York City Council
City Hall
New York, NY 10007
hearings@council.nyc.gov

Re: Haven Green, Manhattan
Testimony in OPPOSITION
199-207 Elizabeth Street/222-230 Mott Street
T2019-4324
ULURP No.: C 190184 HAM
Council District 1; Community Board 2
Support for Preservation of the Elizabeth Street Garden

Dear Chair Adams and Committee members,

My name is Peter Davies, a senior citizen resident of the Little Italy / SoHo neighborhoods, and I testify today in opposition to the proposal for 199-207 Elizabeth Street / 222-230 Mott Street in Manhattan (aka Haven Green), which if allowed to proceed will result in the utter destruction of a beautiful and much needed local green space. As a 40-year resident of this park starved community I urge you to deny the proposed action.

My neighbors and others will explain in more detail additional options for the citing of affordable senior housing at other locations within Community Board 2, options that are fully supported by a long roster of elected representatives who serve constituents throughout the local community. Concerned folks will also more fully describe the current and on-going benefits of this very special publicly-owned land in the Little Italy neighborhood, important not only to our local community but also to New Yorkers and others of all ages – toddlers, schoolchildren, local residents, nearby workers, world travelers, and others seeking beauty and solace – all who make use of this unique and glorious green space, known far and wide as the Elizabeth Street Garden.

Thank you in advance for your consideration and attention to this very important matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Peter Davies", with a long horizontal flourish extending to the right.

Peter Davies

Save Elizabeth Street Garden - Bill Rabinovitch

12-02-19

As a well known NYC artist I've attended over a dozen events & meetings over recent years connected with Saving the Elizabeth Street Garden & have often spoken out during them. I've also done many related images I've done on Facebook seen around the world as FB has now notified me I have over 160,000 Likes putting me in the top half of 1% of all Facebook users (of over 2 Billion users) in terms of popularity. with some of mine about Saving the Garden. To destroy the garden is a major travesty to the life of Downtown NYC. where there are several clearly identifiable nearby spaces that could be used instead having no negative Impact. Do not vote to destroy the Garden. I am doing a major painting for a major museum on the scale of Guernica so this issue is never going to diminish for you.

Bill Rabinovitch

SoHo resident

Rabinart@aol.com

I came to New York more than a decade ago, homeless and tempest-tost like many of the immigrants that make up this grand city. Soon I made Little Italy my home; there I met who would become my husband; there we moved in together, spending afternoons and Sundays at Elizabeth Street Garden with friends & family, with neighbors and their children, or alone, basking in the sun, sharing lunch, looking at the rare Manhattan view of the sky open above our heads. There we will get married this year, and with friends and family we will celebrate in this garden. Please don't take it away from us.

In a district with the lowest ratio of open space in the city (0.07 acres per 1,000 residents, while the citywide goal is 2.50), we naturally seek refuge there. Elizabeth Street Garden, with its bushes and trees and flowers, is the only marker of seasons in the area, buzzing with life in spring, calm and nostalgic in the fall. I'm expecting a daughter now. If you take the garden away from us, where will I take her to touch a blade of grass for the first time, to smell the lavender, to see a butterfly spread her wings and soar into the air? Where will I take her to walk barefoot and sleep under a tree? And most importantly, where will I teach her about community and togetherness, about the importance of pausing from the hectic pace of the city streets to spend time with neighbors and fellow New Yorkers? Where will I teach this young American, that this togetherness, and nothing else, this sharing of common time and space and caring for each other and not the luxury retail or the fake and fleeting "affordable housing", is what makes the government of the people, by the people, and for the people, that is, the reason why so many of us call America home, possible?

Please don't take the garden away from us; it's not yours to have it, it's ours.

Testimony in OPPOSITION to Haven Green Development

To the Mayor and City Council.

This is a attack on our constitutional right to own land that is legally provided to the people by the people. What more needs to be said? If this garden is taken away. The community should be dug up and taken away just as the garden is so called prospered to be. Those in favor of the Haven Green Development have no soul and have no experience with the love of nature. The city has plenty of old parking lots and garages to destroy. Why take away the renewable source of oxygen and the elimination of green house gases from society. This additional building and use of material only leads to our demise and the destruction of Mother Nature. it is our destiny to save the very thing that gave us the possibility of life. This is in humane

There is plenty Realestate all over the five boroughs where this "housing for the 'needy'" skeme can be Hatched.

I've been going to this garden for half of my life. It'll be as if my life has been stolen if this project were to be approved.

I OPPOSE THE IDEA OF DESTROYING ELIZABETH STREET GARDEN

JONATHAN AARON RAFTERY
W 17th Street
New York, NY
10011

OPPOSITION to Haven Green Development on Elizabeth Street Garden

we desperately need more -- not less -- green space in lower manhattan. build elsewhere!

elizabeth gaynor



184 Bowery, #4 New York, NY 10012
www.boweryalliance.org
David Mulkins, President
mulbd@yahoo.com 631-901-5435

May 2, 2019

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David Mulkins

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Leo Blackman
Architect

Kerri Culhane
Architectural Historian

Doris Diether
Zoning Consultant

Eric Ferrara
Historian & Director
Lower East Side History
Project

Pi Gardiner
Executive Director
Merchant's House Museum

Michael Geyer
Architect

Bob Holman
Poet & Proprietor
Bowery Poetry Club

Joyce Mendelsohn
Historian/Writer/Educator

Mick Moloney
Musician, Historian

Luc Sante
Historian

City Council Members
City Hall
New York, NY 10007

Dear Speaker Johnson and City Council Members:

We strongly oppose this ill-advised development plan which seeks to bulldoze one of the community's most popular and enchanting open green spaces.

Proponents of the development have followed a nasty and divisive strategy of portraying this as an either/or situation wherein you can only have a garden or affordable housing. Why can't we have both -- affordable housing and garden?

We urge the Councilmembers to follow the very reasonable proposal made by Community Board 2: Build the affordable housing in one of the alternate sites, such as a parking lot.

Lost in all of this is the fact that the very large building adjacent to the Elizabeth Street Garden's south side is Section 8 affordable housing, the residents of which will lose their lovely views and easy access to the garden if this development goes through. This situation reminds me of the Progressive era slogan "Bread and Roses."

In this current situation, the community supports the basic essentials—the bread of affordable housing--but also wants the roses, the beautiful things such as this enchanting garden green space.

The Elizabeth Street Garden is one of the Little Italy area's few open green spaces. A jewel in this community, it brings joy to residents and tourists, and contributes to the allure, value and economic vitality of the community.

Thank you to the many elected officials who have supported the garden's preservation.

We urge the City Councilmembers to reject this development plan, and instead support CB2's smart and reasonable alternative plan to have the affordable housing project built at an alternative site such as the parking lot. Build affordable housing but do not destroy this beautiful garden green space.

Give us bread, but also give us roses!

Sincerely,

A handwritten signature in black ink, appearing to read "David Mulkins". The signature is fluid and cursive, with a prominent "D" and "M".

David Mulkins

THE CITY IS NOT BUILDING HOUSING ON EVERY AVAILABLE CITY-OWNED SITE

Good morning, my name is Susan Wittenberg and I am a long time Soho resident, a filmmaker and board member of CB2.

I am testifying in OPPOSITION to the Haven Green development that will destroy our beloved Elizabeth Street Garden.

I would like to **correct a critical misconception.**

The city is not building housing on every available city-owned site. Here are several nearby examples:

1. The city is not building housing in Union Square, it is building a tech center – office space.
2. The city did not build housing at 19 East Houston Street – it sold the site for private office space. In the East Village, the city allowed a de Blasio campaign fundraiser and a NYC EDC board member to demolish five walk-up tenements with hundreds of units of affordable housing for the 285-room Moxy hotel.
3. On the Lower East Side, the city lifted the Rivington House deed restriction and allowed a private sale, ignoring the mayor's staff recommendation to use the site for affordable housing¹.
4. And in 2015, the NYC EDC issued an RFP to develop 137 Centre Street to provide funding for Downtown Community Television Center, Inc., a local nonprofit media arts center – not for affordable housing.² This RFP still remains outstanding and this site also remains another viable alternative for affordable housing.

I urge you to vote no on the proposed development and pursue a win-win alternative. Build up to 5x as much senior housing at an Alternative city-owned site and save Elizabeth Street Garden.

Thank you.

Susan Wittenberg
switt110@gmail.com

¹ Smith, Greg B., "Covered-up memo reveals de Blasio officials weighed pros and cons of selling Rivington House for condos" *Daily News*, July 26, 2016. <https://www.nydailynews.com/news/politics/de-blasio-officials-covering-deed-restriction-memos-article-1.2727068>.

² NYCEDC Announces Request for Proposals to Revitalize 137 Centre Street in Lower Manhattan, February 20, 2015. <https://www.nycedc.com/press-release/nycedc-announces-request-proposals-revitalize-137-centre-street-lower-manhattan.ny>



May 1, 2019

Adrienne E. Adams, Chairwoman
New York City Council Subcommittee on
Landmarks, Public Siting and Maritime Uses
250 Broadway, Suite 1877
New York, NY 10007

RE: Haven Green project; Subcommittee on Landmarks, Public Siting and
Maritime Uses

Dear Chairwoman Adams and Council Members,

Thank you for this opportunity to submit written testimony on behalf of The Cultural Landscape Foundation (TCLF) concerning the Elizabeth Street Garden. TCLF is a Washington, D.C.-based education and advocacy non-profit established in 1998 with a mission to “connect people to places.” The foundation, created by New York native Charles A. Birnbaum, is considered a leading national authority on the country’s landscape legacy. TCLF hosts the most comprehensive free, online database of the nation’s cultural landscape legacy—the *What’s Out There* database; it has produced more than a dozen award-winning video oral histories with leading landscape architects in the United States, including New York-based practitioners M. Paul Friedberg and Nicholas Quennell; it has organized and curated critically acclaimed traveling exhibitions, including *The Landscape Architecture Legacy of Dan Kiley*, which was shown at the Center for Architecture on LaGuardia Place; and it has created print and online guides to New York City and cities throughout the country.

TCLF considers the Elizabeth Street Garden to be a nationally important cultural asset, one that is unique to New York City and that cannot be replicated. The Elizabeth Street Garden is not simply a generic swath of green space. In fact, because of the present threat, the foundation has designated the garden as a *Landslide* nationally significant landscape that is threatened and at-risk. *Landslide* is TCLF’s advocacy program, and the *Landslide* designation has proved an effective means of preventing the destruction of significant sites in New York City, including the Frick Collection’s viewing garden on East 70th Street, designed by Russell Page; the modernist plaza at 140 Broadway, with Isamu Noguchi’s iconic *Red Cube*; and Sunnyside Gardens in Queens.

As you know, the Elizabeth Street Garden was not the brainchild of a department, bureau, or committee who analyzed and processed a plan backed by tax-payer dollars; it was conceived as an individual act of beneficence, creativity, and neighborhood improvement—something both personal and communal at the same time. The Elizabeth Street Garden is a place where two longstanding, local traditions happily converge: community activism and outsider art. Local gallery owner Allan Reiver leased the vacant plot from the City of New York in 1991 and brought the garden to life on his own. In that

way, the Elizabeth Street Garden is planted squarely in the tradition of the Liz Christy Community Garden, another local green space that took root in 1973 when Ms. Christy and her 'Green Guerillas' transformed an abandoned lot in Manhattan's Bowery neighborhood into an abundant vegetable garden. The urban community-garden movement that Christy helped ignite eventually spread throughout the country, and the garden was honored in 2013 with a listing in the National Register of Historic Places as part of the Bowery Historic District, which thus has a designated period of significance that spans nearly 350 years, from 1626 to 1975.

For the Elizabeth Street Garden, Reiver not only cleaned up the lot and planted grass, trees, and shrubs, but he also envisioned something that was a unique artistic expression. After salvaging architectural ornaments from once-celebrated buildings that had been demolished, he carefully realized a community-garden design, strategically repurposing and siting statuary, structures, and garden features from his personal collection. In this way, the Elizabeth Street Garden is an Outsider Art garden—a landscape representing an individual artistic expression, conceived by a non-professional designer and executed in a creative style all its own. Ginia Bellafante of the *New York Times* recognized as much in an article on March 15, 2019, when she referred to the garden as the creation of “an outsider artist named Allan Reiver.”

The statuary collection at the Elizabeth Street Garden includes a pair of marble columns and an iron gazebo designed by the Olmsted Brothers firm for Burrwood (the former home of Walter Jennings), and a stone-and-granite balustrade designed by French landscape architect Jacques-Henri-Auguste Gréber. The balustrade was salvaged from the 36-acre Lynnewood Hall, considered to be one of the largest Gilded Age mansions in the Philadelphia area. Reiver has gifted both the gazebo and the former balustrade (which now serves as a bridge between outdoor garden rooms) to the garden in perpetuity. These are important elements that bear witness to the Country Place Era, a bygone period in estate design from around 1890 to 1930. In 2013 a group of community members worked with Reiver to further revitalize the site, opening it to the public to serve as a center of energy in a community where open space is in short supply.

In brief, Reiver transformed a once-vacant lot into a rare and beloved public landscape that should be viewed as a unique and irreplaceable artistic expression in the tradition of Watts Towers in Los Angeles and Opus 40 in Saugerties, New York, which are, respectively, listed as a National Historic Landmark and a National Register-designated property.

Site-specific works of art in the landscape, like the Elizabeth Street Garden, rank among the most organic and historically significant representations of our cultural identity and are often the most threatened. The recent book *World Heritage and National Registers: Stewardship in Perspective* echoes that statement, finding that visionary-art

environments are “nationally significant historic resources...Without the national recognition afforded by programs such as the National Register of Historic Places, these historic visionary-art environments face an almost insurmountable challenge of garnering the support necessary to maintain these delicate and rapidly vanishing sites.”

The Elizabeth Street Garden falls within the Chinatown and Little Italy Historic District, which is listed in the State and National Registers of Historic Places and was designated a New York City Landmark in 1998. However, the garden *is not* currently listed as a contributing feature in these historic designations. The Liz Christy Garden was also once an unrecognized landscape feature within an historic district. Fortunately, it was listed in the National Register of Historic Places as part of the updated Bowery National Register Historic District in 2013.

As noted earlier, the Elizabeth Street Garden is not generic green space; it is an artistic expression that is unique to New York City and should be considered in its totality. TCLF thus believes that every effort should be made to prevent its demolition and that the National Register designation for the landscape should be advanced as part of a commitment to ‘best practices’ by the city, an act that could ultimately lead to the Elizabeth Street Garden’s listing in the National Register of Historic Places as a work of outsider art, one that could never be recreated today or in the future.

Sincerely,

A handwritten signature in dark ink, consisting of a large 'C' followed by a stylized 'B' and a long horizontal flourish.

Charles A. Birnbaum, FASLA, FAAR

President + CEO

The Cultural Landscape Foundation

Dear New York City Council,

I have lived in Little Italy for over 15 years, my grandparents were born in the neighborhood, even my great grandparents were a working part of this historic community. I care deeply about its past, present and future.

The proposed Development on the Garden Site would be a painful destruction of one of our local treasures, and of great detriment to the short term, and long term health of our Community.

There is no need to pit basic human needs against one another, especially when there is a great solution for real compromise in our own district.

The empty, city-owned, gravel lot at 388 Hudson would provide five times as much housing as the proposed development, with additional public open space to share.

Let's make the decision that will give low income seniors a place to live *and* their grandchildren a place to play.

Respectfully,

Kaya Ottaviano Stuart

I wish to strongly oppose the proposed development of housing on the Elizabeth Street Garden site. The garden is a rare jewel of the neighborhood. And it seems like a misguided choice to build on this site when an alternative site is available a short distance away, with more capacity for housing, and has the support of community.

There is overwhelmingly support to save the garden and I would ask that you don't destroy the garden and instead pursue the proposed alternative site. This would allow us to preserve precious green space while providing much needed affordable housing to our community.

Jeff

Jeffrey McMillan

Jeffreygmcmillan@gmail.com

Save Elizabeth St Garden. We sorely need this open space to provide a respite from hectic, stressful city life.

Thank You,

Joanna from Soho

Dear Esteemed Council Members,

As business owners of John Fluevog Shoes, which has occupied a retail space on the corner of Prince and Mulberry Streets since 2000, we would like to go on record to say that we are in opposition to the proposed development of the Elizabeth Street Garden space.

Over the years, we have watched as this space has been transformed from a mysterious green paradise that was once locked up, into a lush oasis welcoming and encouraging the weary harassed individual, the child, and the senior citizen to enter in and take refuge from the busy-ness or isolation of daily life in the big city.

We are paying very high city taxes and as such, we feel that our concerns deserve to be heard so that we can successfully remain in business and contribute financially to this vibrant and healthy neighborhood.

Studies have shown that talking to strangers and volunteering increase an individual's well being and mental health. We ask that the city consider the mental health and well being of its citizens.

Turning this space into yet another concrete building will be a detriment to our boutique business which has thrived in this unique neighborhood, and building another structure will not enhance what has been created over the years by hard working dedicated volunteers.

We ask that this development not be given permission to proceed.

Regards,
John and Ruth Fluevog
Proprietors, John Fluevog Shoes

To Whom It May Concern,

I am emailing in response to the future destruction of Elizabeth Street Garden.

I am emailing as a longtime New York City resident to IMPLORÉ you to please reconsider the destruction of this garden!!!!

PLEASE CONSIDER MY EMAIL...

The ELIZABETH STREET GARDEN is a New York ICONIC site, our own "downtown Central Park," a jewel of the city.

It is a rare, special place where New Yorkers can gather, stop for lunch in an inspiring, natural space, enjoy morning coffee, sit and simply listen to the birds and look at the trees/ sculptures. Find a moment of true quiet. Especially in 2019, a green space is our necessity - green, natural spaces, essential for our environment, our physical and mental health, a place of beauty to inspire the soul (especially in the midst of such an enormous urban city as the great NYC).

I call on those in charge of making these FINAL decisions about the garden's fate to GO and SIT in the garden, bring your friend, have lunch or coffee.

Enjoy what this space is about. Experience it first hand to understand what it means. (Take the time to do this)!

The garden has been a part of the lower Manhattan/ Nolita community for years.

Losing it to a development would be a CRUSHING & DEVASTATING blow not only to our community but to New York as a whole.

It would be like losing a part of Central Park (with nothing to replace it's rich history or the hole that it would leave).

I urge those on the committee to reconsider, to go and experience this garden themselves to understand the deep roots it holds in our neighborhood and in our hearts.

Sincerely,
Linda Jaseck

I am a native new yorker, and 40 year resident on Bowery near Spring st. - a mere 2 blocks from the Elizabeth st. garden.

I have been witness to many changes in my Little Italy neighborhood over the years, both positive and negative.

I remember the empty lot behind 21 Spring st. - on Elizabeth st. -- for years the city disregarded this city-owned rubble strewn lot.

Of course - the area was not desirable then.

Then, several decades ago a man rented this lot..... cleaned it up. Planted trees and bushes and flowers..... did a lot of hard work. True, this was done for a commercial venture of architectural artifacts & not much open to the public, but it was an improvement for the neighborhood.

When an undisclosed deal was made in CB3 concerning the Essex Crossing development, this land in CB2 was offered up without any notification or discussion.

Now the garden - this beautiful, interactive garden open to, and enjoyed by, the community, is facing destruction. I suppose we all made it too enticing! This is not an elitist space. It is a truly democratic delight for all!

I am a dedicated housing advocate - I have been a supporter of Habitat for Humanity for many years. I work on housing issues with local residents. Yet there is something about this development which feels not quite right.... including the fact that there is another location not far away with zoning which would afford for a larger structure & thus more apartments & more space for residents.

Is the sticking point the fact that it is in another council district??

Green space is sorely needed in this neighborhood - for good health, clean air, education of children, serenity of persons of all ages, among many other factors. I know of no elderly neighborhood resident living in a walkup who would give up this garden for one of it's apartments.

please do not destroy our lovely garden!

———michele campo

Bowery

nyc, ny 10012

I can not make the city council hearing today but would like to let you know my strong feels against destroying the garden and replacing it with a building. I lived in Nolita since 2013 on Spring and Elizabeth for 5 years and there was no greater sanctuary than the garden. The neighborhood continues to get more and more crowded with people spilling over from Soho and continuous development with no added green space. There is no place to sit outside to get fresh area or to be in open space away from the small apartments we all live in. The garden is a place for families to take their children to roll around in the grass, friends to meet up for a picnic outside, communities to get together by planting herbs and flowers, programming for kids and elderly, and so much more. The garden enhances the community's well being and brings joy to people's lives. You would be doing a huge disservice to the community and people of NY by taking the garden away from them.

Jennifer Diamond

Testimony in OPPOSITION to Haven Green Development

Also it brings people together and for good causes. I went to a charity fashion show a couple years ago and ran into a college friend who I hadn't seen in years!! It was a beautiful night, for a great cause and I got to see an old friend.

The space is so versatile as well. So many different types of events and meetings, day and night. Central Park is too big. The garden is a perfect size and perfect space to connect with people in a green setting.

-Hannah

> Le 2 mai 2019 à 09:02, Hannah McGovern Gross <info@hannahmcgovernngross.com> a écrit :

>

> The Elizabeth Street Garden is one of the few green spaces in nyc that isn't part of Central Park. It is beautiful. It is truly unique, a rare historic gem in this concrete jungle. It would be an utter disaster if it were destroyed for a housing complex. A housing complex which could go anywhere in this city which is full of old broken down buildings ready to be knocked down for new development. Why destroy a beautiful historic garden ?? Why not find a space that is not already beautiful and important to its community ?? Seems truly insane to ruin something beautiful and green (a rarity in this city) when there are concrete lots and streets that could definitely use a new building to improve the community. It would be going one step forward and two steps back. The Garden actually serves the nearby community and community at large. Locals and tourists alike want to go there. It's a wonderful event space, relaxing space, meeting space. It is taken care of by the community and for the community. That alone is a wonderful and rare cornerstone in lower Manhattan. All are welcome to help run and/ or just enjoy it. It encourages people to go that area and support the local businesses. If this complex is built and the garden destroyed, how will a new garden be built?? Where is there a similar space? What will happen to all the sculpture there? There would be a huge gaping hole in our community and our city if you destroy the Elizabeth Street Garden. Please don't.

>

> Sincerely,

> Hannah McGovern Gross

> Born and raised New Yorker

> Actress

Hello!

My name is Jordan Eliot, and--sadly--I am unable to attend the city council public hearing today. Regardless, I find it absolutely imperative that I send my testimony in:

The Elizabeth Street Garden has meant so much to me throughout my life. I first discovered it by accident. When I was eighteen, I had a summer dog walking job . One of the dogs I was responsible for lived on Cooper Square. It was one of the most beautiful summer days out, and I knew I wanted to get the most out of the walks for the day. I walked this specific dog in the direction of Houston and then just followed wherever the wind blew me. Through a few serendipitous steps and turns, I ended up at the Elizabeth Street Garden. I was in awe of its unparalleled aesthetic. Not only is it a wonderfully kept garden, but it is a museum of sorts--a gallery of charming statues. Since I was on the job, I couldn't take a leisurely stroll through the garden, but I made a mental note of where it was. Later that day, I had to head back to the Elizabeth Street Garden--I couldn't help myself. I had the most magical walk. I felt at peace. I felt a sense of community. I felt the energy of all different types of people (race, ethnicity, socioeconomic status, etc.) coming together to enjoy one great space. Since then, the Elizabeth Street Garden has been my go-to place to read a book, take a friend to, and to take a walk to when I need to cheer up.

To destroy this garden would be the most abhorrent mistake. New York's public spaces are slowly dwindling and the city is losing places where all types of people can come and enjoy themselves. Historical buildings are being torn down to build luxury apartment buildings and boutique office buildings that do not benefit the majority of the New York general public. I understand that the proposed development is supposed to include affordable housing--which I applaud--but I urge the developers to find another place to build (I believe the Garden has proposed a great option). If the developers truly cared more about creating opportunities for affordable housing in Manhattan and less about the Garden's "trendy" location, they would allow the Garden to remain the wonderful asset and gathering place it is. They would build elsewhere. Please do not allow the Elizabeth Street Garden to be destroyed! The city would be losing one of its last remaining public (and free) gardens. The city would be losing a priceless community space. The city would be giving in to the continual erasure of the parts of the city that have made it the great city it is today.

Thank you very much for your time!

Sincerely,
Jordan Eliot

If you think this has anything to do with elderly homeless you believe rocks grow. This is Real-estate development period. This proposed building will go to fair market housing in time and as we know Realestate developers can wait, the community can't. We need green spaces not basketball courts or soccer fields as in Sara D park on Christy st. or rat infested playgrounds like on Spring and Thomson st. My grandson is afraid to go into either of those parks. We live and nurtured this neighborhood Little Italy, not the developers who named it NOLITA. We made this place a neighborhood people want to come to and this garden is an essential part of our community, built and used by natural selection not bureaucratic myopia. You can't sell off wonderful property like on Forsyth st. & Lafayette st. where buildings already exist and start construction projects in an area rancid with construction projects. Something stinks in this pork barrel. John Campo Supports the Garden|

The Elizabeth Street Garden is not only an invaluable place for the thousands of people from New York and all over the world, including my myself, who visit it every day, but is part of something so much larger. It's unique character roots Soho in its incredible history, one that is a huge part of the story of new York and one that we tragically see disappearing daily. It's value on a personal and community level cannot be understated and I hope the board can recognize it's responsibility to preserve it as the intrinsic part of the community that it is.

Best,

Robert Rabie

Elizabeth St Garden

Who do the developers and the people in government—who supposedly represent this community—think they are fooling when the term “affordable housing “ is invoked to promote their scheme? They know it is a sham and so does everyone else. And certainly, in this case “affordable housing” and its contingencies is a mockery.

That said, Elizabeth St. Garden is an oasis. Not only because of its physical beauty, but it is also the essence of what community should be, where conversations by young and old from all walks of life exchange histories and futures. An oasis not just for the neighborhood but for thousands of tourists, as well, who desperately try to find the bits and pieces of the “real New York “ which still survive in the midst of the shopping mall that much of the City has become. The Garden and this neighborhood embodies that spirit of new and old New York.

Within a three block area of the Garden one third of the store fronts are continually empty. These empty spaces are not viable, except for tax write offs—but not for a functioning community. The proposed development would only add to the glut. This kind of greed is not sustainable, but the Garden is an oasis that sustains life, Do Not let it be destroyed.

kate kobayashi

As a proud New Yorker, and a 35 year resident of downtown Manhattan, I strongly urge you to preserve and protect the Elizabeth Street Garden. Manhattan gardens and parks are too few and far between. Our green spaces are precious. They provide necessary respites from our concrete world. Gardens significantly increase our quality of life. They make us healthier and happier citizens, and contribute enormously to our overall well being. This is especially true of the Elizabeth Street Garden. The combination of sculptures and flora make the Elizabeth Street Garden a truly unique green space. When I come and sit in the garden I am always impressed with it's unique, irreplaceable beauty. Losing the garden would be a tremendous blow to our community and to our city. Please save and preserve the Elizabeth Street Garden. Thank you.

Jade Monahan

As a citizen of New York City and a longtime resident of Soho I protest the razing of our beloved Elizabeth St Garden.

We have little or no green space in Soho, and to take away this small green island that offers comfort and delight to so many of us at lunch time or after work, is a cruel and unusual punishment.

Senior housing can be built on the lot that's waiting in TriBeCa- so please leave our garden alone!

Thank you,

Vera Graaf

Hello, please do not destroy the Elizabeth Street Garden. I have been on Elizabeth Street since I moved here 35 years ago.

I lived there for many years and have owned a store for 20 years on Elizabeth Street. I have seen every neighborhood in New York change some for the better some for the worst.

The Elizabeth Street Garden is the only thing left for the community. Please do not destroy it- for what? Another developer to make more money and make the neighborhood more crowded and sell it to more foreigners who don't live here. And continue to create a playground for the very, very super rich in New York City. Who is that serving? The tourists that now come in droves and are no longer seasonal but full time all year long? I don't think it's serving them. Its serving a greedy building developer - who cares about him? Can you think about others please!?

Please look at what you're doing to this neighborhood, and what's been done to the entire city. Don't repeat the mistakes of so many - greed over people, greed instead of space, greed instead of nature. Nature is the most amazing thing that exist as we all know. We don't need another building we need Mother Nature.

You're forcing people like me who have been on the block for over 35 years to leave the city. The environment being created is not going to sustain stores and boutiques and little gems like my store. It's just megastores on Broadway - shops that you can shop anywhere in the world in any city all over the world. How boring! Please don't make New York City for just tourists and the super rich!!! It will not serve the city, it will serve a greedy developer.

Please think about the landscape and the demographics of the city - another building is not necessary we need Nature and breathing room!

Thank you!

Robin Renzi

Me&Ro

Elizabeth Street

NY NY 10012

Dear Council Members;

I am writing in support of Elizabeth Street Garden. I work in the neighborhood and the garden is one of the only places to find a moment of quiet and green where I can rest and recover from work. I know we desperately need more housing, but we need green space as well and I believe the city can find a place to build this development that does not destroy one of the only parks in the area.

Thank you, Ethan Cornell,
working at 594 Broadway

Hi,

I'm writing to add my voice to the opposition to the development of the Elizabeth Street Garden. I've lived in New York City since 2007, and I still remember the moment I first stumbled on this tiny oasis in the heart of the LES, a neighborhood with very little green space. It felt like all the magic of the city was contained in that small space. Since then, I've visited the garden every chance I could; each time, I see a cross-section YC residents of all races and ages getting very necessary respite. Please save one of the few public green spaces in the LES, a spot that represents the best of New York City, a place I feel lucky to call home.

Thank you for your consideration,

Jessica Gross
jessicargross.com

Ladies and Gentlemen,

ESG is a green oasis in NYC's Gotham of concrete, glass and steel. Tourists, residents, and workers all take refuge in this unique gem, because of its unexpected quiet beauty and open skyline.

It would befit NYC to proudly preserve this garden instead of exterminating it.

Regards, Lilia Fung

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Please reconsider the options for building the senior housing.
People love the Elizabeth Street garden and that area needs a nice green space.
Please do not bulldoze it.

Please build on other lots. Don't destroy a garden that people love and use. Thanks.

Mary Prlain
m.prlain@gmail.com

Visit maryprlain.com

My name is Jamie Jensen and I want to add my voice in opposition to the proposal known as Haven Green, which will destroy Elizabeth Street Garden without providing anywhere near enough truly affordable, supportive housing for New York's neediest senior citizens. I thank the Committee for considering the implications of this misguided and deceptive plan, which will close down the only open green space in our densely urban neighborhood.

I share the concerns of the thousands of New Yorkers who support Elizabeth Street Garden, and want to draw your attention to two issues that are most troubling.

First of these is that, despite the rhetoric of the real estate companies and the city's department of Housing Preservation and Development, the Haven Green proposal will not help the most vulnerable elderly New Yorkers. As Council Members will know from experiences with HPD's so-called "affordable housing" in East New York and elsewhere, what HPD counts as affordable is not actually affordable in the real world. According to their own prospectus, and Comptroller Stringer's 2017 "Aging with Dignity" report, only 32 of the small studio apartments at Haven Green will be affordable to a New York City senior citizen who is reliant on Social Security and Disability payments, which average \$1,500 a month.

To put this in context, these 32 affordable studios occupy about as much of Haven Green as do the proposed offices for Habitat for Humanity.

Even more worrying is the fact that HPD is supporting this destructive Haven Green plan, while at the same time the neighborhood's largest and most successful genuinely affordable housing project, the adjacent Section 8 apartments at LIRA right next door, is being allowed to slip away into the private market. Because of HPD's inattention, these 150 large and spacious 2-bedroom apartments will be lost in the next few years.

Other testimony will have told you about "alternative sites" for affordable housing, and if HPD were made to do its job, the alternative site at the existing LIRA complex could be preserved and adapted to provide more than 300 senior-

friendly studio apartments, 10 times the housing promised by Haven Green, while preserving and protecting Elizabeth Street Garden in its entirety.

I urge you to reject this Haven Green proposal, save Elizabeth Street Garden, and tell HPD to do its job and preserve truly affordable, supportive housing for our neediest citizens.

Thank you. Sincerely, Jamie Jensen (Bleecker Street NY NY 10012)

Peter Davies
548 Broadway #5A
New York, NY 10012

May 2, 2019

Adrienne E. Adams, Chair
Subcommittee on Landmarks, Public Siting and Maritime Uses
New York City Council
City Hall
New York, NY 10007
hearings@council.nyc.gov

Re: Haven Green, Manhattan
Testimony in OPPOSITION
199-207 Elizabeth Street/222-230 Mott Street
T2019-4324
ULURP No.: C 190184 HAM
Council District 1; Community Board 2
Support for Preservation of the Elizabeth Street Garden

Dear Chair Adams and Committee members,

My name is Peter Davies, a senior citizen resident of the Little Italy / SoHo neighborhoods, and I testify today in opposition to the proposal for 199-207 Elizabeth Street / 222-230 Mott Street in Manhattan (aka Haven Green), which if allowed to proceed will result in the utter destruction of a beautiful and much needed local green space. As a 40-year resident of this park starved community I urge you to deny the proposed action.

My neighbors and others will explain in more detail additional options for the citing of affordable senior housing at other locations within Community Board 2, options that are fully supported by a long roster of elected representatives who serve constituents throughout the local community. Concerned folks will also more fully describe the current and on-going benefits of this very special publicly-owned land in the Little Italy neighborhood, important not only to our local community but also to New Yorkers and others of all ages – toddlers, schoolchildren, local residents, nearby workers, world travelers, and others seeking beauty and solace – all who make use of this unique and glorious green space, known far and wide as the Elizabeth Street Garden.

Thank you in advance for your consideration and attention to this very important matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "Peter Davies", with a long horizontal flourish extending to the right.

Peter Davies



**Testimony of Judi Kende
Vice President and New York Market Leader
On Behalf of Enterprise Community Partners, Inc.**

**Testimony to the City Council Subcommittee on
Landmarks, Public Siting and Maritime Uses re: Haven Green
May 2nd, 2019**

Good morning. My name is Judi Kende, and I lead the New York office of Enterprise Community Partners. I am pleased to testify today in support of the Haven Green Project and the creation of sorely needed affordable housing for seniors at the Spring and Elizabeth Street site.

Enterprise brings opportunity to low- and moderate-income communities nationwide through safe, healthy affordable housing. Since 1987, we have created or preserved 63,000 homes for over 167,000 New Yorkers and invested \$3.6 billion in equity, grants, and loans to community development projects throughout the city.

Despite the sizeable investments by Enterprise and our partners, the need for affordable housing in this city has never been greater. Seniors are particularly vulnerable as they face declining incomes, increased medical costs and housing that is not designed to meet their needs.ⁱ Furthermore, they are the fastest growing age group in NYC. According to a recent analysis of United States (U.S.) Census data by the New York City Department of Planning, the senior population in the City will grow by over 40% between 2010 and 2040, accounting for more than 15% of the City's population.ⁱⁱ In the past decade, seniors have already grown to comprise 16% of the population in Manhattan.ⁱⁱⁱ Additionally a shocking 18% of New York City residents aged 65 and over live below the federal poverty line, which is double the national rate of 9%.^{iv}

Unfortunately, construction of affordable senior housing has not kept pace with the demand. While the number of affordable senior housing units is approximately 37,000 citywide, there are over 443,941 seniors living at or near the federal poverty level.^{iv} As a result, there are approximately 200,000 waitlisted applications for senior affordable housing citywide.^v

The Spring and Elizabeth Street site is ideal for senior housing as it is conveniently located near many public transportation options including the 6, J and Z lines and within five blocks of Sara D. Roosevelt Park, Petrosino Square and the Liz Christy Bowery-Houston Garden. The site is a city-owned parcel—making it financially viable for a development that is 100% affordable. Haven Green will preserve 8,400 square feet of public green space while creating 123 new affordable units for seniors, allowing them to age with dignity, peace of mind and without fear of losing their homes. The development will also include LGBTQ-friendly, and set-aside 30% of units for the formerly homeless, providing housing to some of New York City's most vulnerable residents.

The severe need for senior housing coupled with the lack of suitable sites to develop a substantial number of affordable units make this project too good to pass up. Haven Green provides green space and senior housing in a neighborhood that is desperate for both.

With so many low-income older adults facing displacement from their homes and communities, we strongly urge the City Council to move forward and approve this project.
Thank you for your time and consideration.

ⁱ Johnson, Richard W. Housing Costs and Financial Challenges for Low-Income Older Adults, the Urban Institute, July 2015

ⁱⁱ New York City Department of City Planning, New York City Population Projections by Age/Sex & Borough, 2010-2040, Aug. 2015: http://www.nyc.gov/html/dcp/pdf/census/projections_report_2010_2040.pdf

ⁱⁱⁱ Center for an Urban Future, New York's Older Adult Population Is Booming Statewide, Feb. 2019: <https://nycfuture.org/research/new-yorks-older-adult-population-is-booming-statewide>

^{iv} NYU Furman Center, Focus on Poverty in New York City, June 2017: <https://furmancenter.org/thestoop/entry/focus-on-poverty>

^v City Limits, The Distressing Math of NYC's Future Senior-Housing Need, April 2019: <https://citylimits.org/2019/04/24/the-distressing-math-of-nycs-future-senior-housing-need/>

Saving the Elizabeth Street Garden

Dear City Council Members,

I have been a resident of SoHo for the past 15 years. I saw your introductory remarks at the SoHo / NoHo meeting this week. I thought the meeting was helpful in order to understand where the neighborhood may go in the future in terms of zoning.

I am actually writing today to express my support for the preservation of the [Elizabeth Street Garden](#). I often relax in the garden during the year, particularly in the Spring, Summer and Fall. I live on Greene Street off of Grand, and there are very few relaxing places left in the neighborhood where you can be at peace.

I went to NYU in the 1980's and SoHo was a completely different place back then. At that time you had about 30 million annual visitors to New York City, in comparison to over 60 million today. As you know, many of these visitors find their way down to SoHo, crowding the residents out. In addition, most of the vacant lots are now gone — there were a couple dozen when I moved into the neighborhood. The Hudson Square neighborhood used to be a quiet refuge place for me, but even that is being developed at a rapid pace.

In summary, SoHo residents need the [Elizabeth Street Garden](#). Many SoHo residents are frustrated with the crowds and overdevelopment in the neighborhood, and the Garden provides a needed oasis of tranquility.

I am willing to attend meetings / donate my time in the effort to preserve the Garden if need be.

Tom O'Neill
15 year resident on Greene Street

OPPOSITION to Haven Green Development on Elizabeth Street Garden

New Yorkers need open space and New York seniors need affordable housing. But we shouldn't be forced to choose between the two.

I live in Chinatown, with a significant aging population. Older folks fill the benches of Columbus Park every day in good weather. They make use of any available space in narrow Sara Roosevelt Park for Tai-Chi. Those living in small apartments or together with family welcome the chance to be outside in a park's protective, restful, wheelchair-accessible environment. Elizabeth Street Garden provides all of that, and not just for older people.

Elizabeth Street Garden is a bright spot in an otherwise densely built-up neighborhood that developed without any thought to the importance of open, green space and light. The sole bit of green in the whole area is a narrow strip between Kenmare and Spring Streets, whose benches accommodate a small number of people. There are no other open spaces in the area and none are planned. Why destroy a viable resource such as the Elizabeth Street Garden when there is nothing to replace it and when those like it are either inadequate or nonexistent?

Senior housing must be built in Lower Manhattan. But other sites must be found for it that will not destroy valuable neighborhood resources such as the Elizabeth Street Garden.

Eric Lehman
Park Row
New York, NY 10038
eglehman1@gmail.com

Katalin Balog

14 Prince St. Apt. 6f

NY, NY 10012

katalin.balog@rutgers.edu

Testimony at City Council Public hearing, May 2nd, 2019

The city has portrayed this choice as one in the abstract: shall we build affordable housing here or have a park? Its answer: since the housing crisis is more dire than the crisis involving green space, the former has to be prioritized.

Granting that this is the right analysis of the relative value of housing vs. parks in our neighborhood, still, the conclusion, that Elizabeth Street Garden should now be destroyed, does not follow. We don't just look at buildings, concluding *they* should be destroyed, in neighborhoods starved for greenery. Similarly, we don't think about destroying Central Park, or, for that matter, Collect Pond Park a few blocks south of Elizabeth Street Garden.

The reason that this conclusion, that our Elizabeth Street Garden should be bulldozed over, does not follow is that the situation is quite different from how it is generally portrayed. It is not just that supporters of green space *in general, abstract* terms, will be disappointed by not getting *some* green space, it is that an existing, beloved place will be cut out of the body of this neighborhood irreparably. Our position is not some general dissatisfaction about the lack of green space in our neighborhood. (By the way, our lack of green space is already catastrophic, and the city promised to remedy this – how? by creating *another* park? But there is already a park here.) As I say, our position is not just a general dissatisfaction over the lack of green space here. It is, rather, a giant kick in the teeth. Elizabeth Street Garden is a landmark in all but name, far more than 90% of city owned parks. The city is proposing to destroy a beloved place that has already, over many years, has woven itself into the neighborhood. People here have many memories of beautiful hours spent here. We all have friends that we made in the garden. If destroyed, the neighborhood will mourn the destruction of the Garden for decades to come. This grievous loss to the neighborhood must be counted in the cost-benefit calculation of this plan. It cannot, in good conscience, be simply framed as a cost-benefit analysis involving two competing goods. I repeat, the Elizabeth Street Garden is not a gravel lot with potential for both public goods, it *is* an existing public good. Its destruction is one of the costs of the project.

Thinking about it only in objective, abstract terms allows people to miss the real significance of the Garden for the people in the neighborhood. Supporters – so far in vain – have pointed to the intangibles of what it means to have something so real, so beautiful and so deeply entrenched in our lives as the Garden in the neighborhood. It is not an abstract, replaceable, “competing value” to be quantified, it is a tangible, real, irreplaceable value that cannot properly be quantified and is hard to fit into a city planning matrix; but it is real and is there for people – even city officials – to see and acknowledge if they want to. The Mayor has declined to visit the Garden so far; but people should come and see it, before it is too late. There is a reason people in the neighborhood have fought so hard, for so many years for this Garden. We are still not ready to give up.

There is no excuse for the city to not have explored building on a legitimately available, legitimately blighted space on Hudson street. Even if it plans to build on *all* available spaces, there is no moral justification for the unseemly haste to prioritize the *destruction* of the garden over first building on the much more suitable space on Hudson street. A plausible explanation in the minds of reasonable citizens is that the city has given in to developers with a fatal attraction to cash in on lucrative ground floor retail, thereby privatizing, with a lack of transparency, and for dubious gain, a precious public asset.

It is not too late to stop this. I implore you to give this plan a serious review. I hope that when you do, you will reconsider it in view of the undue harm this project is bound to cause.

Our environment has enormous influence on us. A place as beloved and meaningful as Elizabeth Street Garden shouldn't be carelessly discarded. In a small scale, the City's decision reflects the same carelessness and indifference that goes into recent decisions to withdraw land from national monuments, or to authorize oil drilling in the Arctic National Wildlife Refuge. What makes these decisions so agonizing is that once carried out they are irreversible.

May all those in positions of power heed Jane Jacobs' warning:

It may be that we have become so feckless as a people that we no longer care how things do work, but only what kind of quick, easy outer impression they give. If so, there is little hope for our cities or probably for much else in our society. But I do not think this is so.

Jane Jacobs, *The Death and Life of Great American Cities*, 1961

P.s.: As I observed at the hearing, there was a lack of rational debate over the point of contention at issue on the part of supporters of development. The Garden supporters have long made the point that a win-win solution exists where affordable housing is built on an alternative, truly undeveloped site. In the context of City planning, the argument goes, it is not reasonable to set up the problem as a choice between destroying the Garden or building affordable housing. Since *both* are possible at the same time, that is clearly the better solution. While the housing crisis is acute, as we all know, just testifying to *that* does not engage what crucial issue that we were there to debate. As far as I could see, none of the supporters of development made any attempt to engage this point.

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Leave our park alone- we need the Elizabeth St. Garden we do not have enough open space. Put the senior housing in the other location. There are enough building- renovate a current building.

Linda Snelham-Moore

Eldridge St

10002

DeBlasio and Chin have lost my vote they never ask for anybody's view- terrible!

OPPOSITION to Haven Green Development on Elizabeth Street Garden

I don't buy Margaret Chin's new party line of wanting to develop all available lots into housing now; that's currently being done with market-rate developments all over the city, and has been done for years. One thing she has consistently failed to mention about the Haven Green development—scheduled to destroy the Elizabeth Street Garden—is that the housing created would not be permanently affordable. Frankly, this stinks; the generation of seniors to come after the original tenants would have basically market-rate cubicles, if it goes according to the SRO setup currently being advanced.

Chin claims that the Elizabeth Street Garden site would be in addition to the 388 Hudson Street site, and that she simply can't play favorites. However, the Hudson Street site would provide much more housing, and CB 2 has passed a resolution that would allow it to be built on *only* if the Garden is saved.

I personally think Haven Green should be built at 388 Hudson Street; there's more room for it, and according to the plans, Habitat for Humanity wants the whole first level anyway. There would be more room on the street level for luxury shops, and more room for Habitat's office. Therefore, I've contributed to the lawsuit, because I'm betting on the winners.

Beth Sopko

scuba.diva1@gmail.com

Save the Garden

I guess there were priority speakers because I was the first to enter the hall and sign up but never was called to speak;

I would like to invite the assembly to walk my neighborhood at Midnight or any weekend any day of the year. The city in its wisdom had given 20 liquor licenses out to bars in a 4

block radius. It is so loud on the street with screaming and yelling smoking patrons no one gets sleep. And you want to put elderly people here???

The only reason there are any elderly left is because they have nowhere else to go...

The Hudson St site is dead of noise and it is like going to the beach. The Carpenters Union is right across the street and they would be glad to help erect a

building for good will so you could save on that front. I've lived here for 50 years and every morning a jack hammer wakes me at 7 AM without stop.

There are more people in front of my build 24/7 than in Times Square and I invite you to come and see for yourself.

I will give you a private tour, call me 917-456-6839, and walking tours for the tourist, there are a dozen or so of them in the neighborhood too.

There is one in front of my building now.

It is madness, and the feast every year is two weeks of masses of obnoxious people and noise and litter that takes another two weeks to clean up.

This is a neighborhood of transition and always has been. The Irish hated when the Italians came the Italians hated when the Dominican's came,

and everyone hated when the Hippies came, now everyone hates and can't understand why the young affluent white kids are coming.

Not a place for elderly and it is just an excuse for the developers to make money down the road on the land you will sell to them.

They know it, and you know it. This is wolf in sheep's clothing. We fought so SoHo could be for artists and

look what happened if you can find an artist in SoHo give him a medal. As soon as you make a neighborhood hip and funky in a shabby chic way, the hoards show up and the real

estate developers do their dirt. The LIRA apartment building has reached its limit of cheap rent is going to fair market.

Our small neighborhood Pharmacy is being forced out due to high rent increase.

The founding fathers that put in the deed that this land would be for educational purpose didn't mean it was to be sold off to developers that now want to chance the

variance and break the hight restriction. If that happens it would set a precedent that would kill what little is left our neighborhood. We need the garden to stay, it is the only piece of

sanity we have left. Letitia James understood that fact growing up in her own neighborhood and we need you to step up and put the elderly on Hudson st. you won't regret it.

Thank you
John Campo
Bowery
NYC, NY 10012

OPPOSITION to Haven Green Development on Elizabeth Street Garden

To whom it may concern,

I live on Mulberry Street two blocks from the Elizabeth Street Garden. It has been part of my home for several years now. I love sitting, eating my lunch, watching the bees, and getting lost in quiet, green, green, green. Seeing the children from school nearby playing in the dirt and learning about planets and bugs warms my heart. We city folks need green space. There is nothing else within a ten minute walk from my home. I would be devastated.

Jennifer Ramer
Mulberry street
NY,NY, 10012

SUPPORT for Haven Green Development on Elizabeth Street Garden

Dear Council members,

Hi, my name is Sikay Tang. I have been a resident in Little Italy for over 27 years. I recognize most of the people in the other camp because I have been an advocate for a quality of life in our community.

But that's just it: who are the people in our community?

At the very beginning of this debate, Mary, an 80 year-old Italian woman came to me and said, "I want senior housing; I want to live in a building with elevators." After talking to Mary, I changed my mind. I am wholeheartedly for the construction of senior housing on Elizabeth Street.

My very own neighbor, who was a 94 year-old gay veteran, was confined to his apartment because he couldn't walk down the stairs. If there were senior housing with elevators available, he could have gone downstairs in a wheel chair and enjoy a bit of sunshine.

We have an increasing aging Chinese, Italian, Latinix and African American population who came to this area to build a community before it was trendy. Some came to live; others came to work. They lay the foundation for what's so appealing for the new residents. So when we talk about quality of life in our community, I think about them. They are also a part of our community and they need senior housing.

Our seniors also deserve an opportunity to thrive in our community!

Sincerely,
Sikay Tang
Spring Street
New York, NY 10012

To Whom It My Concern -

I wont go into repeating all the many arguments and alternatives you've undoubtedly heard from Garden Supporters through the years.

I would simply like to write as an 18 year resident of the neighborhood (price/ Mott, Elizabeth/ Broome and now Wooster and Grand) , whose family lived there for a decade prior to that (Prince and Mott).... to say that I am a staunch supporter of saving the garden, and a believer in it's transformative and community building presence - as I remember keenly the years where it was just a magical place behind a chain link fence that one would walk wistfully past -- since it's opening ESG has become a community center, a teacher, a sanctuary and a most needed bit of green in an otherwise concrete, densely packed neighborhood.

I believe strongly in affordable housing for seniors et al - but I believe that it has been disingenuous (and downright disgusting) of the city, the developers, and the opposition - to pit these equally needed resources against one another - I have lived in the city for decades - the ESG is NOT the only place available for senior housing... that is a complete farce.

Best and thanks for your time

Amy Durning

Wooster Street

NYC 10013

--

Fred Berner Films

P. 212 974 5305

850 7th Ave

Room 1005

NYC 10019

To Whom it May Concern,

Unfortunately I was unable to make yesterday's city council meeting and detail how egregious the demolition of the Elizabeth Street Garden would be.

Labeling it a garden, is really also doing it a disservice. It's a community staple, a beautiful landmark within our city that offers neighborhood residents a sense of peace in an ever changing city.

It would be a travesty to loose this safe haven and I am in full opposition of it's demolition.

In this world it's important to take a step back and think outside of ourselves. Elizabeth Street Garden has not only offered a better alternative, they've peacefully protested and followed all regulations to make sure their voice is heard. Let's please reward that with allowing this beautiful community space the ability to thrive.

Thank you for your attention and consideration to this matter.

Best,
Farah Adib

Fighting to save trees 🌳

> We hope that you understand how imperative it is to save the eponymous space of Elizabeth Street Garden.

>

> There is no valid reason to harm those trees or the space we can breathe in and paint in. Proposed space is completely possible and better for all. Stop destroying the fabric of our community please.

>

> Beth Joy 🗣️🖋️✌️📱❤️

SUPPORT FOR Haven Green Development on Elizabeth Street Garden

My wife and I have been gardeners at M'Finda Community Garden for nearly 25 years. We practically raised our sons there. We clearly understand the value of green space and why the Elizabeth St Gardeners are so adamant in support. If we were in the same situation, I'd be very torn by the choice to be made. But I also know that low-income housing for seniors is more important in the scale of things. It's not a "false choice" as the ESG likes to say. This development could be completed within about two years. Their "alternative" which I believe should also be built, would take much longer than that. And it would be in a whole different neighborhood, basically a non-residential area. Meanwhile many many people will languish in walkup apartments or become homeless.

We support Haven Green.

Ted and Debra Jeffreys-Glass

Hello,

I was unable to attend the City Council Hearing on Thursday May 2nd, but I wanted to write in support of saving the Elizabeth Street Garden IN ITS ENTIRETY.

I have lived in Chinatown for the past 7 years and my husband has lived in the neighborhood for 14 years. Having a young child we intimately feel the effects of the lack of green space in the neighborhood. Just yesterday, my son asked to "go to Elizabeth Garden and lay in the grass." I had to tell him it was closed because people had to go defend the garden from those who want to put a building there.

I attended the Community Board 2 meeting back in January and was struck by how all the people who wanted to preserve the garden were very open about who they were—sharing that they lived in the neighborhood for decades, the block they lived on, the business they owned, or even the rent they paid. **These are the constituents of this neighborhood.** They were young, old, wealthy, poor, gay and straight. They told touching, personal stories about what the garden meant to them.

Those on the development side shared NOTHING about who they were. Not one person was actually applying for affordable housing. They all seemed to "represent" (ie. get paid to work for) outside groups and interests, none of whom were a part of our community. And more than that— they were all completely unfamiliar faces to me. I live and work in this neighborhood and frequent all the local spots from Cocoron to Spring Mart to the Mulberry Street Library to McNally Jackson. I rarely leave the neighborhood, so I'd like to think I know my neighbors pretty well. Those people were not them. I doubt they have ever set foot in The Elizabeth Street Garden.

While I understand the need for affordable housing and how it benefits a community (my husband grew up in Manhattan Plaza)— affordable housing should never be at the expense of green space, especially in an underserved neighborhood. On any given day you can barely get a bench seat or a turn on a slide at any of the neighborhood parks— that's how much parks and green space are in demand in our community.

Please do not destroy the Elizabeth Street Garden. We need both green space and affordable housing!

Thank you,

Catherine Casalino

OPPOSITION to Haven Green Development on Elizabeth Street Garden

I am writing to express my strong support for the Haven Green Project. I have been reluctant to attribute racial privilege to the opposition, but yesterday's City Council hearing brought that reality into stark relief.

Paul Nagle

Executive Director

Stonewall Community Development Corp.

(347) 855-1502

www.StonewallCDC.org

Elizabeth Street Garden - In Opposition to the Haven Green development

Myself, my wife and family have lived and worked in the neighborhood of Elizabeth Street Garden for over 30 years.

We rent, we do not have any green space near us, we don't have a car, we hardly ever get out of the city. Having this beautiful garden nearby has made all the difference mentally and physically. It is a sanctuary for those of us who otherwise would not have one. It is an extraordinary place where our kids can play with the earth, experience the seasons, enjoy getting dirty, learn about the environment, be in nature in the middle of a city that although fantastic, can be very draining. This is a place for restoration for all ages and backgrounds - it has proved to be a healing place in many ways for so many of us. There are very few places like this anywhere - we should be trying to make more spaces like this not destroy the rare ones that we do have.

We have met so many wonderful people through this garden and the many programs that bring the disparate community together. To let this garden be destroyed would be to rip something extraordinarily special out of the heart of the community. School groups come here to learn, families come to play, learn, meet others, watch movies, listen to music, there are regular holiday celebrations for everyone - particularly the children of the neighborhood - Halloween pumpkin carving, Easter egg hunts, planting of spring bulbs etc, etc.

Hundreds of people seek peace and quiet here, not just from our neighborhood but from miles around as they find out about this special place. The thousands of visitors throughout the year bring business to the area. They go get their lunches and bring them into the park to eat, they explore a neighborhood, and patronize it's many small shops and cafes that they might not have done otherwise. This garden has enriched our community and the surrounding area in many and growing ways.

Please help us save this garden for everyone.

Thank you .

[Jean Luc Fievet](#)

Cell 1 917 957 9764

59 Crosby Street #2

New York NY 10012

<http://www.jlfievet.com>

Testimony in OPPOSITION to Haven Green Development

To whom it may concern:

I testify to the fact that Elizabeth Street Garden is an essential part of the the Little Italy and SoHo neighborhoods of New York City and to destroy it would deprive thousands of people of a community resource and point of pride as residents of the area. I am appalled by the false choice between open green space—something that this area has so little access to—and affordable housing. First, the affordable housing crisis in New York is not a matter of space and building more apartments cannot solve it. Nearly one quarter of a MILLION apartments sit empty in the city. Second, if new housing must be built in this area, we can build up to 5 TIMES the amount of housing at the alternative site and save Elizabeth Street Garden in its entirety.

I am sure you are aware of these facts and nevertheless feel compelled to sacrifice community interest for corporate interest. This is deeply troubling to me and I can assure you that I will organize and encourage all residents of New York City to organize to remove decision makers with such priorities from power if Elizabeth Street Garden is destroyed.

It is not too late to serve the people of New York. Save Elizabeth Street Garden in its entirety.

Sincerely,
Katherine Preston

Testimony in OPPOSITION to Haven Green Development

Dear City Council Members,

As a resident of Elizabeth Street I can attest to the positive impact the Elizabeth Street Garden has had on the neighborhood. When my husband and I moved into our apartment almost 20 years ago, we never thought that we'd be starting a family in this neighborhood. But now we have one child in our neighborhood school, PS130, and another who will soon be attending there as well. The Elizabeth Street Garden has afforded our children contact with nature that we would otherwise have to travel far outside our neighborhood to experience. They attend free programs for the community and my oldest takes field trips there every year with her class at school. As the garden is open throughout the year, our children are able to witness the changing of seasons and connect with the rhythms of the natural world which softens the urban environment that makes up the most of their childhood landscape. It is a treasure to our community and our city and I am shocked that in 2019 our City Council would have enough 'backwards-thinking' members to even raise the issue of destroying this green space. Being that there are other suitable locations for affordable housing, I am hoping that you will represent the community's interest on this and protect this beloved green space. Thank you for your time and consideration.

Best regards,

Suzanne Monto

Testimony in OPPOSITION to Haven Green Development
City Council,

Please do not close our beloved community garden. It's one of the rare green areas in the neighborhood and brings joy to locals and tourists into the area as well, helping our local economy and businesses.

Please build affordable housing elsewhere on city property.

Thank you,

Jeremy

--

Jeremy Meyers

OPPOSITION to Haven Green Development on Elizabeth Street Garden

To Whom It May Concern,

I need Elizabeth Street Garden, I live one block away and it provides me the peace and tranquility I need in a busy, bustling city. There are many people who feel the same, and we need the space to connect with one another as a community.

Thank you,

J. Wong

Do not destroy Elizabeth Street Garden

Dear Civic Leaders,

As a resident of this area for 40 years I urge you to reject the proposed development that would destroy Elizabeth Street Garden.

In my 40 years of living in this area I have never seen a more valuable and significant community amenity threatened.

This a vital active Community Center that has brought joy, beauty and a sense of belonging to all of us in this community.

The garden is not only a desperately needed community green space but also the center of our neighborhood.

This community garden is used by over 100 thousand people throughout the year. The garden offers hundreds of free public programs year-round for people of all ages.

With the alternative site for housing located at 388 Hudson, there is no need to destroy this invaluable resource for the community.

Please listen to the community and follow Community Board 2's resolution in denying the Haven Green development.

Thank you for your consideration and help.

Sincerely,

Ray White

Testimony in OPPOSITION to Haven Green Development

I am writing in opposition to Haven Green Development to save The Elizabeth Street Garden.

This is not an empty lot!!

It is more than a park!

This is one of the most beautiful gardens and is unlike any other park that exists in the city. It is an unusual and artful integration of the landscape with sculpture and architecture. I love how the statuary live amid the lush plantings of trees and flowers. It also provides the **only** green space in the neighborhood and serves the communities of Soho, Noho, Little Italy, Bowery, Chinatown and more. I live in the neighborhood and often stop by often and when I do, I see hundreds of people enjoying the garden or participating in an event.

It exists as a real center for community as a place for quiet respite and a place for many cultural events.

Please do not destroy this amazing place

Thank you

Margo Margolis

--

Margo Margolis

Crosby St.

New York, NY

May 2, 2019

New York City Council Subcommittee on Landmarks,
Public Siting and Maritime Uses
Council Chambers
City Hall
New York

Elizabeth Street Garden

Many New Yorkers suffer from the city's pollution, don't have enough green space, lack healthy food and exercise, and experience loneliness and lack of community. Parks and gardens are vital to our mental and physical well-being.

Elizabeth Street Garden provides year-round programs for everyone, including local children living in public housing and the elderly. Gardening is known to be therapeutic, and having connection to nature is essential, especially for children who don't have access to country retreats or country vacations. Certainly senior housing is much-needed, but in this case there is an alternative site, and this well-established community garden is needed every bit as much.

We have a haphazardly growing city, major environmental problems, destructive gentrification, and massive inequality. At the very least we must make sure our precious green spaces that enhance life, create community, and help mitigate global warming, are not destroyed or diminished.

Carole Ashley

Beach Street
New York, NY 10013
cashley1974@gmail.com

(Downtown resident for 44 years)



TESTIMONY OF
JUAN CARTAGENA
PRESIDENT & GENERAL COUNSEL
LATINOJUSTICE PRLDEF
BEFORE THE NEW YORK CITY CITY COUNCIL
COMMITTEE ON EDUCATION and COMMITTEE ON CIVIL & HUMAN RIGHTS
1 MAY 2019

TO THE CITY COUNCIL MEMBERS OF THE COMMITTEE ON EDUCATION and COMMITTEE ON CIVIL & HUMAN RIGHTS

On behalf of LatinoJustice PRLDEF I testify today in favor of changing the admission standards for New York City's specialized high schools because the continued reliance on one exclusive test for admission systematically excludes thousands of smart and talented Latinx and Black students from the benefits of these excellent public schools.

LatinoJustice PRLDEF, founded right here in New York City in 1972, is a national civil rights public interest law organization that represents Latinas and Latinos throughout the country in litigation and advocacy, and works to increase their entry into the legal profession.

LatinoJustice has a long and successful track record of challenging the myth of measuring competence by way of standardized tests alone. When tests unfairly impeded the integration of Latino and African American police officers and sergeants in the New York Police Department with no business justification, we and others challenged the results in federal court and won. When we joined forces with our colleagues to expand the criteria used for admission to higher education, and support affirmative action's broader approach towards diversity, we have had success as well.

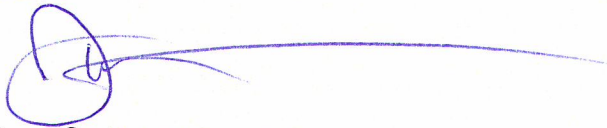
Today we stand with our colleagues in the civil rights bar to legitimately question the wisdom, fairness and equity of the continued use of the Specialized High School Admissions Test as the only criteria for admission to the City's specialized high schools. This year alone just over 10% of the admissions to the schools were given to Latinx and Black students while they compose nearly 70% of all public school students citywide; and this year is not an anomaly. When one test is exclusively used in a way to continue to deprive opportunities for all students of racially diverse backgrounds it must be questioned. And we have indeed questioned its viability and its racially disparate effects by challenging it as a violation of Title VI of the Civil Rights Act of 1964 before the U.S. Department of Education and by petitioning the federal court in *Christa McAuliffe Intermediate School PTO v. Bill de Blasio* to allow the Latino clients we represent to intervene and support the efforts of the Mayor and the Chancellor to expand opportunities at these elite public high schools.



LatinoJustice has repeatedly addressed the problem with the SHSAT in multiple places and in the media. We also recognize that litigation is lengthy and time-consuming. In the interim however, we respectfully ask the New York City Council to support two important, immediate measures:

1. We have recently been informed that the SHSAT has little documentary basis as a valid predictor of future academic success based on an independent validation study the City commissioned when it was challenged administratively before the U.S. Department of Education. I would urge the City Council to delve into these details and confirm the results of the validation study. If the SHSAT cannot be validated then that fact must be highlighted in any legislative reform the City undertakes in Albany to change the admission standards for these elite public schools;
2. The Mayor and the Chancellor have the authority to change the admission standards in five of the eight specialized high schools without state legislative reform. This would provide immediate access to increased opportunities for Latinx and Black students. The City Council should support this important, interim step.

Respectfully submitted,



Juan Cartagena
President & General Counsel
jcartagena@latinojustice.org
212.739.7494
Latinojustice.org

Testimony of Georgette Fleischer, resident at 19 Cleveland Place, New York, NY 10012, and President, Friends of Petrosino Square: WE OPPOSE HAVEN GREEN

I was unable to testify in person on May 2, 2019 because it was my daughter Augusta's first birthday. The Elizabeth Street Garden is Augusta's favorite place; indeed, had the garden not been closed on May 2nd because of the City Council hearing, we would have celebrated her first year there.

Here is what I would have liked to say:

Created by big real estate and the elected representatives who seek to please big real estate: Mayor Bill de Blasio, and with respect to the Elizabeth Street Garden, Councilmember Margaret Chin, the dichotomy which pits affordable housing against open green space is false.

What, really, is the cause of homelessness in New York City and the dearth of affordable housing, including for LGBTQ seniors? Those who would benefit from the Haven Green project claim that it's the selfish Nimbys of Little Italy who refuse to "share" by giving up the one oasis of green where we can spread a blanket in the grass to play with our children, and where we can meet our senior friends to enjoy fresh air, sunlight, and natural and sculptural beauty.

Consider an alternative theory.

Five years ago I spent several days in housing court researching the management company of my rent-stabilized walk-up Little Italy tenement, which had lost a full three-quarters of its regulated units to market. I discovered a pattern of purchasing cheap rent-stabilized buildings and then 'encouraging' tenants to move out, sometimes through construction harassment. I forwarded the product of my research to Councilmember Chin, Borough President Gale Brewer, and Mayor de Blasio, all of whom promote the destruction of the Elizabeth Street Garden. Not one of them addressed the illegal deregulation. Little Italy as intensely as any neighborhood in the City of New York is rife with illegal deregulation and illegal rentals through Airbnb¹—the two go hand in hand in many cases.

Add to this, luxury development after luxury development, the latest converting a parking garage at 75 Kenmare Street into \$12-million units whose additional height casts shadows over the De Salvo playground and may blight the mature plane trees that have been its best feature for generations.² If 75 Kenmare is like the other out-of-scale luxury developments that have been squeezing out our low-income immigrant communities, many of those units will remain vacant, placeholders for wealthy investors who have no relationship to Little Italy.

¹ <https://www.thevillager.com/2014/03/high-rent-in-soho-building-is-it-legal/>

² <https://www.6sqft.com/another-look-at-nolitas-75-kenmare-street-will-have-lenny-kravitz-designed-condos/>
<https://www.boweryboogie.com/2018/07/desalvo-playground-rehab-delayed-another-6-months-at-least/>

Meanwhile, Little Italy is one of the most underserved areas for open green space in the entire City of New York.³ No wonder the Elizabeth Street Garden is Little Italy's village green; it's our green space but it's also our community common.

There are enough housing units in the City of New York to accommodate every resident. It is not a problem of lack; it is a problem of distribution; it is a problem of priorities. Stop building unneeded luxury housing. Return to rent regulation all the illegally deregulated units, many of which are being used for Airbnb in order to glut the city with more tourists. House the homeless and elderly first.

Instead of maligning defenders of the Elizabeth Street Garden as “modern Nimbyist[s]” who “reject[] anything new that supplants the old,” as Ginia Bellafante wrote not long ago in the New York Times, take a look at our two-term mayor and three-term councilmember. It is their priorities—beholden as they are to big real estate—which have driven unregulated and deregulated housing into unaffordability and driven out independent, family- and immigrant-run businesses.

Until then, I'll stick with my Little Italy neighbors in fighting for the Elizabeth Street Garden. If the bulldozers show up, I'll be there.

³ See ¶16:

https://www1.nyc.gov/html/mancb2/downloads/pdf/monthly_cb2_resolutions/01%20January%202019/01%20January%202019_HPD%20Haven%20Greene%20Senior%20Housing%20ULURP%20C190184HAM%20Resolution.pdf

To whom it may concern;

I am writing to testify that the community desperately needs the Elizabeth Street Garden. I almost 40 years old and have been enjoying the park as long as I can remember. It has always brought a green square of happiness to my family, neighbors, friends and the community over all. As the neighborhood has been changing, this little park has always been here for both young children to play, older people to relax, and for everyone who works in the area, to have a few minute break during their typically "NY" busy work day. I have eaten countless lunches there during my work breaks, spent many evenings and weekends showing the park to tourists and friends coming to town for a visit. For anyone, whether a local or a visiting tourist, the park has always been an extremely memorable place to spend time in.

There are so many other places in the city for new developments, but there are not new places for public space, or parks or green areas where the community can gather and enjoy outdoor space, and where tourists can be amazed by the artwork there, or the fact that such a wonderful space exists for everyone to enjoy.

We need the park, we actually need more parks, so destroying one of the few we have is a tragedy for us and for future generations. A New York without green spaces will not be the New York everyone loves.

Thank you! Your friend and possibly neighbor, Milena Leznicki

--

milena leznicki
mimi@milena.tv

Hello, my name is Devra Freeland. I live in Bushwick and work in SoHo. My neighborhood in bushwick is a mix of industrial buildings and luxury condominiums, with no public green space or trees whatsoever. The luxury condos in my neighborhood all have their own verdant green spaces locked away in internal courtyards that are not accessible to the rest of the neighborhood; trees are walled off so that only the wealthy residents can benefit from them. When I go to work in SoHo, the one bit of greenery and calm in my life comes from lunchtimes that I spend in the Elizabeth st garden. It is an oasis of serenity in an otherwise overdeveloped city where wealthy citizens are rewarded with luxurious private gardens and green spaces while everyday New Yorkers have to live in cement-laden misery. PLEASE DO NOT TAKE THIS AWAY FROM ME. Destroying the Elizabeth st garden would perpetuate the already-massive wealth inequality in this city, and take away the last shred of natural dignity I have access to in my daily life. It would be emotionally devastating. You are condemning the average citizens of our city to a life of dark depression when you make decisions like this. Do not forget about us. We deserve the same quality of life as the wealthy elite whose townhouses and condominiums destroy our green spaces. PLEASE, listen to our voices. Understand the immeasurable healing power of publically accessible green spaces near our places of work. Don't take the Elizabeth st garden away from us.

Sincerely,

Devra Freeland

35 Garden St in Bushwick and 354 Broome St in SoHo

--

Devra Freeland

Testimony in OPPOSITION to Haven Green Development

Good Afternoon

I am opposed to the affordable housing at the Gardens. There are not enough green spaces in the city and this is a beautiful garden that the community direly needs. What is proposed does not serve the neighborhood. Affordable housing is not so affordable.

There are empty spaces on east 4th street next to the old merchants house that has been vacant for years. There is another space on east 13th Street between a and b. There are numerous vacant lots around the city that can be used. There are acouple on west 14th Street.

Sincerely,

Karen Eckhoff

Testimony in OPPOSITION to Haven Green Development

To Whom It May Concern;

Elizabeth Street Garden brings pleasure and a calming to all the local residents, and visitors-such as myself.

Many of the locals are families with young kids.

To remove this beautiful, green park, filled with sculpture and Mother Nature;
And, replace it with more residents and congestion is not acceptable.

NYC City needs to keep and maintain their green spaces.

Native New Yorker, Debi Kops

Please save Elizabeth St Garden

To whom it may concern,

Elizabeth Street Garden is my happy place when I need to take a break from a busy workday. Its continued presence is not only important to me but the community. Affordable housing is important as well, but it should not have to compete with green space in the way the city is purposing. Please consider the alternate site and allow the garden to continue to serve the community and nature that call it home.

Best,

Quinn

QUINN TORRENS

BERNSTEIN & ANDRIULLI

190 BOWERY, 3RD FL

NEW YORK, NY 10012

O: (212) 682-1490

WWW.BA-REPS.COM

Dear City Council members,

I have been living in NYC as an immigrant for over ten years.

I am a researcher and lead-authored papers published at Stanford among other institutions and run the NYC-based company breathing.ai focused on mindful technologies.

Aside from my business, I have also been volunteering for the NYC Department of Health and Mental Hygiene, NYC Department of Correction on Rikers Island, and been guiding mindfulness classes at schools and Pre-K across the five boroughs.

The first years in the US, I was often homeless and I am also part of the LGBTTTQQAAP community.

What I find missing in NYC is green space, not housing. It is essential for citizens to find a place to wind down and local community.

This is what the Elizabeth Street Garden has been for thousands of people, and it is embraced by the local community and global visitors as reflected in many reviews in top magazines.

I have been guiding a Meetup group at the Elizabeth Street Garden for almost two years with weekly gatherings year-round. Our around 300 members are all ages, from kids to 82 years.

That is more than twice the size of the people for the survey Haven Green conducted apparently locally - and those were only participants of the survey, no supporters.

The garden is our weekly home to meet, breathe and be at peace.

I have been following the Haven Green project from the beginning and attended many events.

I do not believe the plan to destroy the garden for real estate is solid at all.

The proponents of the project offered no dialogue to change the site to an alternative and to provide transparency. They look good when it comes to presentations.

As in many real estate projects in NYC, the premise now could be turned around and a for-profit takes over later on. The City of NY will have no saying anymore if that will happen as so many times prior.

There are alternatives for sites and the small green space of Haven Green (if developed) is not a substitute for the thriving communal Elizabeth Street Garden now.

The Elizabeth Street Garden is a landmark of NYC.

Council member Margaret Chin seems to not have visited yet in all the years and we had no dialogue with her.

At the City Council hearings, I noticed her roll her eyes when local supporters of Elizabeth Street Garden spoke, and that showed as much as the large donations from real estate developers her political campaign receives.

It is a time when we need to listen to our local communities and nature.

What are we focusing on - to destroy the little green space and communities we have for sanity or find alternatives to build housing sites and keep green space?

We do not know what will happen once the project is turned over. Apparently affordable housing units in the Little Italy area are taken down these months.

This will continue to happen.

Does one new building project - with many retail spaces and suspiciously large allocated office spaces for Habitat for Humanity - change the irreversible damage to nature and communities?

It is also unprecedented to try to stage our LGBTQIAAP community against the garden. The people who speak for "us" for Haven Green are not speaking for us all.

It also seems legally questionable to prefer residents based on gender choices.

I am a member of a legal organization and we will look into this as well. I do not identify with male nor female but I do identify with supporting nature and community.

I urge you to visit the garden, talk to the locals and the true representatives of our community. It is not Margaret Chin. Please do not rubber stamp as many suggested at the hearing might happen by following the lead of one council member.

I was homeless and then the thriving natural garden with its community was often my only refuge. It enabled me to be who I am now and to give back to the City of NY with volunteering and my business.

We need Elizabeth Street Garden.

Our community has spoken in many forms, and will.

Please listen to us.

With kind regards,

Hannes Bend

www.breathing.ai

www.hannesbend.com

To Whom it May Concern:

I have lived at 236 Mulberry Street for nearly 15 years. The Elizabeth Street Garden makes my Little Italy apartment and neighborhood livable and provides much needed green space! With all the traffic and pollution and streets overrun by cars and tourists, the Elizabeth Street Garden is an oasis of nature, green and peace. I can actually hear birds singing from my window, smell flower scents and bees visit the plants on my window sill. The garden is one of the nicest things about this neighborhood, please don't take it away from the people who actually live here. The residents and community board have made this wish resoundingly clear! Why does Margaret Chen get to override this????

If government is really concerned about low-income housing for seniors why not work with them to ensure that they can keep their rent-stabilized apartments in the neighborhood instead of allowing landlords to harass them and push them out? Where was Margaret Chen when this happened on The Bowery when low-income tenants were pushed out on the street in the middle of the night in the winter and not allowed to return? The Friends of Elizabeth Street Garden have presented a viable alternative to paving over this neighborhood haven and treasure. Why is this not being considered? Why does Habitat for Humanity get a giant low-cost office as part of the deal? Why do these "low-rent" apartments go to market rate eventually? We have been overrun with new buildings, construction, airbnb rentals, and chain stores while local people, community-owned businesses, schools (St. Patrick's) etc are all being pushed out and sold to the highest bidder. What is left for the community who actually lives here? Why are there so many unrented storefronts? City council should serve and listen to the residents who live in the neighborhood - not outside real estate interests. **The community and our Community Board has unequivocally and loudly indicated that we do not want our garden demolished. Please help preserve our one small slice of nature and beauty in an increasingly over-built, polluted, loud neighborhood that seems to cater more to business and real estate interests than residents.**

Thank you for your time and consideration.

Katie

Katie McDonnell

Nomad Vintage

208 E. 6th Street

New York, NY 10003

NOMADVINTAGE.COM

To Whom it May Concern

I have lived on Elizabeth Street for nearly 40 years. When I first moved here this was a diverse and friendly neighborhood. Unfortunately, it has become a transient community. I believe that the Haven Green Project will aid in helping this area once again become a neighborhood.

The Haven Green Project has my support.

Herman Boykin

hermanboykin@gmail.com

Hello,

I am writing to urge you to maintain Elizabeth Street Garden as a garden-- do not give up this important bit of spaciousness, community, and beauty for development!

New York City is full of hard spaces, cement, brick, metal, noise. We spend so much time trying *not* to look too closely at what's around us, just to make it through our day. Elizabeth Street Garden is one small and vital way our city holds onto its humanity. Please don't take it away from us.

Thank you.

Katie Pearl

--

www.katiepearl.com

pearldamour.com

We live in a time where atrocity has become normalized. We have mass murders in our schools. Opioid addiction is skyrocketing. Suicide is skyrocketing. Even people with good jobs, friends and family are falling into despair in record numbers. The pursuit of money for the sake of money is not making anybody happy. If we are to survive as a species it is imperative that we have a cultural and spiritual awakening. We need to reconnect to community and we need to reconnect to nature.

These two things are what community gardens provide in abundance. It's a quantifiable scientific fact that people who live in proximity to gardens experience significantly higher degrees of emotional well being. A flower is what can make you happy. Helping a neighbor is what can make you happy. Working for and with community is what gives our lives meaning.

And yet the city continues to promulgate the obvious canard that we must choose between Affordable Housing and Community Gardens.

Let's put an end to this outrageous lie with the facts.

According to the NYC comptrollers office there are 990 "empty lots" that can be utilized for housing. Elizabeth Street Garden, Mandela Garden and Pleasant Village Community Garden are just 3 of them. **All three of these gardens together represent less than half of one percent of the total inventory available.** That is half of one percent.

We demand that the city take city land. Land that is the property of We The People and create a plan that increases both open space AND truly affordable housing. **That is rental housing that is tied to income.** We demand that this administration return to us a sustainable, green future, resilient to the effects of climate change. It is your duty to **stop unnecessarily dividing people.** It is your duty to our community. It is your duty to save the future for our children who are powerless to act.

--

René Calvo

Leader

Mandela Community Garden

www.mandelagarden.org

Dear City Counsel,

PLEASE! Let our green space be saved!!!

The Elizabeth Street Garden is a gloriously unique and singular place in our neighborhood. We have all come to cherish this open and green space. And people who come through our neighborhood also love it.

We would be devastated if this space was developed.

Please preserve this place as a permanent green space for all of us, for the plants that thrive there, and for the wildlife that also needs this kind of nature in New York City, as well as for the people of all ages who you see passionately galvanized to protect this place that we love.

Please let the alternate property proposed for development be enough, and let the Elizabeth Street Garden persist and THRIVE.

Our neighborhood is short on green spaces. All beings need green spaces in order to stay healthy in New York City!

Thank you so very much.

Sunny Ballyhoo

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Dear Sir or Madam:

I am writing to implore you to preserve the Elizabeth Street Garden. It astonishes me that this treasure of a garden would even be at risk, especially in a densely populated area of the city so much in need of open green space. However well-intentioned the city's goals may be, it is not necessary to sacrifice the Garden to achieve them. Please act before it is too late!

Sincerely,

Don Badinelli

Upper West Side

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Dear City Councilmembers,

I am writing in support of preserving the Elizabeth Street Garden. I do not live in the neighborhood, but I deeply appreciate and enjoy visiting this unique and much-needed community green space whenever I am nearby.

Please do not vote to remove this neighborhood gem.

Sincerely,
Deanna Lee

OPPOSITION to Haven Green Development on Elizabeth Street Garden

The Elizabeth Street Garden is a vital part of our neighborhood, one that has no significant green spaces. While I enjoyed the space and many events there previously, since my spouse became disabled It has been invaluable to me. Initially traveling with a walker, he is now wheelchair bound and looks forward to outings in the park. The park is also valuable in creating community by bringing together the young and old, rich and poor, residents and tourists. Surely we can provide affordable housing without destroying this jewel of a resource.

Thank you for taking the time to listen to how important this park has been to one community resident.

Eva Machauf

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Dear Sir or Madam:

I am writing to implore you to preserve the Elizabeth Street Garden. It astonishes me that this treasure of a garden would even be at risk, especially in a densely populated area of the city so much in need of open green space. However well-intentioned the city's goals may be, it is not necessary to sacrifice the Garden to achieve them. Please act before it is too late!

Sincerely,

Don Badinelli

Upper West Side

Save the Garden!

The Elizabeth Street Garden is a community gathering place and sanctuary for the natural environment.

To see this community treasure destroyed in favor of a development when there are so few wildlife habitats left would be shameful and environmentally detrimental. People from all walks of life have experienced the many pleasures and services the garden has provided: a place to sit and eat lunch, a place to meet a friend, a place to relax, a place to unwind from the city grind, a place to learn and observe, a place to simply reflect. Wildlife of all types - bees, butterflies, birds - flock to this green haven, finding safe harbor from the city's steel and concrete structures.

In these ways and many others, the garden in its organic form nourishes the mind and bodies of people and wildlife alike, providing an essential service to the community. If the garden is destroyed through a development project, visitors to (and people of) New York will no longer be able to stumble upon and experience the many wonders of the Elizabeth Street garden - and that would be a heartbreaking loss to the community at large.

Please! Save the garden!

Thank you for your consideration.

Best,

Joseph Cato

Resident of Chinatown, NYC

Dear people that control the future of nyc,

What makes a city.....?

Allowing us to be in touch with our humanity with nature & magic A chance to listen & watch birds fly fast and close Remnants of a hawks hunt & sometimes the hawk A tomcat so worried & fearful - but when it came to a chance mate became so brave Trees that can grow so fast and some so slow Bumble bees that pop out of nowhere surprising you with their harmless buzz Dogs holding their ground refusing to leave Finding a monarch chrysalis in wonderment & admiring a jewel Statues watching & protecting People coming together talking about their apartments & towns & cities & countries their earth.....

All in the garden

The Elizabeth Street Garden houses our spirit & mind & body & our community can we really be a community in NYC without it?

Can nyc be without communities?

We hold you to your vote & hope you consider the future nyc & the earth.

Patricia Squillari
Mott Street
NY, NY 10012

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Please save Elizabeth Street Garden. I have relied on the garden as my place to recharge and reconnect with nature in our neighborhood. I am a senior citizen and sorely need a haven from the rushing streets and to see the children and babies enjoying the outdoors. It reassures me that the world will continue to be a joyous place, and that is a tremendous comfort to me. I will be heartbroken if this unique a peaceful oasis is taken from me.

Sincerely,

Elizabeth Jensen

Elizabeth St. Garden

To Whom It May Concern,

With the rampant development of our beloved city, preserving green spaces for the benefit of all citizens is a goal that should be at the forefront of our elected officials. By keeping this garden intact, quality of life for the neighbors and the joy of tourists would remain. I have enjoyed this garden and would love to continue to do so. Please save this garden.

Thank you,

Ann

Hello:

My name is Mrs Cooke, I am a senior resident of New York City.

Yes, it is true, that the city needs housing for the elderly.

Elderly persons love and will love to walk and rest in the Elizabeth Street Garden - as it is now!

The alternative sites for building this type of residence are not only offering much more living space for the elderly but also securing public space, as the garden is right now.

Private interests cannot possibly be mixed with public interests. They contradict each other. This developer's interests are not to fulfill promises for a better future for any community but rather to fulfill his own financial needs. It is not because Habitat for Humanity NY is behind this project that this developer's interests are lessened. In fact, their own interests are contradictory, a convenient façade.

The city residents do not need more stores, concrete and glass environment that create suffocation of bodies and souls. They need affordable housing that doesn't eradicate beauty, peace, art and history. That is why so many elderly residents flock to parks in Chinatown and elsewhere in lower Manhattan.

The Elizabeth Street Garden is an absolute treasure, unsurpassed anywhere in the city, unparalleled, absolutely unique treasure in which history, art, conviviality, nature, peace, beauty are intermingled.

In a time when we are all talking about climate change, do we really need more concrete and glass buildings or more trees and plants?

There is a contradiction between the challenges we face and the developers' needs.

Thank you in advance for voting with your conscience for the solution that will bring the least devastation in the near future and in the long term.

Mrs Jeannine Sandrini-Cooke

Dear Council members,

Housing for the homeless is a critical problem that we all must solve. I have long supported Habitat for Humanity and Habitat for Humanity International. But the proposed Green Haven Elizabeth Street housing for a small fraction of one percent of New York's homeless does not address the solution. And Green Haven is a misleading word play for the trivial amount of green space it would provide. It does not justify the demolition of Elizabeth Street Garden.

Thanks to the sensitive searching eyes of Allan Seivera, Elizabeth Street Garden has evolved from an abandoned street lot to a fascinating collection of architectural balustrades, fences, benches and sculpture, and now, to an absolutely unique outdoor garden of art. You can sit with friends or family, surrounded by trees, flowers and fascinating architectural gems. Unlike other NYC parks, you are not distracted by heavy car and truck traffic. It's an absolutely intimate park. There's nothing like it in the entire continent! So for all of us present and future New Yorkers, please, please, save it.

John Antrobus

I strongly urge the New York City Council to save the magnificent Elizabeth Street Garden from a badly misguided development plan.

We have so little neighborhood open space in Manhattan - especially in Lower Manhattan - that ANY loss of public space is a disaster.

The Haven Green plan will not even provide a significant amount of senior housing while obliterating a precious neighborhood resource which the City Council should be doing its best to defend, not destroy.

The Haven Green plan is basically a giveaway to Habitat for Humanity. It stinks of corruption and should be investigated by the District Attorney, not approved by the City Council.

What Haven Green offers us is the WORST OF ALL POSSIBLE PLANS:

- 1) the loss of much-needed open space;
- 2) the destruction of a beloved and beautiful garden;
- 3) a giveaway to a politically connected organization that is rolling in money;
- 4) the refusal to consider nearby public land that could provide FAR MORE senior housing than the Haven Green plan would;
- 5) the manufacturing of a housing crisis where none exists, since the city has been LOSING POPULATION over the past two years and is on track to continue to do so.

AS A SENIOR CITIZEN, I am appalled and embarrassed that seniors are being manipulated by the politicians and the developers to support a plan that favors us over the greater public good.

How could I possibly live in Haven Green knowing that it sits on a garden where neighborhood children played and families, friends, and neighbors could gather?

There is no other resource like the Elizabeth Street Garden anywhere in the neighborhood. Indeed, there is no other garden like it in the city.

Why would you destroy it? Save the Garden instead!

Sincerely,

Richard Hughes

Dear City Council,

I live in soho and love the Elizabeth Street Garden! It not only provides much-needed green space for the neighborhood, but it has truly created a sense of place and community - through community events, local musician performances, wellness groups, etc.

Please save and preserve this gem for our city! Thank you for your consideration.

Merritt Tam

Dear Council,

I was not able to attend the hearing but wanted to add my comments as a neighbor to the Elizabeth Street Garden for over six years.

I can't think of a more shortsighted thing for the city to do since the 1963 destruction of the beautiful Pennsylvania Station. Inspiring, beautiful public spaces are rare downtown.

Only recklessness and greed could conspire to destroy such a special community meeting space. Frankly, as a taxpayer, the insider political wheeling and dealing of this situation is reprehensible, and I can only assume an individual(s) so adamant about destroying the garden must be getting some type of pay-off/kickback, especially when there are better locations for more housing. Typical NYC sleazy politics in the face of common sense for the community.

I have made countless friends in the neighborhood because of the Elizabeth Street Garden. It is a nature respite for everyone in the community and for visitors across the world, where one can actually see the sky, and the sun, birds and trees in the middle of a concrete jungle. It will be a tragic mistake for you to rob this community of such a special meeting place.

Best,

Lara Day

Rivington St

Good afternoon,

As members of the downtown community, we wrote in support of saving Elizabeth Street Garden. My two children (and third on the way) love spending time in the garden; to them it is the most magical place in NYC.

Most recently we attended the Easter Egg Hunt at ESG (at no cost to the community) and had a wonderful community experience. My children were able to run around, plant seeds and meet new friends. It will be a huge loss to the community if the garden is closed.

Thanks for reading this note and please consider saving the garden.

Amanda Weiner

Testimony in OPPOSITION to Haven Green Development

Dear NY City,

Please do not displace Elizabeth Street Garden! I lived for a summer in that neighborhood and saw first hand what a beautiful and transcendent atmosphere the garden contributed to the whole area.

Thank you,

Bethany Lee

Jersey City resident and visitor to Elizabeth Street Garden

HAVEN GREED -- A Model For Future Corruption

For the record:

It was suggested to me that I might want to add my two-cents to this discussion since I used to live on Spring and Elizabeth Street in the bad old days.

At first I thought: What's the point? Why waste my time? The Council Members don't care about what is right and wrong for their constituents – at least not when weighed against what their donors and powermongers dictate. Then I thought that as a senior citizen, I have to admire and support those who care enough to fight against crooked odds.

The rationale for maintaining this public oasis in an area encased in concrete and using the more suitable property for the public housing is clearly a no-brainer. But it is being swamped by another no-brainer: The worst of the worst make their “living” selling out the people who elected them. Councilmember Chin no doubt feels superior to the wiseguys who used to run Little Italy, but at least they actually looked out for the people in the neighborhood. At least they had a code.

Selling out the people who love the Elizabeth Street Garden will illustrate how low – how venal and detestable – NYC Councilmembers – can be. This vote will clearly identify the public enemies – and hopefully some public servants as well.

Margaret Donovan

New York, NY

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Dear Sir/ Madam

I visit New York City once a year from the UK. I would like you to reconsider the proposed building work in the Elizabeth Street Gardens for the following reasons:

It adds character to the city which in turn attracts tourists

No or very few green spaces is detrimental to the mental health of the community.

Green spaces are good for the planet

Where are the pensioners going to spend their leisure time if you have built their homes on the only piece of green space in the area?

Regards,

Gabrielle O'Donnell

OPPOSITION to Haven Green Development on Elizabeth Street Garden

I visit the Elizabeth Street Garden on a frequent basis year round. It's a refreshing open/green space in a location that has very little of it. It assists in fostering a sense of community and has events for both adults and children. It would be a devastating loss to destroy this open space which if destroyed can't be replaced now or in the future.

More disturbing would be to construct on the Garden site when in fact there are other sites in the area that offer the potential for more housing units without destroying open space.

Housing is very important however so is a community with proper conditions to enjoy the outdoors in your neighborhood and local sponsored events to meet and exchange with your neighbors.

PLEASE SAVE THE GARDEN1

Guy Graff

Dear New York City Council Subcommittee on Landmarks, Public Siting and Maritime Uses:

My name is Emily Hellstrom and I am on the board of Friends of Elizabeth Street Garden. I have lived in this neighborhood since 1996 and I am currently raising my three children here. I am the president of the PTA at PS343, I sit on the board of my local BID, and I serve on the Community Education Council for District 2.

When Bill de Blasio first ran for Mayor, he promised to approach significant land-use issues from the bottom-up, instead of the top-down approach Bloomberg used. He said he wanted grassroots activism and civic engagement.

We have been civically engaged...

- 12 public hearings
- 4 Community Board Resolutions passed in support of saving 100% of the Garden
- 10,000 letters and signatures of support from local residents and small business owners
- Every elected local official from Congress down to our District Leaders, except for Mayor de Blasio and Council Member Chin
- Hundreds of free public events and educational programs every year
- Hundreds of volunteers running those events
- 100,000 visitors each year, including local elementary students, families and seniors, as well as residents from around the city and tourists from around the world.

The ULURP process is in place so that there is a chance for the community to weigh in, but after nearly 6 years, we have been wholly ignored. A lot has happened over those 6 years, but a lot hasn't.

We could have broken ground at 388 Hudson to build 5 times as much housing and 2 times the park that Haven Green has proposed. We could have united as a community to demand that we take back the ill-conceived and rarely used government owned parking lot at 2 Howard Street. We could have secured the 152 units of affordable housing directly next to the Garden, the residents at 21 Spring, many of whom are seniors, ensured that they age in place in the affordable housing which is set to expire in just a few years!

This Community IS Civically Engaged. We have asked Mayor de Blasio and Margaret Chin to come see what we have done, we have asked them to listen to the Historic Little Italy and Soho Community, we have asked them for a viable compromise. They have answered: a 40 million dollar taxpayer/developer giveaway of land that has belonged to the public for over 200 years all for a dollar and housing that has been compromised by a 11,700 sq' office space, an open space that will be privately owned shaded pavement with hours that do not serve the community.

We ask your committee to stand by the public, oppose this project, build 5 times as much housing on 388 Hudson Street and save Elizabeth Street Garden should be saved in its entirety FOREVER.

Thank you for your time,

Emily Hellstrom

To Whom It May Concern,

I'm writing with the urgent and desperate request to oppose the Haven Green development on the Elizabeth Street Garden site. I grew up in the neighborhood and am raising my family here. As you know there are few parks (they are always crowded) and little to none green space. We need to protect the little that is left.

We have spent a lot of time at the ESG. We go there to see what's happening in nature; leaves budding, flowers blooming, leaves dropping, etc. It is our connection to nature. We go there for events; my husband read to 4 year-olds there every Thursday for years, we go there to sit and read. Basically, the garden provides community, awareness of nature and a place to breathe.

There is such rampant development going on in our neighborhood. How is it okay to continue to build and congest the neighborhood and take away our only green space? Seniors need housing, but surely our elected representatives can make it possible to manage the development to balance out community's need for both green space and senior citizens. It should not be an either or.

Please consider how to create this needed balance. I know there is an opportunity to build the senior housing in Hudson Street.

Please protect the Elizabeth Street Garden!

Sincerely,

Naima Freitas

Dear City Council,

I have lived in Soho for over 11 years and my family (I have three children) and I frequently use Elizabeth Street Garden. My kids love to go to the Saturday art workshop at McNally Jackson and then go to the park. We also love the garden programming, as my kids love to do the gardening activities and it is a welcome chance for me to sit and read the paper while they are engaged in nature. We always use this beautiful park when we want to have a family picnic. When they were young, my kids used to get freaked out when they touched grass with their bare feet because they never got the chance to! Please do not let this beautiful piece of land be given away when there is a very good alternative space.

Open space, once gone, is gone forever.

For the future of my children, this city, and this earth, please save the garden.

John Marino

Dear Council,

As a onetime resident (1990s) and frequent visitor to the area, I have been saddened to see the green spaces or simply open spaces, patches of sky, relentlessly infilled, often by projects designed to displace the existing community. As sad or sadder, the displacement of the people who made the neighborhood what it was, the neighborhood's seniors.

Green space is a public health commodity, well understood by 1895, when Central Park was dedicated. Given our climate crisis, permeable surface is another kind of value in short supply.

As a disabled asthmatic, I can vouch that the wonderful if paved in places park 8/10s of a mile away is not a viable substitute.

Several crises converge here, but what we do NOT lack is built living space. If the council is so unwilling to consider the proposed nearby lot, for reasons they prefer not to divulge(?) maybe the city offering to buy or rent some unsold space nearby is a good solution.

Destroying a last patch of green in a neighborhood where Steve Croman was allowed to displace dozens of families? Surely you can do better.

Amanda Yaggy

Dear Chair Adams and the Subcommittee on Landmarks, Public Siting and Maritime Uses,

Attached please find my testimony in Opposition to the Haven Green development, as well as presentation shared at the hearing and available at bit.ly/SaveESG.

I support sending this project back to the drawing board and engaging on a true win-win solution. I want to highlight:

- **Win-Win Solution.** Since 2015, CB 2 has proposed an alternative Win-Win Solution at a nearby city-owned site — 388 Hudson, a nearby, larger, gravel-filled city-owned lot where up to 5x as much senior housing can be built. Because local residents of Community Board 2 receive 50% preference for any locally-built affordable housing units, this Win-Win Solution will provide up to 5x the chance of obtaining an affordable unit for Council Member Chin’s constituents who live in CB 2. Because the city promised this Alternative Site for a park, it will not be available if the Garden is developed. For more details on the Win-Win Solution, visit [here](#) or see attached.
- **Grassroots Initiative for More Park Space.** The effort to save Elizabeth Street Garden started with a Grassroots Initiative to get more park space. It was only then that we uncovered a side-deal agreement linked to a rezoning in Community Board 3. Even though the Garden is located in Community Board 2, CB 2 was not contacted about this side-deal agreement — there was no public review, discussion or transparency.
- **Just the Facts: 1974 Compromise for School & Housing.** The Garden site has been held in trust for nearly 200 years for educational purposes. In [1974, the NY Times covered the city’s announced compromise](#) — the city would build a new 600-seat public school as well as affordable housing on the newer part of the school site. In 1981, the city sold 65% of the school site to DeMatteis for \$270,000 (not \$1) and DeMatteis built 151 units of Section 8 housing at 21 Spring Street, set to expire in 2023. (See attached NYTimes article.) Due to the city’s fiscal crisis, the school was never built.

Kind regards,

Jeannine

Jeannine Kiely
Friends of Elizabeth Street Garden
jeannine.kiely@elizabethstreetgarden.org
917-297-4475

elizabethstreetgarden.ORG
[Donate to Friends Legal Defense Fund](#)



VOTE NO

REJECT BACK ROOM DEALS, SUPPORT TRANSPARENCY AND A WIN-WIN SOLUTION

Good afternoon, I am Jeannine Kiely, president of Friends of Elizabeth Street Garden and a park and education advocate. Yesterday, I testified in support of greater diversity in our public schools and today, I speak in OPPOSITION to the Haven Green development.

We are here because our ***grassroots initiative uncovered a secret back room deal***. Meanwhile, the city ignores a win-win solution that will provide up to 5x as much housing for our seniors.

- The effort to save Elizabeth Street Garden started from a **Grassroots Initiative** by local activists to get more **public** park space!
- It was only then that we uncovered a **secret back room deal** that our Councilmember negotiated as part of the Essex Crossing rezoning (on the Lower East Side) -- a **non-binding**, behind-the-scenes deal with **zero public review, zero public discussion and zero transparency!**
- Since then, CB 2 held seven public hearings, passed five resolutions for the Garden and identified an **alternative** city-owned site – a nearby gravel-filled lot (previously promised for park space) – where up to 5x as much senior housing can be built.
- But the city ignored our community and a win-win compromise!
- Council Member Chin herself has called for greater transparency against back-room deals on Rivington House, the Two Bridges Mega Towers, the Chinatown Jail and many other projects, yet there was NO transparency on this deal.

I've shared a detailed presentation and will highlight:

1. The Garden site is held in trust for educational purposes, since 1822.
2. The city committed to a new school and housing, and the promised affordable housing was **already built** in 1981.
3. This development will destroy the Garden, leaving behind a tiny, shadow-filled **private** open space. The renderings sure are pretty, but they are misleading and unrealistic.
4. Affordable housing is allocated by age, income and household size, not sexual preference. But, with 50% preference for CB 2 residents, the win-win alternative will benefit 5x as many of Council Member Chin's constituents.

Support transparency and a win-win solution! Please vote no!

Thank you.

Jeannine Kiely
President, Friends of Elizabeth Street Garden
jeanninekiely@elizabethstreetgarden.org
917-297-4475

View presentation at <http://bit.ly/SaveESG>.

ARCHIVES | 1974

City to Revive and Refurbish Little Italy

By GLENN FOWLER SEPT. 20, 1974

Mayor Beanie announced plans yesterday to restore and strengthen Little Italy, the neighborhood on the Lower East Side that generations of Italian immigrants have been proud to call home but that has fallen prey to neglect.

Timing his announcement with the Festival of San Gennaro, the fair taking place this week on Mulberry Street in the heart of Little Italy, Mr. Beame called for a “risorgimento” — a resurgence — that would upgrade the residential and commercial area.

Two proposals that will be implemented at once are construction of a 600-pupil elementary school and 180-unit moderate-income apartment house at Elizabeth and Spring Streets and the refurbishing of De Salvio Park at Mulberry and Spring Streets — the only public park in Little, Italy.

Other proposals call for 520 additional housing units on seven scattered sites, rehabilitation of older housing, restoration and preservation of historic storefronts and a program of economic development to attract new businesses and jobs. Social services would be increased, with ‘ambulatory and geriatric-care facilities and community programs for youths and the aged.

The proposals were developed by the Department of City Planning in consultation with a community organization, the Little Italy Restoration Association. They include conversion of the old Police Headquarters on Center

Street into an Italian–American cultural center and the conversion of a two–block stretch of Mulberry Street into a pedestrian mall.

Mr. Beame and John E. Zuccotti, chairman of the City Planning Commission, said at a City Hall news conference attended by several community leaders and political figures that they considered Little Italy a citywide resource and not merely a focal point for New York's Italian community.

The Planning Department recommendations for Little Italy cover the 125–acre area bounded by Canal Street on the south, the Bowery on the east, Bleecker Street on the north and Broadway on the west. The area is densely built up, mostly with six–story tenements that date back more than half a century and with stores or restaurants crowding the street level.

According to the 1970 census, 14,581 people lived in Little Italy that year, and community members say a small number of immigrants from Italy move in yearly.

The closing of part of Mulberry Street and the renovation of De Salvo Park—named after the late John De Salvo, father of Assemblyman Louis De Salvo, who was a Democratic district leader on the Lower East Side before his son assumed that post—are parts of a broader plan to enhance pedestrian circulation.

The plan, adapted from a traditional Italian planning approach called “pedonalizzazione,” or pedestrianization, will involve a network of piazzas and vest–pocket parks linked widened sidewalks.

Mulberry Street would be closed from Canal to Grand Street on an experimental basis. De Salvo Park, on which \$250,000 will be spent for improvement, is to become a part of the pedestrian network.

The plans were put in motion early this year when the restoration association approached Borough President Percy E. Sutton of Manhattan, who persuaded the Planning Department to undertake the study.

“New York City is not a melting pot,” Mr. Sutton explained yesterday. “That concept does us a disservice. We are a conglomeration of many ethnic groups, each with its own habits and interests, that have accommodated themselves to one another. That's really our strength.

The TimesMachine article viewer is included with your New York Times subscription. This article is also available separately as a high-resolution PDF.

We are continually improving the quality of our text archives. Please send feedback, error reports, and suggestions to archive_feedback@nytimes.com.

A version of this archives appears in print on September 20, 1974, on Page 1 of the New York edition with the headline: City to Revive and Refurbish Little Italy.

Elizabeth Street Garden: IN OPPOSITION TO DEVELOPMENT OF HAVEN GREEN

My name is Tessa Grundon.

I am an artist and have lived in the neighborhood with my family for 30 years. I am testifying in OPPOSITION to the Haven Green development that will destroy the beloved and much needed Elizabeth Street Garden.

Mayor Bill de Blasio himself said “Every New Yorker deserves access to clean, safe green spaces, no matter what neighborhood they live in. By doubling our investment in historically underserved neighborhood parks, we are significantly improving the quality of life of families and children across this city. Our sustained investments in additional neighborhood parks will expand the Community Parks Initiative’s impact to 3 million New Yorkers – ensuring countless more families and children will have a revitalized park right in their neighborhood.” The community has created this neighborhood garden and is everything de Blasio wanted to initiate.

The proposed development will **destroy** Elizabeth Street Garden.

1. **Open space figures are inflated.** The city’s ULURP application notes only +/- 6,700 sq. ft. of publicly accessible open space[1], not the “more than 8,000 SF” touted on the applicant’s website,[2] nor the 8,800 sq. ft. presented at the March 13, 2019 City Planning Commission Hearing. The difference is an indoor breezeway, which is not open to the sky and not open space.

2. **The development will cover nearly two-thirds of the lot**, not the 60% permitted under Special Little Italy District zoning.⁴ Haven Green’s ULURP application[3] excludes from its lot coverage calculations a one-story building of approximately 1,705 sq. ft. [4], resulting in total lot coverage of 13,025 sq. ft. or more than 65% of the lot.[5] **The city falsely portrays the open space as a compromise, not an attempt to comply with zoning.** In fact, because the proposed development exceeds the 60% permitted lot coverage, the applicant should request a special permit to waive the zoning.

[1] Haven Green ULURP application, 190184HAM, page 15, 109-141, “Ground Floor Garden Area = 6,746 sq. ft.”

[2] Haven Green homepage at <https://www.havengreencommunity.nyc>, “More than 8,000 square feet of publicly accessible open space.”

[3] Haven Green ULURP application, 190184HAM, page 15, 109-122, “Lot Coverage=11,321.3 sq. ft.”

[4] Haven Green ULURP application, 190184HAM, page 16, one-story building area is $(33' 1 \frac{3}{4}) * (51' 4 \frac{3}{4}) = 1,703.56$ sq. ft.

[5] Actual lot coverage is $(11,321.30 + 1,703.56) / (19,995) = 65.14\%$.

Please help us save our garden, this place is the heart and soul of our community.

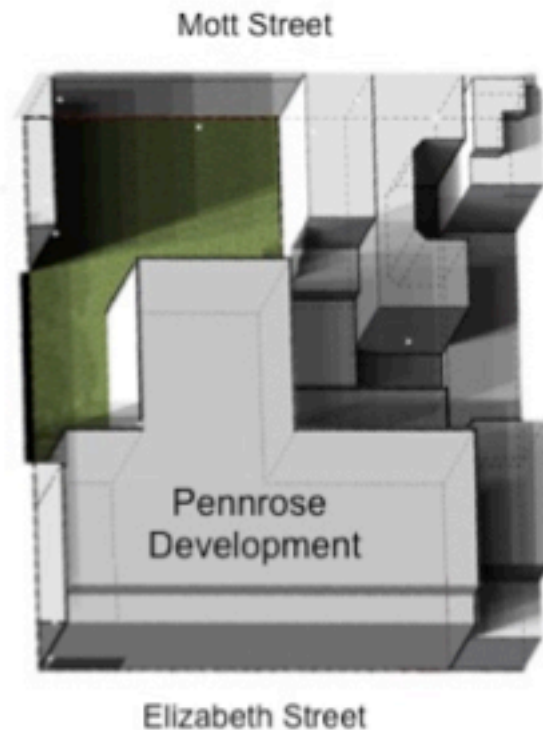
Many thanks,

Tessa Grundon



Tessa Grundon
646-644-9764
www.tessagrundon.com

Elizabeth Street Garden: Saved vs. Destroyed



Support Elizabeth Street Garden

Dear City Council,

I am a soon to be retired teacher, who lives near Elizabeth Street Garden and often spends time sitting and reading in the Garden. As you are deliberating over the fate of Elizabeth Street Garden, I would like to make some points that call into question the wisdom of destroying and replacing the Elizabeth Street Garden with a private development for affordable housing and office space.

First, if, as Margaret Chin's office has apparently indicated, the city wants to build *both* on Elizabeth Street Garden and the alternative, gravel filled lot on Hudson street – where will the promised green, open space for our neighborhood be? It cannot be that all available empty space will be built on – but then why destroy one unique, much beloved space to create another park somewhere else, instead of satisfying both urgent priorities by allowing Elizabeth Street Garden to continue to exist and build the affordable housing wherever there is a legitimately empty, blighted lot?

In addition to the fact that destroying the Garden - which has been here for almost 30 years, ever since I moved into the neighborhood in 1991 - will be traumatic to many residents, and be mourned for decades, any newly built park could not be as beautiful or resonant with residents here as Elizabeth Street Garden is. It is a unique, artful place, created over decades of tending to design and attention to space rarely possible in a city park.

Please give careful consideration to the alternative plans that allow both for affordable housing and for the preservation of this unique Garden, already a landmark – if not an officially recognized one. Please help avert the destruction of the Garden before it is too late!

Sincerely,

Barry Loewer

Prince St.

To the City Council,

Madness is the only way to describe act of tearing down a jewel of quiet and a sanctum in the loudest most obnoxious city in the world. This space is a treasure built by a community living on the intersection of "Be Rich" and "Buy More." To live on our blocks is to be caught on the battlefield between people and power, magic and assault, magic and meaninglessness, designers and retail, homes and "real estate." We've watched treasured institution fall.

What will be left to love about New York? We won't forget.

-Matthew Aidekman
Elizabeth Street
10012 NY, NY

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Dear City Council,

Elizabeth Street Garden is irreplaceable, a unique meeting place of peace, tranquility, education, celebration, and community spirit. Please vote against its destruction. Capturing a Garden is no way for New York City to deal with housing problems. As someone who seeks out gardens and parks daily in the city I love hourly, I implore you to take a minute to think about how much Elizabeth Garden, as is, contributes to the aura of our town, and in a NYC nanosecond, you'll know deep down, Elizabeth Garden deserves to be honored. Do not take down or change what is already a beloved landmark to thousands and thousands. Make your celebration of the Garden part of the movement to help keep America green. Otherwise, because there are other options for building housing, you will look like an angry God expelling citizens from our Eden

Horn, Barbara R.

Please Save Our Garden!

Hello. I am Maxwell Schoenstein, a 12 year old who lives a few blocks from the wonderful Elizabeth Street Garden. I was not able to attend the meeting thursday, but I wanted to submit my testimony. Growing up in NYC, the only thing that I wish for is fresh air and a place to play. Elizabeth Street Garden checks both of these boxes, and it is the only place in our neighborhood to do that. I remember having a snow day once and going there and laying. Elizabeth Strreet Garden has something for evberyone. For the young and the old. It is such an important place and I think it needs to be preserved.

Elizabeth Street Garden - Don't close

To whom it may concern,

I am writing to express my support to keep Elizabeth Street Garden open to the public. We have a rare opportunity to preserve a very unique oasis and NYC landmark. I am sure that the affordable house structure, which is very important indeed, can be built on another site, without having to destroy a public Park.

I really hope the powers that be can help to maintain this very special piece of nature.

Thank you,

Walt

--

WALT MATTESON

to whom it may concern,

i discovered the elizabeth street garden several years ago - i was riding by on my bicycle when i saw the remarkable confluence of statuary and plants and pulled up short. what a magical place - unlike any other in new york city. i signed up to volunteer and saw firsthand the effect of that space on people walking by. there were visitors from europe who had the ESG on their must-see list of important places; there was a grown man, son of italian immigrants, who had grown up across the street and remembered playing stickball in the street next to what had been a weed filled vacant lot; there was an artist who came to the garden through every season of the year to sketch; there were lovers and children and pensioners. unlike some other green spaces in the city, this was a garden that was always full of people who truly loved it.

it is hard to believe that a treasure like this one could give way to the bulldozer. please choose the alternate site for low income housing. please save the garden for a neighborhood that needs it and loves it.

thank you.

joan kreiss

SAVE OUR GARDEN

Please please please do not destroy the Elizabeth Street Garden. There are so many excellent alternatives for affordable housing (and so many lots that have seemed to stand open for years, waiting for development), and so little green space in our neighborhood. The community deserves this tiny patch of grass and tree -- to take it away from us is short-sighted and cruel.

We love the park for the sense of community it fosters, and the oasis it provides in the middle of a neighborhood that has already been dramatically impacted by recent development and greed.

Please listen. Please do the right thing. Please leave us our garden.

Thank you,

Jennifer Keller

Long live Elizabeth Street Garden

Dear City Council Members,

Community gardens are the essence of what makes lower Manhattan magical.

Imagine walking through the east village and every place where there used to be a garden, there is a real estate development. Now imagine walking thru Nolita and seeing a real estate development in the place of Elizabeth Street Garden. Now imagine everyone, the whole community and all the tourists, walking through these neighborhoods and seeing walled in pits full of mud and backhoes in the place of gardens. Would this change bring joy? To how many people? Think rough numbers. What type of person gets excited when they see a real estate development where once there was a garden? Does this type of person make up the majority?

If no one had ever defended the parks and the gardens, and there was no Central Park, no Prospect Park, no community gardens, just a chunk of steel and concrete and a mass of miserable people paying rent... then this would not be the greatest city in the world.. it wouldn't even make the top 100.

Take a stand and step over to the righteous side of history.. and next time it's sunny out, pick up some lunch and take it to Elizabeth Street Garden and celebrate what makes this city one of the finest the world as ever known.

Thanks for your time,
Winston

--

winstonford.com

I was unable to attend the hearing this past Thursday at the New York City Council Subcommittee on Landmarks, Public Siting and Maritime Uses hearing.

I am 100% in support of saving the Elizabeth Street Gardens and propose that affordable and low income housing be better utilized on larger properties than can house multiple times more apartments than ESG.

Elizabeth Street Gardens is the ONLY open public garden for neighbors to use (Soho, Noho, Little Italy, the Bowery). There is not another green park or green space near by.

All ages enjoy the beauty of the well kept gardens and the many events offered throughout the season. It will be an enormous loss to the surrounding neighbors to lose the garden.

I have heard that NO ONE, including our Mayor, and especially, Margaret Chin, have never agreed to even meet with the ESG organizers to talk about saving the garden.

I would expect Councilwoman Chin and the Mayor and more of than ONE of City Council Subcommittee, to at least respectfully meet with the ESG committee to discuss reasonable options and solutions that will save the gardens. To this date, NOT ONE of these people has offered to do so.

It seems apparent that the City and Councilwoman Chin have better options with the developers than with the quality of life of our neighborhood and saving the Elizabeth Street Gardens .

Mary Rolland
Soho resident

Dear Council Members:

I write because my family is distraught by the impending demolition of the Elizabeth Street Garden. My life partner and I have lived on Crosby Street since 2003 and we are happily raising our two school-age children in this wonderful neighborhood. The Elizabeth Street Garden is not just one of the very few outdoor spaces available in the vicinity, it is a unique oasis and the vibrant heart of this area.

The notion that this issue is a battle between outdoor space and affordable housing is a false premise. There are nearby locations available to develop larger affordable housing units. There is nothing else - here or anywhere else in Manhattan - like the Elizabeth Street Garden (I hope you have at least gone to visit it on a sunny day). Nobody would ever propose tearing down an affordable housing unit to build a garden, and I do not know how the opposite makes any more sense.

The truth of the matter is that this particular development is in the economic interest of certain developers, their cohorts, and the politicians they support. The proposed development includes office space and retail. But it does not include anything that would reasonably replicate or replace the Elizabeth Street Garden, a dream spot that will instead be bulldozed out of existence.

We urge you all to reverse course and save this precious outdoor space.

I appreciate your consideration,

Richard C. Schoenstein

Save the garden! PLEASE!

NoLita has been my home for over 4 years and will be for many years to come. As a new mom with a tiny, expensive apartment, we cherish neighborhood strolls and green grass: With no access to outdoor space, [Elizabeth Street Garden](#) is the closest thing we have to a “backyard” that’s not hugged by dangerous traffic or the majority of which is covered in cement (like [Sara D Roosevelt Park](#)).

Please do the smart thing- use an the alternative location that makes far more sense for affordable housing such as at [388 Hudson Street](#). Support hard working families like mine who appreciate and need the garden and say NO to the proposed development.

Thank you,

Amy Stringwell

in defense of the Elizabeth Street Garden

We were sorry to miss the hearing on Thursday, so this is to express in writing how opposed we are to the destruction of the Elizabeth Street Garden. We are very much in favor of affordable housing, but the proposed use of this particular piece of land strikes us as short-sighted, inefficient, and hardly justifiable. Given the height constraints, the number of affordable units would be negligible in relation to what the neighborhood and the whole city would lose, and the impact on thousands of residents--not least on those inside the big housing project next door.

Once sold and developed, the much-needed green space cannot be taken back. Cities all around the world are working on becoming more livable and breathable (Beijing being the newest spectacular example), and it seems like NYC is sorely lacking vision. (Why wouldn't you build in Central Park?)

We strongly urge you to look at other sites for construction, sites that do not necessitate the destruction of a gem, or the destruction of green space in a community that has less of it than most others.

We also urge you to look at existing housing that could be made affordable, and at already-existing affordable housing whose affordability should be extended. For example, I'm told that the affordability of the big LIRA building right next to the Elizabeth Street Garden, is about to expire. In the meantime, seemingly unconcerned, the city is selling off housing and land in the area for other uses.

As for leaving some green as a compromise inside the proposed Haven Green development, I think we have all come to understand that the renderings are terribly misleading and that not much would grow in the shade of the new building. As for building on the other proposed building site on Hudson *in addition* to the ESG site rather than in lieu of it, I very much doubt this would ever happen--as Toby Bergman pointed out at a recent CB2 hearing, let's be honest, that's just not how cities are being built.

Laura Hoffmann
& Lily (17)
Erika Hoffmann-Koenige
Lafayette St.
NYC 10012
since 1976

To Whom it May Concern:

As a long time resident of Elizabeth Street I wanted to voice my strong opposition to development of the Elizabeth Street Garden. The city's character, and in turn, the character of its citizens, is partly informed by access to uncanny, relaxing spaces that exist simply to be enjoyed and contemplated. The Elizabeth Street Garden ranks high, in New York City, as one of these spaces. It's loss would be incalculable.

As a resident who relies on affordable housing, I would add that I fully agree with the need to build and secure more affordable units. Supporters and opponents alike have pointed out larger, non controversial spaces that are ready to be developed. As is, current proposals for the development of the Garden would be out of reach for most low income seniors. Branding the development as LGBTQ oriented was both disingenuous and capricious as the City has no legal way to police who does get access. This development has pitted neighbor against neighbor. The process, which has been cloaked and rushed, has been terrible for the neighborhood.

Finally, as a father to be, I have looked forward to taking my future son to the Garden. Spaces like it will bring magic to his upbringing, his relationship to the City, and will, by their very existence, teach him in being a better steward of his extended home. Losing the Garden would ultimately be his and other future children's loss above all.

Thank you,
Alex de Lucena

OPPOSITION to Haven Green Development on Elizabeth Street Garden

I am writing in support of keeping the Elizabeth Street Garden intact as the beautiful and necessary garden it now is.

It is not comprehensible to me why such a widely used and appreciated green space as this is should be destroyed to place another building in this neighborhood that has so little usable outdoor space. There are other places to build seniors' housing (I say this as a senior!) Please allow this neighborhood to keep this gem of a garden.

Sincerely, Janis Donnaud

Sent from my iPhone

Janis A. Donnaud
77 Bleecker Street
Suite C1-25
Nyc, NY 10012
212 431-2663 office

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Dear City Council members:

I attended Thursday's subcommittee hearing with my 2 year old daughter because the Elizabeth Street Garden is building a strong community for her and all of us in the neighborhood and it must be preserved.

I am not wealthy or privileged. I am raising my daughter in the home where I grew up, two blocks from the Garden.

The Elizabeth Street Garden serves as a place where neighbors from all backgrounds have formed a community. As a Garden volunteer and by attending Garden events, I have gotten to know neighbors I would never have met. Our paths would never have crossed. There is no other space in the neighborhood that is safe, free and welcoming to everyone.

As a child, I played on cement playgrounds and on synthetic turf because true green space did not exist in our neighborhood. The Elizabeth Street Garden provides our children and all our neighbors with the rare opportunity to be in nature, to sit on grass and see trees, flowers, and birds.

I feel privileged when I'm in the Elizabeth Street Garden among my neighbors. Please do not destroy the valuable community space we have created.

Sincerely,
Catherine Ugarte
Leonor Ugarte-Strong

Dear City Council,

Please reject Haven Green, Save Elizabeth Street Garden!

Throughout our trip to Bucharest last week, we wondered what system creates the most dynamic cities?

The preservation of the old with the new,
Mixing bodies and ideas,
A flow of immigrants and innovations.
The privatization of the commons under capitalism.
Or the wrecking balls of communism creating dull plazas?

The question is on my mind whenever I travel.
It certainly was on my mind riding across the Brooklyn Bridge to City Hall for yet another rally
to save the community gardens on Mayday.

While my friends in Ft Greene were out protesting to save the trees, we were at City Hall calling
for the city to save the gardens, doing so saving city.

Many of the usual suspects were there.
As were gardeners from Harlem to Little Italy.

One of the organizers from the Mandela Garden in Harlem explained:

“We live in a time where atrocities has become normalized. Opioid addiction is exploding. Suicide is rising. Even people with good jobs, friends and family are falling into despair in record numbers. The pursuit of money for the sake of money is not making anybody happy. We need a cultural and spiritual awakening. We need to connect to community and we need to connect to nature. This is what community gardens provide in abundance. It’s a quantifiable scientific fact that people who live in proximity to gardens experience significantly higher degrees of emotional well being. A flower can make you happy. A friend can make you smile. It’s working for and with community that gives our lives meaning. And yet the city continues to float the obvious canard that we must choose between Affordable Housing and Community Gardens Let’s put an end to this false narrative with facts. According to NYC comptrollers office there are 990 “empty lots” that can be utilized for housing. Mandela Garden, Elizabeth Street Garden and Pleasant Village Community Garden are just 3 of them. All three of these gardens represent less than half of one percent of the total inventory available. Half of one percent. Please join us. Write, tweet, post and demand, demand that the mayor save these gardens. Demand that the city take city land. Land that is the property of we the people and create a plan that increases both open space AND truly affordable housing. Demand that this administration return to us a sustainable, green future not only for this generation but for those yet to come.”

He talked about garden’s namesake Nelson Mandela, the iconic freedom fighter, who credited gardening with preserving his spiritual health during his decades long imprisonment.
“Almost from the beginning of my sentence on Robben Island, I asked the authorities for

permission to start a garden in the courtyard. For years, they refused without offering a reason.
But eventually they gave in, and we were able to cut out a small garden on a narrow patch of
earth against the far wall.

“The soil in the courtyard was dry and rocky. The courtyard had been constructed over a garbage
dump, and in order to start my garden, I had to remove a great many rocks to allow the plants
room to grow. At the time, some of my comrades joked that I was a miner at heart, for I spent my
days in a wasteland and my free time digging in the courtyard.

“The authorities supplied me with seeds. I at first planted tomatoes, chilies, and onions—hardy
plants that did not require rich earth or constant care. The early harvests were poor, but they soon
improved. The authorities did not regret giving permission, for once the garden began to flourish,

I often provided the warders with some of my best tomatoes and onions.

“The Bible tells us that gardens preceded gardeners, but that was not the case at Pollsmoor,
where I cultivated a garden that became one of my happiest diversions. It was my way of
escaping from the monolithic concrete world that surrounded us...

“Each morning, I put on a straw hat and rough gloves and worked in the garden for two hours.
Every Sunday, I would supply vegetables to the kitchen so that they could cook a special meal
for the common-law prisoners. I also gave quite a lot of my harvest to the warders, who used to
bring satchels to take away their fresh vegetables.

“A garden was one of the few things in prison that one could control. To plant a seed, watch it
grow, to tend it and then harvest it, offered a simple but enduring satisfaction. The sense of being
the custodian of this small patch of earth offered a taste of freedom.

“In some ways, I saw the garden as a metaphor for certain aspects of my life.”

We all need these nutrients.

Gardens give us access to badly needed public space,
Where kids can play,
Combat alienation,
Beat back depression,
Learn about the dirt,
And make sense of the world.

New York needs open green space.
That's why we created Central Park.

Imagine New York without it.

Imagine what the city will be like in 40 years if we keep on paving the commons.

In the era of climate change, we need gardens and open space,
For community development,
To help retain storm water.
To give the rain water a place to drain.

This project won't deal with the housing crisis.
Only rent control can do that.

Everyone knows we have enough housing units.

We just need to count them and make sure they are accessible and affordable.

As Jamie Jenson, a Friend of Elizabeth Street Garden,
put it in history written testimony to

**New York City Council Subcommittee on Landmarks, Public Siting and Maritime
Uses on May 2nd 2019:**

“My name is Jamie Jensen, and I want to add my voice in opposition to the proposal known as Haven Green, which will destroy Elizabeth Street Garden without providing any truly affordable, supportive housing for our neediest senior citizens.

I thank the Committee for considering the implications of this misguided and deceptive plan, which will destroy the only open green space in our densely urban neighborhood, between Little Italy and Chinatown. I share the concerns of the thousands of supporters of Elizabeth Street Garden, and want to draw your attention to two issues that are most troubling.

First of these is that, despite the rhetoric of the real estate companies and the city's department of Housing Preservation and Development, the Haven Green proposal will not help the most vulnerable elderly New Yorkers. As Council Members will know from experiences with HPD's so-called "affordable housing" in East New York and elsewhere, what HPD counts as affordable is not actually affordable in the real world. The small studio apartments at Haven Green will be "affordable" only to individuals earning a minimum of \$45,000 a year, which is many times the average income received by most elderly people, many of whom are reliant on Social Security and Disability payments.

Even more worrying is the fact that HPD is supporting this destructive Haven Green plan, while at the same time the neighborhood's largest and most successful genuinely affordable housing project, the adjacent Section 8 apartments at LIRA right next door, are being allowed to slip away into the private market. Because of HPD's inattention, 150 large and spacious apartments and their 300 low-income residents will be displaced from our community, forced onto the streets or to move far away from Lower Manhattan.

If HPD were made to do its job, and worked to preserve existing affordable housing rather than giving away public land and destroying our beloved community garden, New York would be a better place for all. I urge you to reject this Haven Green proposal, save Elizabeth Street Garden, and tell HPD to do its job and preserve truly affordable, supportive housing for our neediest citizens.

Thank you.”

On the steps of City Hall, [Marni Halasa](#) carried a sign declaring:
Luxury Developments are killing the city.

More gardens, more trees, New York has got to breathe!!!!

The press conference was a warm up for the hearing on May 2nd.

Jennifer Romine shared a post.

14 hrs ·

Final city hearing before city goes forward with Haven Green development which will destroy the Elizabeth Street Garden, the historic character of the neighborhood, and break the hearts of so many low-income Chinese, Italian, Puerto Rican, Dominican seniors, not to mention all the families, workers, small businesses, creative entrepreneurs, and so many others who rely on this vital community space to give back to this city. Get big money out of NYC affordable housing plans. Time's Up! Do it Now Mr. Mayor, BP Brewer, CM Chin. All talk and no action on behalf of immigrant seniors and so many other vulnerable populations is not a plan.

Marni Halasa reflected:

Whether it's the horrific illegal taking of our public gardens, the RAD Conversion of NYCHA public housing or Refusing to give Small business owners the right to not be extorted by their landlords, and to have an affordable lease, it's one BIG LAND GRAB. City Council is getting their real and true reputation of being good on social issues, while at the same time being the arm of the big real estate lobby. That is unacceptable and that will be a problem for them in the next election. They will be primaried from the left, they will lose, and they will deserve it.

<https://benjaminheimshepard.blogspot.com/2019/05/mayday-beltane-2019-when-city-tries-to.html>



[play and ideas: Mayday Beltane!](#)
[2019, When the City Tries to](#)
[Take Your Garden! and other](#)
[tales from the climate](#)
[CATASTROPHE!!!](#)

benjaminheimshepard.blogspot.com

Tearing of ribbons .3 many times long as limb
to gather in bundles and tie to tree top
 — with Benjamin Heim Shepard . Photo
by Peew...

Thank you for your time.

Sincerely,

Benjamin Shepard

Dr Benjamin Shepard, PhD, LMSW

[Professor Human Services Department](#)

285 Jay Street Academic Building 805 (A-805) Brooklyn, NY 11201

Author of [Illuminations-on-Market-Street](#),

as well as [Sustainable Urbanism](#) and [Brooklyn-Tides!](#)

Chapter Chair City Tech Chapter of the Professional Staff Congress

<http://www.citytech.cuny.edu/faculty/BShepard>

<http://benjaminheimshepardplay.blogspot.com/2014/06/as-play-we-step-away-from-stark-reality.html>

Haven Green Proposal

Dear Sub-Committee on Landmarks, Sitting and Maritime:

I have been a tenant at 21 Spring Street, New York, NY 10012 since April 1997. Due to the fact that I live at this building which was built in 1981 but planned throughout the 1970s, my perspective on this land use development proposal may differ markedly from what you have heard from others.

Shortly after I moved in my neighbor Marie Licata, three apartments down the hall on the 6th floor, invited me into her apartment to welcome me to the neighborhood.

Marie told me more about how the LIRA (Little Italy Restoration Association) apartments came to be built. She told me about the way in which the city had promised the Italian and other immigrants in the community, a park on the space behind the building but that the city had never honored its promise.

Marie worked for the Arch Diocese of New York. As her son Vincent said at the funeral mass held at Old Saint Patrick's Church on Prince and Mott Streets, last Monday morning at 10 am, Marie Licata lived a full life because she was so busy loving so many people - all kinds of people, in so many ways, every day of her life. The Monsignor spoke of a woman who lived a very productive life within a few block radius. he pointed out that prior to the 19th century, this was the way that most people lived.

I urge you to honor Marie Licata's legacy. I urge you to review the 1974 NYTimes article which describes how the city planned to refurbish and rebuild Little Italy.

I also urge you to review the 1981 land use disposition which states that "20,000 square feet be preserved exclusively for recreational use by the community." The only exception, as Marie had told me back in 1997, was if the Department of Education came back and wanted to build a new school. Marie said that would have been fine with the people. The space had served the community for generations. The men played ball there. The women and children gathered. there were outdoor classrooms for adults, particularly for immigrants.

Marie Licata and hundreds of other tenants at 21 Spring Street and a few thousand other immigrant seniors were not included in the "participatory" forums that the developer claims to have had with seniors in the community.

Should you wish to see their statements and/or the email correspondence with Habitat for Humanity NYC's out-reach coordinator, I would be happy to share that and put you directly in touch with these vulnerable New Yorkers.

I also urge you to review the fire code and other occupancy and safety standards for privately-owned public space. There are strict limits on the amount of seating which can be built and maximum occupancy limits.

The proposed "community space" would not be likely to address the substantial needs of the senior community in this neighborhood for outdoor seating. The POP at 99 Street between Jane and Horatio on Washington Streets. That lot is 7000 square feet and it is open on three sides to the public. The other side has 99 and 100 Jane Street buildings.

The management company and on-site manager can provide additional information regarding the limits on seating and maximum occupancy guidelines for that POP which is also a residential plaza.

Please find photographs attached of my neighbor Alex Vela who was extremely close to Marie Licata since they were children. Alex has been speaking to the media since 2013 regarding his concerns about the city's plan to develop the lot on which he, his relatives, friends, and neighbors, were promised a small park.

Thank you for your consideration.

Sincerely,
Jennifer Romine
Spring Street
new York, NY 10012





IS
-Hazelnut

CON
IER

PIZZA •

SAVE OUR

OPEN SPACE IN LITTLE ITALY

ELIZABETH
STREET
GARDEN

elizabethstreetgarden.org
elizabethstreetgarden

NEW YORK CITY

















Testimony supporting Elizabeth Street Garden by Yvonne Brooks.

As a parent, educator, longtime downtown resident, and Manager of Children's Events at McNally Jackson Books on Prince Street, I have witnessed firsthand both the immediate and long-term difference Elizabeth Street Garden is making, and has made, on hundreds of children throughout the community. Kids who come to the garden through public school programs in Chinatown and the Lower East Side, administered by garden volunteers and retired educators, develop a sense of pride and ownership about their neighborhood, about the natural world, as they learn to prepare, plant, and tend a garden; as they release ladybugs and butterflies. As they follow the changing seasons, they see photosynthesis in action, collect leaves in the fall, test fresh grass in the spring; kids draw, sing, dance, and read beneath the inviting canopy of giant pear trees. Just playing outside, on dirt and grass, not concrete, is a priceless experience for city kids, especially in an area starved for oxygenating trees and green space. You may know the statistic: only a 3 x 3 foot square (the size of a subway seat) of green space, per person, exists in the area served by Elizabeth Street Garden. What does that say for the value we put on our children's happiness and well-being, that we can't give them even a small pillow of grass to sit on?

In photographs and testimony, many garden supporters have spoken eloquently about the truly unique beauty and health benefits of the Elizabeth Street Garden, and I'd like to remind people of the crucial role this garden has had in building, and sustaining, a critically needed sense of community; where a racially, culturally, and economically diverse range of toddlers, teens, young adults, seniors, students, workers, and retirees, have found family, sustenance, and sanctuary. In addition to public school programs, the garden hosts scores of free community events, including fantastic seasonal, annual celebrations: a Fall Festival for the community, featuring exuberant Halloween excitement; Earth Day working celebrations, the perfect site for galvanizing environmental action; the exhilarating Spring Egg Hunt for kids; Mother's Day, Father's Day, and more; numerous weekly tai chi classes for seniors, weekly storytimes hosted by Mulberry Street Public Library, music and dance performances for families, poetry readings and author events; storytelling workshops for kids where they can create original art inspired by the natural world surrounding them in the garden—all while nurturing an appreciation for, and deep connection to, the natural world, our world, their world, and--with no hyperbole and all sincerity--the future.

Yvonne Brooks

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Hello New York City Council,

Please count myself and my parter as apposing the destruction of the Elizabeth Street Garden. As a resident of Mott street the garden has been a haven to pull over and get a breath of fresh air and take in some blue skies. I've met my neighbors there. I take my lunches there. It's the cornerstone of the neighborhood. Please explore the other options for housing.

I appreciate you taking the time to read my email.

Warm regards,

Petrea Davis

Opposition to the Green Haven Project

Hello,

My name is Roman Martinez and I have been a resident of Nolita for four years. I am writing today to voice opposition against the Green Haven project. Like many others, I visit the garden often and enjoy the green space. Please do not take away our green space.

Thank you,

.

Roman Martinez

Opposition to Green Haven Development

My name is Richard Freitas. I live at 29 Prince Street, one block from the Elizabeth Street Garden. I moved to this neighborhood over 4 years ago because I fell in love with it and especially the garden. It is a special place for everyone living in the area since there are no green spaces nearby. Everyone loves to spend time there to relax and enjoy it with friends and family.

I strongly oppose the Green Haven project since it will destroy the garden. I found the whole process disheartening and another example of a failure in our NYC democracy. The vast majority of the residents in the community is against this development project as seen by the large numbers of garden supporters at every public meeting. Yet Councilwoman Margaret Chin ignores the will of the majority. Even the community board opposes the project. There is an alternate site that could provide even more affordable housing, so I really don't understand why that was not considered. Even the title of the project "Green Haven" is misleading and a lie. A true green haven would entail leaving the garden fully protected. Please save our adored garden.

Thank you,

Richard Freitas

Testimony in OPPOSITION to Haven Green Development

To Whom it May Concern,

Please save Elizabeth Street garden from disappearing. This is a much loved and needed community garden and green space for local residents and visitors to the neighborhood. An alternative location has been found for development that provides ample space for retail, housing and senior housing too at 388 Hudson St. Please listen to and work with the community's needs to landmark this beautiful garden and provide housing for both seniors and low income families and individuals.

Thank you,

Emma Barker

Haven Green

Dear Sub-Committee:

The people of the community would be grateful if you could review the documents attached below.

These include, but are not limited to, the 1974 NYTimes article, the 1981 land use disposition, photographs of a very large alternative site at 2 Howard Street which has been on the Borough President's published list of potential affordable housing sites since 2014.

You will also find more photographs of Alex Vela, a 21 Spring Street resident since 1982. Please take note of the fact that he is in the garden in the middle of winter despite the fact that many have stated that this community center is never open and only for the wealthy.

Thank you.

Sincerely,
Jennifer Romine & the Tenants of 21 Spring Street

LAND DISPOSITION AGREEMENT entered into as of the 12th day of March, 1981, by and between the CITY OF NEW YORK, a municipal corporation of the State of New York, having its principal office at City Hall, New York, New York ("CITY") and LIRA APARTMENTS CO., a New York limited partnership duly organized as a Redevelopment Company pursuant to the provisions of Article 5 of the Private Housing Finance Law of the State of New York, having its principal office c/o DeMatteis Development Corp., 820 Elmont Road, Elmont, New York ("HOUSING COMPANY").

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ARTICLE I

DEFINITIONS AND BASIC INFORMATION

Section 1.1 Definitions. The following whenever used in this Land Disposition Agreement (the "Agreement"), shall have the meanings set forth in this Section, unless such meanings are expressly contradicted, limited or expanded elsewhere herein:

- (a) "Disposition Site": That portion of the Project Area consisting of the real property to be conveyed to the Housing Company by the City pursuant to the provisions of Section 116 of the Private Housing Finance Law.
- (b) Intentionally omitted
- (c) "Project Area": All the real property (the Disposition Site and, if any, the Owned Site) comprising the land upon which the Housing Company will complete the Plan and Project.
- (d) "Plan": The Plan and Project for the redevelopment of the Project Area which is attached to the Agreement as Schedule "C".
- (e) "Project": The specific work or improvement to be undertaken by the Housing Company which is described in the Plan for the construction of housing to be situated on the Site including such business, commercial, cultural or recreational facilities that may be appurtenant thereto.
- (f) "PHFL": The Private Housing Finance Law of the State of New York.
- (g) "FHA": The Federal Housing Administration of the U.S. Department of Housing and Urban Development (HUD).
- (h) The Department of Housing Preservation and Development of the City of New York: "HPD".
- (i) The City Planning Commission of the City of New York: "CPC".
- (j) "Purchase Price": \$275,000.00
- (k) "Contract Deposit": \$27,500.00
- (l) "Purchase Price Balance": \$247,500.00
- (m) "Time for Completion of Construction or Rehabilitation": Two years after the date of the closing of title.
- (n) "Mailing Address of The City of New York":

General Counsel
Department of Housing Preservation and Development
100 Gold Street
New York, New York 10038

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(o) "Mailing Address of The Housing Company":

LIRA Apartments Co.
c/o DeMatteis Development Corp.
820 Elmont Road
Elmont, New York

(p) "Mortgage": The Note, Building Loan Agreement, Regulatory Agreement and Mortgage required by HDC providing for the financing of the Project.

(q) "Mortgagee": New York City Housing Development Corporation ("HDC").

(r) "Minimum Annual Shelter Rent Taxes": \$58,291.00

(s) "Section 8": Section 8 of the United States Housing Act of 1937 as may now or hereafter be amended or supplemented.

Section 1.2(a) Schedules. The Schedules listed below and attached to this Agreement are hereby incorporated into and made a part of this Agreement.

Schedule A: Metes and Bounds Description of the Disposition Site.

Schedule B: Easements, if any, affecting the Disposition Site.

Schedule C: Plan and Project.

Schedule D: City Equal Opportunity and On-The Job Training Provisions.

(b) Riders: Special terms and provisions, if any, not covered by this Agreement, are set forth in the Riders attached to this Agreement. License Agreement for maintenance of certain open space adjacent to the Project Area.

Section 1.3 Recitals. The City states as follows:

a. That substandard and unsanitary housing conditions exist in the area in the County of the Bronx where the Project Area is located.

b. That the City is the owner of all the real property together with improvements, if any, comprising the Disposition Site.

c. That CPC, following public hearings held after due notice, approved the Plan for the Project Area.

d. That the Plan and this Agreement were duly submitted to the Board of Estimate, with the Certificate of Approval of HPD, together with a Certificate of Unqualified Approval of the Plan by CPC.

e. That the method and procedures of disposition conform to the requirements of State and Local Law and regulations, including the Uniform Land Use Review Procedures required by Section 197-C of the New York City Charter.

f. The Plan and the Agreement were approved by the Board of Estimate following a public hearing held after due notice.

PRICE AND CLOSING

Section 2.1 Sale and Purchase. The City agrees to sell and convey to the Housing Company, and the Housing Company agrees to purchase from the City, all those plots, pieces or parcels of City-owned real property, both land and improvements, which is more particularly bounded and described on the attached Schedule "A", and shall pay to the City therefor, the Purchase Price provided in Section 1.1(j) hereof, as follows:

a. Upon the execution and delivery of this Agreement, the Housing Company shall pay to the City the Contract Deposit set forth in Section 1.1(k) hereof by check, subject to collection, made payable to the Department of Finance of the City of New York, provided, however, that if delivery of this Agreement and the closing of title is held simultaneously no Contract Deposit shall be required and the entire Purchase Price shall be due and payable.

b. See Page 3A

Section 2.2 Closing Arrangements. It is intended that the deed to the Disposition Site shall be delivered by the City to the Housing Company simultaneously, if practicable, with the execution and delivery by the Housing Company and the acceptance by the Mortgagee of the Mortgage and other related documents providing for the financing of the development of the Project and effectuation of the Plan (said execution, delivery and acceptance by the Mortgagee of the Mortgage is sometimes referred to as the "Closing") and the parties hereto accordingly agree that:

(1) The Housing Company (a) shall process expeditiously the application heretofore filed by the Housing Company with the FHA for the federally insured mortgage loan; (b) shall comply with all requirements imposed by the FHA and/or HDC as conditions to the granting of the Mortgage; and (d) shall close the Mortgage on the date determined by the FHA and/or HDC.

(2) At such time as the date of the Closing shall be determined by HDC the Housing company shall promptly notify the City in writing of the said date, time and place for said Closing and if practicable, such date, time and place for said Closing shall also be the date, time and place for delivery of the deed of the Disposition Site from the City to the Housing Company; provided that the date for delivery of the deed shall be at least ten (10) business days after the aforesaid notice given by the Housing Company to the City, the time shall be during normal business hours, and the place shall be within New York County.

b. The purchase price of the Disposition Area shall be Two Hundred Seventy Five Thousand (\$275,000.00) said as follows:

- (1) One Hundred Thousand (\$100,000.00) Dollars upon delivery of the deed of the Disposition Area, by certified check, New York City Housing Development Corporation check or bank draft drawn upon a bank doing business in the City of New York, subject to collection, made payable to the Commissioner of Finance of the City of New York. The date, time and place for delivery of the deed shall be determined in accordance with the provisions of subdivision B of this Paragraph 102; and
- (2) Eighty Seven Thousand Five Hundred (\$87,500.00) Dollars by execution, acknowledgement and delivery to the City, upon delivery of the deed, of a promissory note, in form acceptable to HPD, providing for payment in full of the principal balance, together with interest at the rate of 15% per annum, the date which is ninety (90) days following the earlier of the issuance of a Temporary Certificate of Occupancy for 95% of the apartments or 20 months from the delivery of the deed. Payment of the aforesaid promissory note shall be personally guaranteed in full by the general partner or partners of the partnership up to a total of One Hundred Seventy Five Thousand (\$175,000.00) Dollars. The aforesaid pledge shall be in form acceptable to HPD and shall be executed, acknowledged and delivered to the City simultaneously with the promissory note; and
- (3) Eighty Seven Thousand Five Hundred (\$87,500.00) Dollars by execution, acknowledgement and delivery to the City, upon delivery of the deed, of a promissory note in form acceptable to HPD, providing for payment in full of the principal balance, together with interest at the rate of 15% per annum 32 months after delivery of the deed. Payment of the aforesaid promissory note shall be personally guaranteed in full by the partner or partners of the partnership up to a total of Eighty Seven Thousand Five Hundred (\$87,500.00) Dollars. The aforesaid pledge shall be in form acceptable to HPD and shall be executed, acknowledged and delivered to the City simultaneously with the promissory note; and

(3) In the event that the Mortgage shall not be closed within one year from the date of the execution and delivery of this Agreement, the City and the Housing Company shall each have the right to notify the other in writing that unless the Mortgage shall be closed within 60 days from the date of said notice this Agreement shall terminate, and thereupon, in the event that the Mortgage shall not be closed before the expiration of such 60-day period, the City shall return to the Housing Company the Contract Deposit given to the City, and upon such return this Agreement shall be null and void and neither party shall have any further obligations hereunder.

(4) In the event that the Housing Company shall default in its obligation to pay to the City the Purchase Price or the Purchase Price Balance at the date and time set for delivery of the deed, then, in any such event the City shall retain the Contract Deposit as liquidated damages without any deduction or offset whatsoever, and thereupon this Agreement shall be null and void and neither party shall have any further claims or obligations hereunder, provided however, that the City shall give the Housing Company written notice of any default in its obligation to pay either the Purchase Price or the Purchase Price Balance, which notice shall specify the nature of such default, and the Housing Company shall have a 60-day period after said notice within which to cure such default.

Section 2.3 Conveyance. The City shall, upon payment in full of the Purchase Price by the Housing Company, convey to the Housing Company at the time and place specified in Section 2.2 hereof, title to the Disposition Site by a Bargain and Sale deed (hereinafter called "the Deed"), containing the covenant provided for by Section 13 of the Lien Law. Said conveyance shall be free and clear of all liens and encumbrances, except as hereinafter set forth, and shall, in addition to all other conditions, covenants and restrictions set forth or referred to elsewhere in this Agreement, be subject to:

(a) Any and all easements as may be shown on Schedule "B" attached hereto and all easements of record.

(b) Any state of facts an accurate survey will show, provided that the title is marketable and the state of facts is such that a title company authorized to do business in the State of New York, would insure.

(c) any and all municipal liens or violations of record, if any, existing on the date of conveyance of the Site of the Housing Company, or thereafter listed or recorded resulting from an inspection made of the real property prior to the date of conveyance to the Housing Company, provided, however, that as between the City and the Housing Company, the City agrees that it shall not enforce any such violations or liens against the Disposition Site and improvements, the Housing Company, any authorized purchaser, any Mortgagee, FHA or HUD, it being intended that such liens or violations, if any, shall remain on record to the extent necessary in order to preserve the right of the City to deduct from the condemnation awards, if any, granted in the taking of the damage parcels comprising the Disposition Site, the amount of the penalty covered by the liens or the violations.

Section 2.4 Additional Conditions of Conveyance. The Disposition Site is also sold and will be conveyed pursuant to and in accordance with the following:

(a) The Housing Company shall pay the Real Property Transfer Tax pursuant to Chapter 46, Title II of the Administrative Code, as amended and supplemented, imposed in connection with the conveyance of the Disposition Site to it.

(b) The Housing Company agrees to pay the New York State Real Property Transfer Tax, pursuant to Chapter 347 of the laws of 1968.

(c) The Housing Company shall cause this Agreement and the Deed to be recorded immediately following the closing of title.

(d) Taxes, assessments, water rates and sewer rents shall be apportioned as of the date of closing of title.

(e) The Housing Company will accept the Disposition Site in its physical "as is" condition on the date of the closing of title.

(f) No brokerage commission shall be paid by the City of New York or by the Housing Company in connection with this transaction.

ARTICLE III

Section 3.1 Commencement and Completion of Construction of the Project. The Housing Company agrees for itself, its successors and assigns, that the Deed shall contain covenants that the Housing Company shall promptly begin and diligently prosecute to completion the redevelopment of the Project through the preparation for and construction of the improvements contemplated by the Plan for the Project Area, and that such construction shall begin and shall be completed within the period specified in Section 3.5 hereof. The Deed shall expressly provide that such agreements and covenants shall be covenants running with the land, and that they shall, in any event, and without regard to technical classification or designation, legal or otherwise, and except only as otherwise specifically provided in this Agreement, be to the fullest extent permitted by law and equity, binding for the benefit of the City and enforceable by the City against the Housing Company and its successors and assigns.

Section 3.2 Limitations on Land Use. The Housing Company prior to completion of construction, shall not rent, license or permit the temporary use of the vacant land in the Disposition Site, for purposes unrelated to the construction process.

Section 3.3 Project Signs. The Housing Company shall, at its own cost and expense, erect and maintain two Project signs identifying the interest of the parties in lettering in such size and form as shall be approved by HPD.

Section 3.4 Plans and Specifications. At the earliest possible date, consistent with the processing of the application for insurance of the Mortgage and for the Section 8 subsidy, the Housing Company shall submit plans and specifications to FHA in accordance with FHA processing requirements. The Housing Company agrees to undertake and carry out, in accordance with the provisions of this Agreement, the construction of the buildings and improvements located on the Project Area, accordance with the Plan and with final plans and specifications approved by FHA. The scope of plan review by HPD shall only cover compliance with the Zoning Resolution and design criteria.

A. The Housing Company may propose for the approval of HPD material amendments, modifications or corrections to the preliminary plans required to have been submitted to HPD in connection with Project processing requirements (which preliminary plans shall be submitted to the HPD Office of Design no later than ninety (90) days from the date of the execution and delivery of this Agreement) provided that same comply with the requirements of the Zoning Resolution and Plan and the design criteria, and HPD shall not unreasonably withhold its approval thereof. Non-material modifications, amendments and changes, to the plans may be made without HPD approval, provided that such changes comply with all of the foregoing.

B. Within six (6) months from the date of the execution and delivery of this Agreement or at such time consistent with the processing of the Housing Company's applications for insurance

of the Mortgage and the Section 8 subsidy, whichever is later, the Housing Company shall submit to the Department of Buildings, for approval, the required number of sets of final working plans, specifications and related documents legally necessary to obtain building permits for the required construction (which plans, drawings and documents together with any and all changes therein that may thereafter be made and resubmitted are hereinafter collectively referred to as "Final Plans").

Section 3.5A Time Periods. Construction of the existing buildings and improvements shall be commenced within six (6) months after the date of closing of title or within 3 (3) months after the permits for such construction or rehabilitation are issued by the Department of Buildings, whichever is earlier, and shall be completed no later than the Time for Completion of Construction or Rehabilitation appearing in Section 1.1(m) herein. The construction of or rehabilitation of the improvements shall be deemed completed either upon issuance of a temporary or permanent Certificate of Occupancy for each such building on the Site or upon FHA determination that the improvements have been completed as provided in Section 3.6 hereof.

Promptly after completion of the improvements in accordance with the provisions of this Agreement, the City shall furnish the Housing Company with an appropriate Certificate of Completion. Such Certification shall be conclusive evidence of the satisfaction and termination of the agreements and covenants of this Agreement and in the Deed with respect to the obligation of the Housing Company and its successors and assigns, to construct or rehabilitate the improvements as to which such certification is given and of the dates of the commencement and of the completion of such construction or rehabilitation. The HPD acting by its Commissioner or any authorized Deputy Commissioner hereby is authorized to execute and deliver such certificate with respect to the performance by the Housing Company of its obligations under this Agreement as may be requested by the Housing Company.

All such certifications provided for in this Section 3.5A shall be in such form as will enable them to be recorded in the Office of the City Register for the County wherein the Disposition Site is situated. If the City shall refuse or fail to provide any certification in accordance with the provisions of this Section, the City shall, within sixty (60) days after written request by the Housing Company, provide the Housing Company with a written statement indicating, in adequate detail, in what respects the Housing company has failed to complete the improvements in accordance with the provisions of this Agreement or is otherwise in default.

B. Permitted Delays. Anything in this Agreement to the contrary notwithstanding, in the event of any enforced delay or delays in the performance of the Housing Company's obligations under this Agreement by reason of (1) any acts, laws, rules, regulations, or orders of the Federal Government or of the State or City of New York, including but not limited to, controls or restrictions upon a requisitioning of materials, equipment, tools or labor, vehicular use restrictions, fuel or energy restrictions or shortages; (2) judicial or other legal restrictions on the prosecution of the Project; (3) actions of the City, including but not limited to delays in approval of plans, permits, or occupancy certificates and approval and approvals of Local, State or Federal Government; (4) acts of God or of the public enemy, acts of any other contractor or agency in the performance of any contract with the City for work in this area, fires, floods, epidemics, quarantine, restrictions, strikes or other labor disputes, freight embargoes, material shortages, and weather of unusual severity; or (5) any delay or delays of any other contractor engaged by the Housing Company, because of any of the matters contained in this Subdivision B, then the time for the performance of the Housing Company's obligations under this Agreement shall be extended, for any one or more of the causes set forth above, for such period as the HPD shall find in writing

to be the period of such enforced delay or delays and approval of such extension or extensions of time shall not be unreasonably withheld, provided that the Housing Company notifies HPD in writing, within sixty (60) days after the beginning of such delay or delays, of the delay or delays and the cause of causes thereof. If there should be any enforced delay or delays for causes other than those listed in this Subdivision B, which delay or delays are beyond the control and without the fault or negligence of the Housing Company, said delay or delays may be excused in writing for the period of such delay or delays by HPD. The failure of the Housing Company to send timely notice of any delay or delays as provided for above may be excused only in writing and only by the Commissioner of HPD.

In the event that the delay or delays referred to in Subdivision B of this Section interfere with the performance of some of the Housing Company's obligations but do not prevent the performance of other obligations at no material increase in cost to the Housing Company particularly but not limited to construction, the Housing Company shall proceed in accordance with this Agreement with those obligations, the performance of which are not prevented by such delay or delays unless HPD shall excuse the Housing Company for proceeding with all or part of such obligations as herein provided.

Section 3.6 FHA Certification. Notwithstanding anything contained in Section 3.5 herein, if the FHA shall have determined that any buildings constituting all or part of the improvements covered by the Mortgage are, in fact, substantially completed in accordance with the plans and specifications and are ready for occupancy, then, in such event, the City and the Housing Company shall accept the determination of the FHA as to such completion of the construction or rehabilitation of the improvements in accordance with the plans and specifications and, if the other agreements and covenants in the Agreement obligating the Housing Company in respect of the construction and completion of the improvements have been fully satisfied, the City shall forthwith issue its certification provided for in Section 3.5A. Such certifications and such determination shall not constitute evidence of compliance with or satisfaction of any obligation of the Housing Company to any holder of a Mortgage, or any insurer of a Mortgage, securing money loaned to finance the improvements, or any part thereof.

Section 3.7 Narrative Report. The Housing Company shall, if required by FHA, submit a brief narrative report in writing to HPD within six (6) months after it acquires title to the Site and every three (3) months thereafter as to the progress of the construction in the Project Area.

Section 3.8 Assurance of Completion. The Housing Company shall obtain or cause its general contractor to obtain a payment bond and a performance bond or other assurance of completion satisfactory to the FHA in accordance with the requirements imposed by FHA and/or the Mortgagee in form and substance acceptable to FHA, which shall be issued (if bonds are given) by a surety company authorized to do business in the State of New York, and executed by the general contractor for the project in favor of the Mortgagee, the Housing Company, HUD and the City, as their interests may appear.

Section 3.9 Sidewalks. In connection with the construction of the Project, the Housing Company without expense to the City, shall install and construct all sidewalks within the Disposition Site but as to peripheral streets, this obligation shall be limited to the side of the street or streets abutting the Disposition Site.

Section 3.10 Waiver of Award. The Housing Company hereby waives (as the purchaser of the Disposition Site under the Agreement) any and all claims to awards or damages, if any, to compensate it for the closing, vacation, or change of grade of

any street, alley or other public right of way within or fronting or abutting on, or adjacent to, the Project area which hereafter may be closed or vacated, or the grade of which is to be changed, and shall, upon the request of the City subscribe to, and join with, the City in any petition or proceeding required for such vacation, dedication, change of grade and, to the extent necessary, rezoning, and execute any waiver or other document in respect thereto.

Section 3.11 Restoration. The City reserves for itself, and any public utility company, as may be appropriate, the unqualified right to enter upon the Site at any reasonable time for the purpose of reconstructing, maintaining, repairing or servicing the public utilities located within the Disposition Site boundary lines and provided for in the easements, if any, described or referred to in Section 1.2 hereof subject to the obligation to restore the Disposition Site as close as possible to the condition existing at the time immediately prior to performing the work authorized by this Section. The restoration shall be commenced and completed in an expeditious manner at no expense to the Housing Company.

Section 3.12 Public Utility Easement. The Housing company shall not construct any buildings or any structure over, or within the boundary lines of any easement for public utilities reserved and specifically described herein, unless such construction is provided for in such easement or has been approved by the City.

Section 3.13 Access. Prior to the conveyance of the Disposition Site by the City to the Housing Company, the City shall permit representatives of the Housing Company to have access at all reasonable times to any part of the Disposition Site as to which City holds title, for the purpose of obtaining data and making various tests concerning the Disposition Site necessary to carry out the Agreement. After the conveyance of the Site by the City to the Housing Company, the Housing Company shall permit the representatives of the City and the United States of America access to the Disposition Site at all reasonable times which any of them deem necessary for the purposes of the Agreement, including, but not limited to, inspection of all work being performed in connection with the construction of the improvements. It is agreed by the parties hereto that "reasonable times" shall be normal working hours for the construction trades in New York City. No compensation shall be payable nor shall any charge be made in any form by any party for the access provided for in this Section.

ARTICLE IV

TAX EXEMPTION: PROJECT SUPERVISION

Section 4.1 Tax Exemption. Pursuant to the provisions of sub-division 1(a) of PHFL Section 125, the City, acting by its Board of Estimate, does hereby approve the exemption from local and municipal taxes other than assessments for local improvements, of all of the value of the property, both land and improvements included in the Project Area (excluding, however, those portions thereof devoted to business and commercial use, if any) provided that the amount of such taxes to be paid shall be the amount provided in Section 1.1(r) of this Agreement representing the Minimum Annual Ten Percent (10%) of Shelter Rent Taxes for the Project, plus an additional amount after the tax exemption first becomes effective, which additional amount shall equal 25% of the amount by which the Contract Rents applicable to the Project as adjusted and established from time to time pursuant to Section 8, exceeds the Contracts Rents in effect as of the date of occupancy of the Project by eligible tenants. However, total annual real estate taxes for the Project shall not exceed the lesser of either 17% of Contract Rents or the amount of local and municipal real property taxes that otherwise would be due in the absence of any form of tax exemption or abatement provided for by existing

or future Local Law or State legislation. The exemption granted herein shall operate and continue for as long as a federally-aided and/or assisted mortgage is outstanding, but in no event for a period of more than forty (40) years, commencing on the date on which the benefits of such exemptions first become available and effective, at the option of the Housing Company, upon either of the following dates: (a) July 1st of that year in which the Project would be subject to tax based upon a progress assessment were it not for this exemption or (b) the date of issuance of the Certificate of Occupancy, temporary or permanent for the Project, or, if the Project is constructed in stages, the tax exemption applicable to each stage shall become effective from the date of issuance of the Certificate of Occupancy, temporary or permanent, for each such stage. The Housing Company shall elect the alternate (a) effective and available tax exemption date, by notifying the Department of Finance, the Real Property Assessment Bureau and HPD of its election, prior to the last date upon which the taxable status of real property can be altered or modified for a particular tax year. Alternate (b) effective and available tax exemption date shall automatically apply to the Project without any required notice if alternative (a) is not elected.

In consideration of the tax exemption being granted pursuant to said subdivision 1(a) of Section 125 of the PHFL, during the term of such tax exemption the Housing Company agrees to waive the benefits, if any, of additional or concurrent tax abatement and/or tax exemption which may be authorized under existing, or future provisions of State Law, the Administrative Code, or any successor state of municipal statute.

Section 4.2 Rents. The Housing Company agrees that during the period of tax exemption provided in Section 4.1 hereof, it will not charge rentals for residential apartments in the Project at rates in excess of those authorized by HUD. If the revenue derived from such rentals, together with all other revenue received by the Housing company (including any cash surplus) should be insufficient to pay expenses, taxes, assessments of the project, permissible return on capital and interest on outstanding debentures, if any, to the extent authorized by Section 107 (as same may be amended) of the PHFL, then the Housing Company may make application in the manner authorized by HUD Regulations to FHA for permission to increase the maximum permitted rental rates for said residential apartments. Section 107 of the PHFL as applied to Redevelopment Companies organized subsequent to April 28, 1960, presently provides as follows:

"Section 107. Limited return on investment

Subject to the provisions of section one hundred twenty-three of this Article, there shall be paid annually out of the earnings of the redevelopment company, after providing for all expenses, taxes and assessments, a sum for interest on and amortization of any mortgage indebtedness and depreciation charges if, when and to the extent deemed necessary by the supervising agency, plus a distribution of six per centum on the capital and interest not exceeding six percentum on outstanding income debentures....; the obligation in respect to such payments shall be cumulative, and any deficiency in interest, amortization, depreciation and distributions in any year shall be paid either from any cash surplus derived from earnings remaining in the treasury of the redevelopment company in excess of the amount necessary to provide such cumulative annual sums or from the first available earnings in subsequent years; and any cash surplus derived from earnings remaining in the treasury of the redevelopment company in excess of the amount necessary to provide such cumulative annual sums shall, upon the dissolution of, or in the case of a redevelopment company which is a trust the termination of the company, be paid into the general fund of the municipality except as otherwise contemplated by subdivision five of section one hundred twenty-three of this article."

The term "Capital" as used in the PHFL as applied in the case of a partnership is defined by subdivision 4 of Section 102 to mean as follows:

"the aggregate value of money and property contributed by the partners for the purpose of carrying on the business of the partnership, so far as such is credited to the partners on capital account; ..."

No application or motion for an increase in the Project rentals shall be required to be submitted to HPD for its approval if such rent increases shall have been processed and approved by HUD and any such increases so authorized shall be deemed approved by the HPD and may be implemented by the Housing Company.

Section 4.3 Rental Surcharges. During the period of tax exemption provided in Section 4.1 hereof, the Housing Company agrees to implement the following surcharge provisions:

(a) In the case of those persons or families in occupancy not eligible to receive the benefits of the Section 8 Program referred to in subdivision (b) below, if the annual income of a person or family in occupancy shall exceed six times the annual rent for a family of less than three dependent persons or seven times the annual rent for a family of three or more dependent persons, such person, or family, shall be subject to a surcharge in the amount provided in subdivision (e) of this Section in the manner determined by HPD in each month that the prorated annual income exceeds these limits.

(b) If any tenants are aided by the Section 8 Program, then the term "rent" shall mean "contract rent" as such term is defined by the then current HUD rules and regulations for the Program, it being intended that "rent" or "contract rent" shall be the total rent received by the Housing Company for the subject apartment, consisting of rental payments made by the tenant and the housing assistance payment received by the Housing Company made on behalf of the tenant. The Housing Company shall notify the HPD whenever any tenants previously eligible to receive the benefits of the Section 8 Program or any other rental subsidy program having similar income eligibility requirements are no longer eligible by reason of excess income and such person shall be subject to a surcharge in the amount provided in subdivision (e) of this Section, in the manner determined by HPD in each month that the prorated annual income exceeds the Section 8 income eligibility requirements.

(c) The Housing Company shall also submit to HPD semi-annually a status report showing the number, if any, of former Section 8 aided tenants who are no longer eligible. The Housing Company agrees that in such cases of non-eligibility and where the tenant is continuing to reside in the project, it will promptly furnish the tenant with an income information form prepared by HPD (the "Income Information Form"). If any tenant fails or refuses to file with the Housing Company such Income Information Form (or other data requested by HPD verifying income within the time required by HPD) the tenant will be subject to the imposition of maximum surcharges.

(d) It is understood and agreed that the provisions of subdivision 4 of Section 31 of the PHFL are applicable with respect to remittance and retention of any such surcharges collected by the Housing Company and that the Housing Company shall pay to the City annually the same percentage of rental surcharges collected as if it were a company organized under and subject to Article 2 of the PHFL.

(e) Persons or families whose aggregate annual income shall exceed the maximum permissible annual income level criteria set forth in (a) and (b) of this Section 4.3, shall be required to pay, as a rental surcharge the following percentage of the fair market rent for the dwelling unit involved:

<u>AGGREGATE ANNUAL INCOME</u>	<u>SURCHARGE PERCENTAGE OF FAIR MARKET RENT</u>
In Excess of 100% up to 105% Maximum Permissible Initial Income	0%
In Excess of 105% up to 110% of Maximum Permissible Initial Income	5%
In Excess of 110% up to 115% of Maximum Permissible Initial Income	10%
In Excess of 115% up to 120% of Maximum Permissible Initial Income	15%
In Excess of 120% up to 125% of Maximum Permissible Initial Income	20%
In Excess of 125% up to 130% of Maximum Permissible Initial Income	25%
In Excess of 130% up to 135% of Maximum Permissible Initial Income	30%
In Excess of 135% up to 140% of Maximum Permissible Initial Income	35%
In Excess of 140% up to 145% of Maximum Permissible Initial Income	40%
In Excess of 145% up to 150% of Maximum Permissible Initial Income	45%
In Excess of 150% of Maximum Permissible Initial Income	50%

The above schedule is based upon the existing surcharge schedule for Housing Companies organized under Article 2 of the PHFL and such schedule shall at all times conform to the schedule for the Article 2 Housing Companies.

In the event that, at the end of a calendar year only a portion of such year shall have been included in the term of occupancy of a tenant, the annual income and rental shall be computed proportionately in determining whether the annual income exceeded such maximum for such year.

Section 4.4 Project Management. The Housing Company agrees that it shall comply with project management procedures established by HPD (to the extent that same shall not be in conflict with any HUD regulations, rules, procedures or guidelines).

Section 4.5 Fees. The Housing Company agrees that it shall pay a consideration and/or approval fee to the HPD in an amount equal to one-tenth of one percent of the estimate replacement cost of the project (project cost) approved by the FHA and appearing on the FHA mortgage insurance documents used in connection with the Initial Closing. Payment shall be made by the Housing Company to the HPD at the Initial Closing.

ARTICLE V

EQUAL EMPLOYMENT OPPORTUNITIES UNDER FEDERAL, STATE AND CITY LAWS

Section 5.1 Federal Requirements. The Housing Company, for itself, and its successors and assigns, agrees to incorporate into any construction contracts related to the Project, the following provisions:

(a) The Housing Company will not discriminate against any employee or applicant for employment because of race, religion, sex, color or national origin. The Housing company will take affirmative action to insure that applicants are employed, and that employees are treated during employment, without regard to their race, religion, sex, color or national origin. Such action shall include, but not be limited to, the following: employment, upgrading, demotion or transfer; recruitment or recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship. The Housing Company agrees to post in conspicuous places, available to employees and applicants for employment, notices to be provided by the City setting forth the provisions of this nondiscrimination clause.

(b) The Housing Company will, in all solicitations or advertisements for employees placed by or on behalf of the Housing Company, state that all qualified applicants will receive consideration for employment without regard to race, religion, sex, color or national origin.

(c) The Housing Company will send to each labor union or representative of workers with which the Housing Company has a collective bargaining agreement or other contract or understanding, a notice to be provided by the City, advising such labor union or workers' representative, of the Housing Company's commitments under Section 202 of Executive Order No. 11246, of September 24, 1965, and shall post copies of the notice in conspicuous places available to employees and applicants for employment.

(d) The Housing Company will comply with all provisions of Executive Order No. 11246 of September 24, 1965, and of the rules, regulations and relevant orders of the Secretary of Labor, including the New York City Plan which is incorporated herein and made a part hereof.

(e) The Housing Company will furnish all information and reports required by Executive Order No. 11246 of September 24, 1965, and by the rules, regulations and order of the Secretary of Labor pursuant thereto, and will permit access to the Housing Company's books, records and accounts by the City, the Secretary of HUD and the Secretary of Labor for purposes of investigation to ascertain compliance with such rules, regulations and orders.

(f) In the event of the Housing Company's noncompliance with the nondiscrimination clauses of this Contract, or with any of the said rules, regulations or orders, this Contract may be cancelled, terminated or suspended in whole or part and the Housing Company may be declared ineligible for further Government contracts in accordance with procedures authorized in Executive Order No. 11246 of September 24, 1965, or by rule, regulation or order of the Secretary of Labor or as otherwise provided by law.

(g) The Housing Company will include the provisions of Paragraphs (a) through (g) of this Section 5.1 in every contract or purchase order, and will require the inclusion of these provisions in every subcontract entered into by any of the contractors, unless exempted by rules, regulations or orders of the Secretary of Labor issued pursuant to Section 204 of Executive Order No. 11246 of September 24, 1965, so that such provision will be binding upon each such contractor, subcontractor or vendor, as the case may be. The Housing Company will take such action with respect to any construction contract, subcontract or purchase order as the City may direct as a means of enforcing such provisions, including sanctions for noncompliance; provided, however, that in the event the Housing Company becomes involved in, or is threatened with, litigation with a contractor, subcontractor, or vendor as a result of such direction by the City, the Housing Company may request the United States to enter into such litigation to protect the interests of the United States. For the purposes of including such provisions, in any construction contract, subcontract or purchase order as required hereby, the

first three lines of this Section shall be changed to read, "During the performance of this Agreement the Contractor agrees as follows:", and the term "Housing Company" shall be changed to "Contractor".

Section 5.2 State Requirements. The Housing Company hereby agrees that it will incorporate or cause to be incorporated into any and every contract to effectuate this Project, or any part thereof, the following provisions altered only to reflect the proper identity of the parties:

(a) The Contractor will not discriminate against any employee or applicant for employment because of age, race, creed, color, national origin, sex, disability or marital status and will take affirmative action to insure that they are afforded equal employment opportunities without discrimination because of age, race, color, sex, creed or national origin, disability or marital status. Such action will be taken with reference, but not limited to recruitment, employment, job assignment, promotion, upgrading, demotion, transfer, layoff or termination, rates of pay or other forms of compensation, and selection for training or retraining, including apprenticeship and on-the-job training.

(b) The Contractor will send to each labor union or representative or workers with which it has or is bound by a collective bargaining or other agreement of understanding, a notice, to be provided by the State Commission for Human Rights, advising such labor union or representative of the Contractor's agreement under clauses (a) through (h) of this Section (hereinafter called "non-discrimination clauses"). If the Contractor is directed to do so by the City of New York, the Contractor shall request such labor union or representative, to furnish it with a written statement that such labor union or representative will not discriminate because of age, race, sex, creed, color or national origin, disability or marital status and that such labor union or representative either will affirmatively cooperate within the limits of its legal and contractual authority, in the implementation of the policy and provisions of these non-discrimination clauses or that it consents and agrees that recruitment, employment and the terms and conditions of employment under this contract shall be in accordance with the purposes and provisions of these non-discrimination clauses. If such labor union or representative fails or refuses to comply with such a request that it furnish such a statement, the Contractor shall promptly notify the State Commission for Human Rights of such failure or refusal.

(c) The Contractor will post and keep posted in conspicuous places, available to employees and applicants for employment, notices to be provided by the State Commission on Human Rights setting forth the substance of the provisions of clauses (a) and (b) of this Section and such provisions of the State's Laws against discrimination as the State Commission for Human Rights shall determine.

(d) The Contractor will state, in all solicitation or advertisements for employees placed by or on behalf of the Contractor, that all qualified applicants will be afforded equal employment opportunities without discrimination because of race, creed, color, sex or national origin.

(e) The Contractor will comply with the provisions of Sections 291-299 of the Executive Law and the Civil Rights Law, will furnish all information and reports deemed necessary by the State Commission for Human Rights under these nondiscrimination clauses and such section of the Executive Law and will permit access to its books, records, and accounts by the State Commission for Human Rights, the Attorney General, Commissioner of Housing and Community Renewal and the Industrial Commissioner for purposes of investigation to ascertain compliance with these nondiscrimination clauses and such sections of the Executive Law and Civil Rights Law.

(f) This Contract may be forthwith cancelled, terminated or suspended, in whole or in part by the Housing Company upon the basis of a finding made by the State Commission for Human Rights that the Contractor has not complied with nondiscrimination clauses, and the Contractor may be declared ineligible for future contracts made by or on behalf of the State or a public authority or agency of the State or Housing Authority or an Urban Renewal Agency, or contracts requiring approval of the Commissioner of Housing and Community Renewal, until he has satisfied the State Commissioner for Human Rights after conciliation efforts by the Commission have failed to achieve compliance with these nondiscrimination clauses and after a verified complaint has been filed with the Commission, notice thereof has been given to the Contractor and an opportunity has been afforded to it to be heard publicly before three members of the Commission. Such sanctions may be imposed and remedies invoked independently of or in addition to sanctions and remedies otherwise provided by law.

(g) If this Contract is cancelled or terminated under Clause (f) of this Section in addition to other rights of the Housing Company provided in this Contract upon its breach by the Contractor, the Contractor will hold the Housing Company harmless against any additional expenses or costs incurred by the Housing Company in completing the work or in purchasing the services, materials, equipment or supplies contemplated by this contract.

(h) The Housing Company will include the provisions of Clauses (a) through (g) of this Section in every contract, subcontract or purchase order altered only to reflect the proper identity of the parties in such manner that such provisions will be binding upon each contractor, subcontractor or vendor as to operations to be performed within the State of New York. The Housing Company will take such action in enforcing such provisions of such contract, subcontract or purchase order as the City may direct, including sanctions or remedies for noncompliance. If the Housing Company becomes involved in or is threatened with litigation with a Contractor, Subcontractor, or Vendor as a result of such direction by the City, the Housing Company shall promptly so notify the Attorney General, requesting him to intervene and protect the interests of the State of New York.

Section 5.3 Additional State Provisions. As required by New York State Labor Law §220-e:

(a) That in the hiring of employees for the performance of work under this Contract or any Subcontract hereunder, no Contractor, Subcontractor, nor any person acting on behalf of such Contractor, or Subcontractor shall by reasons of age, race, creed, color, sex, national origin, disability or marital status discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates:

(b) That no Contractor, Subcontractor, nor any person on his behalf shall, in any manner, discriminate against or intimidate any employee hired for the performance of work under this Contract on account of age, race, creed, color, sex, national origin disability or marital status;

(c) That there may be deducted from the amount payable to the Contractor by the City under this Contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of this Contract; and

(d) That this Contract may be cancelled or terminated by the City and all moneys due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this Section of the Contract;

(e) The aforesaid provisions of this Section covering every contract for or on behalf of the State or a municipality for the

manufacture, sale or distribution of materials, equipment or supplies shall be limited to operations performed within the territorial limits of the State of New York.

Section 5.4 City Requirements. The Housing Company agrees to comply with the provisions appearing in the Attached Schedule D and to incorporate in any construction contract related to the project, the language required by Schedule D.

Section 5.5 Advertising. The Housing Company agrees for itself, its successors and assigns, that during construction and thereafter the Housing Company and its successors and assigns shall include in all advertising for the sale or rental of the Project a statement to the effect (a) the Project is open to all persons without discrimination on the basis of age, race, creed, religion, sex, color, national origin or ancestry, disability, or marital status, and (b) that there shall be no discrimination in public access and use of the Project to the extent that it is open to the public.

ARTICLE VI

PROHIBITION AGAINST ASSIGNMENT AND TRANSFER

Section 6.1 Federally-Aided Mortgage. The Housing Company has heretofore applied under applicable federal law to the FHA for insurance of a mortgage loan to finance the construction the Project and for rental subsidy assistance pursuant to Section 8, and the parties hereto contemplate that such application will be approved, that the FHA will issue its usual commitment to the Housing Company, and that the Section 8 rental subsidy will likewise be approved. The Project to be constructed on the Project area will comprise a limited profit housing Project subject to the regulation of the HPD pursuant to appropriate provisions of Article 5 of the PHFL, the FHA and HUD, under the applicable provisions of the National Housing Act.

Section 6.2 Representations as to Development. The Housing Company represents and agrees that its purchase of the Disposition Site and its other undertakings pursuant to the Agreement, are, and will be used, for the purpose of development and rehabilitation of the Project area and not for speculation in land holding. The Housing Company recognizes that, in view of:

(a) the importance of the development of the Project area to the general welfare of the community;

(b) the substantial financing and other public aids that have been made available by law and by the Federal, State and local Government for the purpose of making such development possible; and

(c) the fact that a transfer of a general partnership interest in the Housing Company or of a substantial part thereof, or any other act or transaction involving or resulting in a significant change in the ownership of such interest, or with respect to the identity of the parties in control of the Housing Company or the degree thereof is for practical purposes a transfer or disposition of the Project area then owned by the Housing Company. The qualifications and identity of the Housing Company and its general partner(s) are of particular concern to the Community and the City. The Housing Company further recognizes that it is because of such qualification and identity that the City is entering into the Agreement with the Housing Company, and, in so doing is further willing to accept and rely on the obligations of the Housing Company for the faithful performance of all undertakings and covenants hereby by it to be performed.

Section 6.3 Restrictions on Transfer and Assignment of Interest in the Housing Company. The Housing Company represents and warrants that as of the date hereof, the following General

Partners of the Housing Company who are responsible for the conduct of the business and the management of the affairs of the Housing Company are:

De Matteis Development Corp. and/or a Corporation with identical shareholders and principals and/or a principal thereof.

(i) Prior to the issuance by the City of a Certificate of Completion or a permanent Certificate of Occupancy, and with the prior consent or approval of HPD additional persons may be admitted as Limited Partners of the Housing Company; provided, however, that if any such additional persons are so admitted, no distribution shall thereafter be made by the Housing Company to any partner (General or Limited) until after the issuance by the City of either of said Certificates, and provided, further, however, that until the issuance by the City of either of said Certificates:

(a) no General Partner of the Housing Company other than the individuals and the corporation recited above shall have any responsibility or authority for the conduct of the business or management of the affairs of the Housing Company, and the Partnership Agreement shall so provide;

(b) there shall not, without the prior written approval of the City, be any voluntary dissolution of the Housing Company, or any voluntary merger or consolidation of the Housing Company with any other entity, and the Partnership Agreement shall so provide;

(c) no Partner or Partners (General or Limited) of the Housing Company shall have any authority or right, without the prior written approval of HPD to substitute a new person or corporation for any of the present General Partners of the Housing Company or to cause any other person to be admitted as a General Partner of the Housing Company, and the Partnership Agreement shall so provide;

(d) no Limited Partner of the Housing Company shall have any responsibility or authority for the conduct of the business or the management of the affairs of the Housing Company and the Partnership Agreement shall so provide;

(e) upon any dissolution of the Housing Company no distribution shall be made to any person not bound by this Agreement, and the Partnership Agreement shall so provide;

(f) no persons shall be admitted as Limited Partners of the Housing Company unless they agree to be bound by the Agreement, and the Partnership Agreement shall so provide; and

(g) the provisions of the Partnership Agreement referred to in the preceding proviso and in clauses (a), (b), (c), (d), (e) and (f) above shall not be amended without the prior written approval of HPD, and the Partnership Agreement shall so provide.

(ii) The Housing Company shall, at such time or times as HPD may request prior to completion of the Project, furnish HPD with a sworn statement, setting forth all of the General Partners of the Housing Company and the extent of their respective interests in the Partnership. Such information shall, in any event, be furnished to HPD immediately prior to the delivery of the Deed to

the Housing Company and as a condition precedent thereto, and annually thereafter on the anniversary date of the delivery of the Deed, until completion of the Project.

(iii) The term "person", as used herein includes any individual, partnership or corporation.

Section 6.4 Prohibition Against Transfer of Property and Assignment of Agreement. Also for the foregoing reasons the Housing Company represents and agrees for itself and its successors and assigns that:

(a) Except only

(1) by way of security for, and only for, (i) the purpose of obtaining financing necessary to enable the Housing Company or any successor in interest to the Project area, or any part thereof, to perform its obligations with respect to making the improvements under the Agreement, and (ii) any other purpose authorized by the Agreement, and

(2) as to any individual parts or parcels of the Project area on which the improvements to be constructed thereon have been completed, and which, by the terms of the Agreement, the Housing Company is authorized to convey or lease as such improvements are completed, the Housing Company (except as so authorized) has not made or created, and that it will not, prior to the proper completion of the improvements as certified by the City, make or create, or suffer to be made or created, any total or partial sale, assignment, conveyance, or lease or any trust or power, or transfer in any other mode or form of or with respect to the Agreement or the Project area, or any part thereof or any interest in the real property therein, or any contract or agreement to do any of the same, without the prior written approval of the Board of Estimate (which approval shall be in the sole discretion of the Board of Estimate). Provided, that, prior to the issuance by the City of the certificate provided for in Section 3.5A hereof, the Housing Company may enter into any agreement to sell, lease or otherwise transfer, after the issuance of such certificate, the Project area or any part thereof or any interest in the real property therein, which agreement shall not provide for payment of or on account of the purchase price or rent for the Project area, or the part thereof of the interest therein to be so transferred, prior to the issuance of such certificate.

(b) The City shall be entitled to require, except as otherwise provided in the Agreement, as conditions to any such approval that:

(1) Any proposed transferee shall have the qualifications and financial responsibility, as determined by the City, necessary and adequate to fulfill the obligations undertaken in the Agreement by the Housing Company (or, in the event the transfer is of or relates to part of the Project area, such obligations to the extent that they relate to such part).

(2) Any proposed transferee, by instrument in writing satisfactory to the City and in form recordable among the land records, shall, for itself and its successors and assigns, and expressly for the benefit of the City, have expressly assumed all of the obligations of the Housing Company under the Agreement and agree to be subject to all the conditions and restrictions to which the Housing Company is subject (or, in the event the transfer is of or relates to part of the Project area, such obligations, conditions, and restrictions to the extent that they relate to such part): Provided, that the fact that any transferee of, or any other successor in interest whatsoever to, the Project area, or any part thereof, shall, whatever the reason, not have assumed such obligations or so agrees, shall not (unless and only to the extent otherwise specifically provided in the Agreement or agreed to in writing by the City) relieve or except such transferee or successor of or from such obligations, conditions,

or restriction, or deprive or limit the City of or with respect to any rights or remedies or controls with respect to the Project area or the rehabilitation of the improvements; it being the intent of this, together with other provisions of the Agreement, that (to the fullest extent permitted by law and equity and excepting only in the manner and to the extent specifically provided otherwise in the Agreement) no transfer of, or change with respect to, ownership in the Project area or any part thereof or any such interest therein however consummated or occurring, and whether voluntary or involuntary, shall operate, legally or practically, to deprive or limit the City of or with respect to any rights or remedies or controls provided in or resulting from the Agreement with respect to the Project area and the construction of the improvements that the City would have had, had there been no such transfer or change.

(3) There shall be submitted to the City for review all instruments and other legal documents involved in effecting transfer; and if approved by the City, its approval shall be indicated to the Housing Company in writing by an authorized official of HPD.

(4) The consideration payable for the transfer by the transferee or on its behalf shall not exceed an amount representing the actual cost (including carrying charges) to the Housing Company of the Housing Site (or allocable to the part thereof or interest therein transferred) and the improvements, if any, theretofore made thereon by it; it being the intent of this provision to preclude assignment of the Agreement or transfer of the Project area (or any parts thereof other than those referred to in Section 6.4 (a)(2) for profit prior to the completion of the improvements and to provide that in the event any such assignment or transfer is made (and is not cancelled), the City shall be entitled to increase the purchase price to the Housing Company by the amount that the consideration payable for the assignment or transfer is in excess of the amount that may be authorized pursuant to this subdivision (4) and such consideration shall, to the extent it is in excess of the amount so authorized, belong to and forthwith be paid to the City.

PROVIDED, that in the absence of specific written agreement by the City to the contrary, no such transfer or approval by the City thereof shall be deemed to relieve the Housing Company, or any other party bound in any way to the Agreement or otherwise with respect to the construction of the improvements, from any of its obligations with respect thereto.

Section 6.5 Cost. The term "actual cost (including carrying charges)" as used in subdivision (b) paragraph (4) of Section 6.4 hereof is defined below.

In the event the Housing Company should desire to convey the Project Area, or any part thereof, before completion of the Project, and the Board of Estimate and the HPD and FHA approve such conveyance, the consideration for such conveyance paid or payable to the Housing Company shall not exceed an amount representing the actual cost to the Housing Company of the property sold (including the cost of acquisition, carrying charges, the cost of any improvements thereon hereafter erected, and any other expenditures of the Housing Company which under recognized accounting practices are properly considered as actual costs to the Housing Company of the property sold) all as may be approved by the HPD and the FHA. The intent and purpose of the foregoing is to preclude the Housing Company from making any profit resulting from conveyance of the Project area, or any part thereof, prior to the completion of the Project.

In the event of any conveyance under this Section 6.5 the grantee shall be required to assume all of the obligations of the Housing Company under this Agreement. Such grantee must be a qualified Housing Company organized pursuant to Article 5 of the PHFL and shall be financially able to proceed with the Project in accordance with this Agreement and the Plan.

Section 6.6 Prohibition Against Sale of the Project. Until the termination of the period of the tax exemption conferred in Section 4.1 hereof, the Housing Company shall not sell the land and improvements (or any portion thereof) constituting the Project without the consent of the Board of Estimate of the City of New York, except as provided for by Section 123 of the PHFL.

Section 6.7 Dissolution. Notwithstanding the provisions of any other law, the Housing Company agrees to comply in the event of a dissolution of the partnership with Section 123 of the PHFL, in effect at the time of the occurrence of dissolution.

ARTICLE VII

GENERAL PROVISIONS

Section 7.1 Remedies. It is hereby agreed that in the event any party hereto shall fail to comply with or violates any of the provisions of this Agreement, then and in that event the other party hereto may institute such actions or proceedings as it may deem advisable as well as proceedings to compel specific performance and the payment of all damages, expenses and costs.

Section 7.2 Recapture. It is agreed that, subject to the provisions of this Agreement (a) if the Housing Company shall fail to complete construction of the improvements on the Project area, as said completion is defined in this Agreement, or (b) if the Housing Company, prior to said completion of construction shall fail to perform any obligation hereunder that is required to be performed by it prior to said completion of construction, or (c) if prior to said completion of construction any contractor or subcontractor constructing the improvements (or any portion or component thereof) has been determined by the City to be in substantial violation of any of the provisions contained in Section 5.4 hereof, or (d) if the Housing Company shall fail to pay, prior to said completion of construction real estate taxes, assessments, water rates and sewer rents, when finally due upon proper notice and demand, and any such failure with respect to the matters set forth under subparagraphs (a) or (b) shall not be cured within four (4) months, or any such failure with respect to the matters set forth in subparagraphs (c) or (d) shall not be cured within sixty (60) days after written notice of such failure is given to the Housing Company, then the Housing Company shall reconvey to the City, without consideration, by bargain and sale deed all the Disposition Site conveyed to the Housing Company by the City, pursuant to the terms of this Agreement, together with all improvements thereon, free and clear of all liens and encumbrances (except for the lien of the Mortgage referred to below) provided, however, that in the event the Housing Company fails to cure any default within the time required hereunder, the City will send a notice of such failure to cure to the holder of record of any mortgage made to finance the rehabilitation of the improvements contemplated under this Agreement, specifying the default involved in adequate detail, and the Mortgagee shall have the right to cure such default within a reasonable time after such notice upon condition that the Mortgagee sends a notice to the City within 30 days after receipt by the Mortgagee of said notice of failure to cure stating that it intends to cure such default.

A. After any breach or default referred to in Section 7.2 hereof, the Mortgagee shall (insofar as the rights of the City are concerned) have the right, at its option, within the time period above provided, to cure or remedy such breach or default (or such breach or default to the extent that it relates to the part of the Project area covered by its Mortgage) and to add the cost thereof to the mortgage debt and the lien of its Mortgage; provided, that if the breach or default is with respect to rehabilitation of the improvements, nothing contained in this section or any other section of the Agreement shall be deemed to permit or authorize such holder, either before or after foreclosure

or action in lieu thereof, to undertake or continue the rehabilitation or completion of the improvements (beyond the extent necessary to conserve or protect improvements, or rehabilitation already made) without first having expressly assumed the obligation by written agreement satisfactory to the City to complete, in the manner provided in the Agreement, the improvements on the Project area or the part thereof to which the lien of the Mortgage relates. Any such Mortgagee who shall properly complete the improvements relating to the Project area or applicable part thereof shall be entitled, upon written request made to the City to a certification or certifications by the HPD to such effect in the manner provided in Section 3.5A of the Agreement, and any such certification shall, if so requested by such Mortgagee, mean and provide that any remedies or right with respect to recapture of or reversion or revesting of title to the Disposition Site that the City shall have or be entitled to because of failure of the Housing Company or any successor in interest to the Disposition Site or any party thereof, to cure or remedy any default with respect to the construction of the improvements on other parts or parcels of the Project area or because of any other default in or breach of the Agreement by the Housing Company or such successor, shall not apply to the part or parcel of the Project area to which such certification relates.

B. In the event that the Housing Company shall fail to reconvey as aforesaid, the City may institute such actions or proceedings as it deems advisable as well as proceedings to compel specific performance and acquire the fee title free and clear of all liens and encumbrances and mortgages subject only to the Mortgage and its terms and conditions and the Housing Company shall pay the City all damages, expenses and costs incurred in such proceeding. The City may apply for and shall have the right to the appointment of a Receiver without notice to the Housing Company in such action or proceedings, but shall give notice to the Mortgagee and the FHA.

C. Anything contained in this Section to the contrary notwithstanding, in the event of any reversion of title in the City, such reversion shall always be subject to and limited by, and shall not defeat, render invalid or limit in any way: (i) The lien of any Mortgage affecting the Housing Site authorized by this Agreement, and (ii) Any rights or interest provided in the within Agreement for the protection of the holder of any such Mortgage, and FHA.

Section 7.3 Covenants. The Housing Company agrees for itself and its successors and assigns and every successor in interest to the Disposition Site or any part thereof and the deed shall contain covenants on the part of the Housing Company for itself and such successors and assigns, which covenants shall be covenants running with the land to effectuate the following:

(a) A covenant that the grantee, its successors and assigns, and any lessee of the Disposition Site or any part thereof, will and shall carry out the Project as in this Agreement provided, and will and shall devote such land to the uses specified in the Plan attached to this Agreement appearing as Schedule C as said Plan may be amended. Said covenant shall remain in effect for a period of forty (40) years from the date of issuance of a temporary Certificate of Occupancy for the Site improvements.

(b) A covenant that the grantee, its successors and assigns of the Disposition Site conveyed or any part thereof and any lessee of the Disposition Site conveyed or any part thereof will comply with all Federal, State and local laws, in effect from time to time, prohibiting discrimination or segregation by reason of age, race, religion, sex, color, national origin, ancestry, disability or marital status in the sale, lease, or occupancy of the Site, or any improvements erected or to be erected thereon, or any part thereof. Said covenant shall remain in effect as long as the Site improvements are used and occupied for residential purposes.

Section 7.4 Enforcement of Covenants. The parties agree that the United States of America, the State of New York and the City shall be deemed beneficiaries of the agreements and covenants provided in Section 7.3 hereof, both for and in their or its own right and also for the purposes of protecting the interest of the community and other parties, public or private, in whose favor or for whose benefit such agreements and covenants have been provided. Such agreements and covenants shall run in favor of the above named parties for the entire period during which such agreements and covenants shall be in force and effect, without regard to whether the United States of America, the State of New York or the City has at any time been, remains or will be the owner of any land or interest therein to or in favor of which such agreements and covenants relate. Said parties shall have the right, in the event of any breach of any such agreement or covenant to exercise all the rights and remedies, and to maintain any actions or suits at law or in equity or other proper proceedings to enforce the curing of such breach of agreements or covenant, to which it or any other beneficiaries of such agreement or covenants may be entitled.

Section 7.5 Limitation on Employees. It is expressly understood and agreed, notwithstanding anything to the contrary in this Agreement, that no person, firm, corporation, partner, associate, member, official or employee thereof (hereinafter in this Section 7.5 collectively called "person") presently or formerly employed by the City on any planning and/or execution activities or services pertaining to the locale wherein the Project area is located, has or will have any interest in the Housing Company until any and all contractual obligations, duties or responsibilities owing to the City have been fully discharged as shall be determined in writing by the HPD. Any person employed by the Housing Company on any planning and/or execution activities or services pertaining to such locale or the Project area may not be employed by the City in connection with any matter pertaining to this Agreement.

Section 7.6 Compliance with Laws. The Housing Company agrees to comply with the provisions of Article 5 of the PHFL, as same may be amended or supplemented, and to comply with the provisions of all Federal, State and local laws and all rules, regulations and directives relating to the Project issued by the appropriate government agencies.

Section 7.7 Limitation on Assignment of Agreement. This Agreement shall inure to the benefit of and be binding upon any successor of any party hereto, but this provision shall not operate to permit any assignment or other voluntary transfer of any of the rights created hereunder except in such manner as may be expressly permitted by this Agreement.

Section 7.8 Covenants Surviving Delivery of the Deed. None of the provisions of this Agreement is intended to or shall be merged by reason of any deed transferring title to the Site from the City to the Housing Company or any successor in interest and any such deed shall not be deemed to affect or impair the provisions and covenants of this Agreement.

Section 7.9 Counterparts. This Agreement may be executed in any number of counterparts, each of which shall be an original, and all collectively shall constitute but one instrument.

Section 7.10 Conflict of Interest. No official or employee of the City shall have any personal interest, direct or indirect, in this Agreement nor shall any such member, official or employee participate in any decision relating to this Agreement or any agreement arising out of or through this Agreement which affects his personal interest or the interest of any corporation, partnership or association in which he is directly or indirectly interested; provided, however, that nothing herein shall prevent such a member, official or employee of the City from owning stock in and income debentures (if income debentures be issued) of the

Housing Company or acting as an officer or director of the Housing Company with the understanding that no compensation shall be paid such member, official or employee of the City for acting in the capacity of any officer or director of the Housing Company and that no income or dividends shall be paid to any such member, official or employee by the Housing Company unless said payment of income or of dividends be first approved by HPD, with the further understanding that no compensation shall be paid to any corporation, partnership, association, firm or business in which he is interested or associated as an officer, director, stockholder, partner, or owner from which he is receiving or is to receive any compensation or dividends.

Section 7.11 Titles. Any titles of the several parts, Articles and Sections of this Agreement are inserted for convenience of reference only and shall be disregarded in construing or interpreting any of its provisions.

Section 7.12 Contractor's Obligations. Any provision in this Agreement to the contrary notwithstanding, the Housing Company agrees that any contractor engaged or employed by it in the construction of the Project contemplated by this Agreement, shall be required to (1) pay to his or its workmen and shall require his or its subcontractors and materialmen to pay to their workmen and laborers, the prevailing rate of wage established for each category of workman and laborer by the Comptroller of the City of New York pursuant to and in accordance with provisions of Section 220 of the New York State Labor Law if applicable and (2) strictly comply with all applicable provisions of the New York State Labor Law, as amended and supplemented.

Section 7.13 Notices. All notices or communications given or required to be sent under this Agreement shall be in writing and sent by certified mail, return receipt requested, addressed as follows:

(a) When sent by the City to the Housing Company it shall be addressed to the Housing Company at the address appearing in Section 1.1 (c) of this Agreement.

(b) When sent by the Housing Company to the City it shall be addressed to the Department of Housing Preservation and Development at the address appearing in Section 1.1 (n) of this Agreement. Each party shall notify the other in the case of a change in address, which changed address shall thereafter be the address to which notices are sent.

IN WITNESS WHEREOF, THE CITY OF NEW YORK, acting by its Board of Estimate, has caused its corporate seal to be hereto affixed and duly attested and this Agreement to be signed by its Mayor or Deputy Mayor and the Housing Company has executed this Agreement by a duly authorized General Partner as of the day and year first above written.

ATTEST:


City Clerk

THE CITY OF NEW YORK

By 
Deputy Mayor

LIRA APARTMENTS CO.

Seal of the City of New York:

Attest:

BY: DE MATTEIS DEVELOPMENT CORP
GENERAL PARTNER

APPROVED AS TO FORM:


(Acting) Corporation Counsel

BY: 
SECTY. TREAS.

REEL 569 2006

SCHEDULE A

AMENDED DESCRIPTION

REEL 569 2007

ALL that certain plot, piece or parcel of land, situate, lying and being in the Borough of Manhattan, County, City and State of New York, more particularly bounded and described as follows:

BEGINNING at a point formed by the intersection of the northerly side of Spring Street, with the westerly side of Elizabeth Street;

RUNNING THENCE Westerly along the northerly side of Spring Street, 189 feet 9 $\frac{3}{4}$ inches to the easterly side of Mott Street;

THENCE Northerly along the easterly side of Mott Street, 179 feet 3 $\frac{1}{2}$ inches;

THENCE Easterly on a line forming an interior angle of 89 degrees 59 minutes 05 seconds with the preceding course, 185 feet 7 $\frac{3}{8}$ inches;

THENCE Southerly along said westerly side of Elizabeth Street, 218 feet 5 $\frac{1}{8}$ inches to the point or place of BEGINNING.

REEL 569 2008

SCHEDULE B - NONE

B

REEL 569 2009

SCHEDULE C

REF: 569 .2010

LIRA APARTMENTS

PLAN AND PROJECT

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FACT SHEET

REEL 569 2011

LIRA APARTMENTS

Location: 21 Spring Street, Mott to Elizabeth Streets,
New York, New York.
Block 493 - Lot 41

Number of Units: 151 Apartments, plus one Superintendent.

Project Replacement Cost: \$10,500,000.00

Per Unit Replacement Cost: Approximately \$69,000.00

Sponsor/Developers:
The Sponsor is Little Italy Restoration Association ("LIRA") 384 Broome Street, New York, N.Y. (212) 966-0070
The Developer is DeMatteis Development Corp.
820 Elmont Road, Elmont, N.Y. 11003
(516) CU5-5500

Housing Company: LIRA Apartments, a limited partnership, to be formed under Article V, Section 103 of the Private Housing Finance Law.

Financing: Mortgage to be provided by a Bank or Government Agency insured by the Federal Housing Administration under the provisions of Section 221 (d) (4) of the Housing Act of 1937 with subsidy provided under Section 8 of the United States Housing Act of 1937, as amended.

Supervised By: The Department of Housing Preservation and Development of the City of New York; Anthony Gliedman, Commissioner

General Contractor: Leon D. DeMatteis Construction Corp.
820 Elmont Road
Elmont, New York 11103
516-CU5-5500

Architect: Pasanella & Klein
154 West 57th Street
New York, New York 10019
212-247-7420

7/2/80

Attorney:

Belson, Connolly & Belson, Esqs.
32 Broadway
New York, New York 10004
212-422-5266

REEL 569.2012

2. Project Plan Summary

A. The Project

1. General Sponsorship Plan

- This development is sponsored by the Little Italy Restoration Association, a not-for-profit corporation, incorporated March 28, 1974 under the laws of the State of New York. LIRA is a non-profit organization pursuant to Section 501 (c) (3) of the Internal Revenue Code.

LIRA has received funds from the Rockefeller Brothers Fund for the purchase of trees and banners used to decorate the Mulberry Street Pedestrian Mall and has been working through related organizations under a consultant contract awarded to LIRA by HPD. An Application for 217 units of rehabilitation housing is currently pending in HPD's Participation Loan Program and approval from HPD for a vest pocket park at 182 Mulberry Street has been received. LIRA has also received a grant from CitiBank for the refurbishing and beautification of the Park. Further, LIRA has formed LIRA Management Corp. to manage and rehabilitate 75 units of housing presently owned by the City of New York in Little Italy.

LIRA has leased the historic old police headquarters at 240 Centre Street and is planning to convert the building into a cultural center.

2. Development Plan

LIRA Apartments proposes to construct a 7 story fireproof building, containing 151 apartments plus 1 apartment for the superintendent. The project provides approximately 6,000 square feet of community space. This Project has amenities consisting of a Community Room and Laundry Rooms. The Design will meet the Federal Minimum Property Standards. Parking is not required.

Commercial space includes approximately 5,145 square feet on first floor and 7,190 square feet in cellar.

The site contains approximately 36,921 square feet and will include a sitting area, trees, a bocci court and a small childrens-tots area with appropriate equipment for that age group. The gross floor area will be approximately 180,372 square feet and the net residential area approximately 111,872 square feet.

Attached hereto as Pages 2(A)(1) through 2(A)(4) is a copy of a letter from HUD to the prior lending institution which, on Page 3, Paragraph 2, sets the HUD approved land value.



REEL 569.2013

2.1FMM

Ms. Jane Stanicki
Bovary Savings Bank
110 East 42nd Street
New York, New York 10017

Dear Ms. Stanicki:

Subject: Project Name: Little Italy Restoration Association Family Housing
Project Number: 012-35168-LB-L8 / NY36-0004-014
Location: Spring Street between Elizabeth and Mott Streets, N.Y.
Section of the Act: 221(d)(4)
Mortgagor: L.I.R.A. Housing Corp. (to be formed)

50 IN ORIGINAL
Your application for Firm Commitment for project mortgage insurance on the above project will be accepted at any time during the life of this commitment. Your application must conform in content to previous submissions in connection with the proposal. The Firm Commitment Application must include contract drawings and detailed specifications, as well as firm cost estimates shown on FHA Form 2328). No fee is required to accompany your Firm Commitment since previous overpayments cover this charge and will also result in a balance of \$1,319; this amount will be applied toward the inspection fee.

AX The project will have the following characteristics:

Total Units

158 & 1 (superintendent)

Type Building: One 7-story conventionally-built building with partial basement and slab-on-grade foundation. Masonry bearing wall and concrete plan structural system. Brick-face exterior with block and stucco finishes. Oil-fired steam heating system.

with a unit composition of:

Type of Unit	Number	Sq. Ft.	Monthly Rental
One-bedroom	45	595	\$518
One-bedroom	40	600	518
One-bedroom	12	630	518
One-bedroom	2	705	518
Two-bedroom	7	785	619
Two-bedroom	7	805	619
Two-bedroom	15	875	619
Two-bedrooms	30	970	619

7/2/80

included in rent are: Gas Ranges, Electric Refrigerators, Air Conditioner Sleeves in all living rooms and bedrooms, Kitchen Exhaust Fans, Venetian Blinds, Master Television Antenna System Coin-operated laundry facilities Gas for Cooking, Hot and Cold Water, Steam Heat.

Number of Parking Spaces: None

REEL 569 2014

The maximum project cost supportable by the economics of this proposal is indicated to be \$7,554,867 distributed as follows:

HUD Land Value (with off-site improvements installed)	\$ 110.500
Carrying Charges and Financing	911.547
Legal and Organizational Expense	20.000
Design Architect	149.258
Supervisory Architect	49.752
Bond Premium	58.039
Other Fees	27.000
Supplemental Management Fund	15.800
Cost Certification Audit Fees	5.000
Budget (including builder's profit/BSPRA: \$675,324 and general overhead of \$108,483)	6.207.971

Your Architect should be fully aware of the significance of the project construction budget, which is the upper limit available for construction, recognized by HUD. The insurable mortgage will not exceed \$6,492,100. The cash you will be expected to furnish at closing is estimated to be \$517,285 which includes equity investment and working capital.

The HUD Cost Analyst for the project will be Mr. Angelo Guzzi and he will render any assistance you may require in the preparation of Form 2328. The application fee is considered earned and is unrefundable when the application is accepted for processing. The letter will expire if you fail to submit your application with the required fee within 90 days of the date hereon.

Furthermore this letter will be considered void if the application differs substantially in any way from the estimates established herein except that a total deviation not to exceed 2% of the total replacement cost is considered acceptable.

You are expected to meet the target dates established herein (See Attachment A). Your failure to meet these established target dates is considered sufficient cause by HUD for rejection at any processing stage. Any subsequent resubmission will require our re-examination of your proposal and another Feasibility Conference.

Your Multi-Family Housing Representative is Mr. Walter Bonds, Telephone number, (212) 399-3738. He is responsible for following through with your project from the filing of your application to the completion of construction and the final endorsement of the mortgage note. Questions that you may have concerning your case should be directed to him.

7/2/80

included in rent are: Gas Ranges, Electric Refrigerators, Air Conditioner Sleeves in all living rooms and bedrooms, Kitchen Exhaust Fans, Venetian Blinds, Master Television Antenna System, Coin-operated laundry facilities, Gas for Cooking, Hot and Cold Water, Steam Heat.

Number of Parking Spaces: None

REF 569 2014

The maximum project cost supportable by the economics of this proposal is indicated to be \$7,554,867 distributed as follows:

HUD Land Value (with off-site improvements installed)	\$ 110,500
Carrying Charges and Financing	911,547
Legal and Organizational Expense	20,000
Design Architect	149,258
Supervisory Architect	49,752
Bond Premium	58,039
Other Fees	27,000
Supplemental Management Fund	15,800
Cost Certification Audit Fees	5,000
Budget (including builder's profit/BSPRA: \$675,324 and general overhead of \$108,483)	6,207,971

Your Architect should be fully aware of the significance of the project construction budget, which is the upper limit available for construction, recognized by HUD. The insurable mortgage will not exceed \$6,492,100. The cash you will be expected to furnish at closing is estimated to be \$517,285 which includes equity investment and working capital.

The HUD Cost Analyst for the project will be Mr. Angelo Guzzi and he will render any assistance you may require in the preparation of Form 2328. The application fee is considered earned and is unrefundable when the application is accepted for processing. The letter will expire if you fail to submit your application with the required fee within 90 days of the date hereon.

Furthermore this letter will be considered void if the application differs substantially in any way from the estimates established herein except that a total deviation not to exceed 2% of the total replacement cost is considered acceptable.

You are expected to meet the target dates established herein (See Attachment A). Your failure to meet these established target dates is considered sufficient cause by HUD for rejection at any processing stage. Any subsequent resubmission will require our re-examination of your proposal and another Feasibility Conference.

Your Multi-Family Housing Representative is Mr. Walter Bonds, Telephone number, (212) 399-5738. He is responsible for following through with your project from the filing of your application to the completion of construction and the final endorsement of the mortgage note. Questions that you may have concerning your case should be directed to him.

acceptance of this project are as follows:

REEL 569 2015

★
SO IN CHARGE

1. The Architect shall certify that the final drawings and specifications will conform to the schematic drawings, brief specifications, commitment conditions (including the construction budget), applicable codes and ordinances, and that they will comply with HUD-FHA Minimum Design Property Standards, 4910.10. Provide sprinkler system in all corridors public spaces, service and utility areas. Provide smoke detectors in each apartment, alarm system, standpipe system and emergency lighting.
2. The HUD Land Value of \$110,050 includes \$30,500 which is to be escrowed at the time of initial endorsement for off-site construction requirements. The Land Value is subject to reduction should off-site preparation costs exceed the amount estimated at Conditional Commitment and indicated above.
3. The Sponsor shall provide individual meters for tenant electricity.
4. All apartment hardware shall conform to the Federal Crime Insurance Standards.
5. Contract plans and specifications shall include air conditioner sleeves and electrical outlets in all living rooms and bedrooms.
6. Design Architect must provide a utility analysis and a revised survey.
7. Architect is to comply with U valves for walls, ceilings and windows.
8. Comply with the Special Notice Addendum A attached to the approved, stamped copy of your Affirmative Fair Housing Marketing Plan.
9. Prior to initial closing the contractor is to submit a construction progress schedule acceptable to HUD. The schedules should be incorporated in the closing drawings and specs.

This project is subject to compliance with the requirements of Presidential Executive Order 11625 entitled, Prescribing Additional Arrangements for Developing and coordinating a National Program for Minority Business Enterprise, dated October 13, 1971, which directs each Department to promote minority business enterprises, and to develop an information system for purposes of both promotion and evaluation. A minority business is one that is 51% owned by minorities or is managed by minorities. The sponsor/sponsor developer and contractor shall encourage and promote minority business enterprise pursuant to Presidential Executive Order 11625.

This project is subject to the requirements of Executive Order 11625 relating to Equal Opportunity in Employment and regulations and procedures thereunder.

REEL 569 2016

12. This project is subject to the requirements of the President's Executive Order relating to Equal Opportunity in Housing issued on November 20, 1962 and regulations and procedures issued thereunder.
13. A 50% Performance Bond and a 50% Payment Bond or acceptable equivalent is required as the form of Assurance of Completion of Construction.
14. This commitment is conditioned upon submission of evidence acceptable to HUD that real estate tax abatement under Article V of the New York State Private Housing Finance Law will be available for the term of the mortgage with initial taxes based on the higher of either ten percent of gross shelter rent (based on Section 8 tenant's contributions) or \$47,362.
15. This commitment is conditioned upon the sponsor's acquisition of the site at the New York City Land disposition price of \$180,000.
16. Prior to issuance of the Firm Commitment, mortgagor/sponsor are to furnish current FHA Form 2417's and designate the General Contractor.
17. This Conditional Commitment and any subsequent Firm Commitment is contingent upon execution of a Housing Assistance Payments Contract under the Section 8 Program. Section 8 funds in the amount of \$1,094,868 have been reserved for this project. This represents a decrease of \$215,712 from that amount previously reserved as well as a decrease of 37 units. The current reservation includes a utility allowance of \$21 for one-bedroom units and \$23 for two-bedroom units.

Sincerely



Margaret Myerson
Acting Area Director

1,094,868
+ 215,712

1,310,580

15 50 N. J. 1000000

7/2/80

REEL 569 2017

The building will cover approximately 62% of the site and the apartments will be for family housing. The number of rooms per acre is 765.

The security system proposed for the benefit of residents consists of a tandem bell-buzzer connected to each apartment and to the lobby.

The Plan and Project, together with the zoning analysis and other data to be submitted to the City Planning Commission, makes provision for height and bulk of structures, density of population and percentage of land coverage by structures which conform to the purposes of Section 114 of the Private Housing Finance Law and to the Master Plan of the City of New York insofar as adopted. The density of the population contemplated by the project bears appropriate relationship to the distribution of population in other parts of the City.

Existing and planned public facilities, planned streets, provisions for light and air, and cultural and recreational facilities are adequate for the density of population contemplated by the project and conform to the purposes of the Private Housing Finance Law.

Tenant selection will be in conformance with U.S. Dept. of Housing and Urban Development regulations.

Management will be provided by either Jerome Belson Associates, a licensed, experienced, management organization or by another agent either of which will be subject to approval of HPD.

Tenant selection will be made after consulting with community representatives and will comply with all requirements of HPD.

Management will be provided by either U/A Management Corp., an affiliate of Jerome Belson Associates, a licensed, experienced, management organization or by another agent, either of which will be subject to approval of HPD.

Tenant selection will be made after consulting with community representatives and will comply with all requirements of HPD.

As part of this Plan and Project, LIRA Apartments shall maintain an off site recreational area which shall be developed on City owned land (Block 493, portion of Lot 41), by the City through its Interim Site Improvement Program, in such manner and for such length of time as will be set forth in a Maintenance Agreement to be entered into between LIRA Apartments and the City of New York, which Agreement shall be attached to and made part of the Land Disposition Agreement between LIRA Apartments and the City.

Apartment Distribution

<u>Apt. Type</u>	<u>Number of Units</u>	<u>% of Total Distr.</u>	<u>Zoning Rooms Per Unit</u>	<u>Total Zoning Rooms</u>	<u>Population 2 x BR #</u>
1 BR	34	22%	3.5	119	68
2 BR	93	62%	4.5	418.5	372
2 BR + OHR	24	16%	4.5	108	96

151 + 1 Superintendent (2BR)

A Site Plan is annexed hereto as Page 4(A).

The Section 8 Income Limits Table is set forth herein on Page 4(B).

3. Financial Plan

The Total Estimated Replacement Cost for LIRA Apartments is \$10,500,953. It is to be financed by a Mortgage insured by the Federal Housing Administration of the Department of Housing and Urban Development, estimated at \$9,450,800 or 90% of the actual final project cost, whichever is less. The equity capital requirements for this rental housing project will be provided by a limited partnership to be organized pursuant to Article 5 of the Private Housing Finance Law.

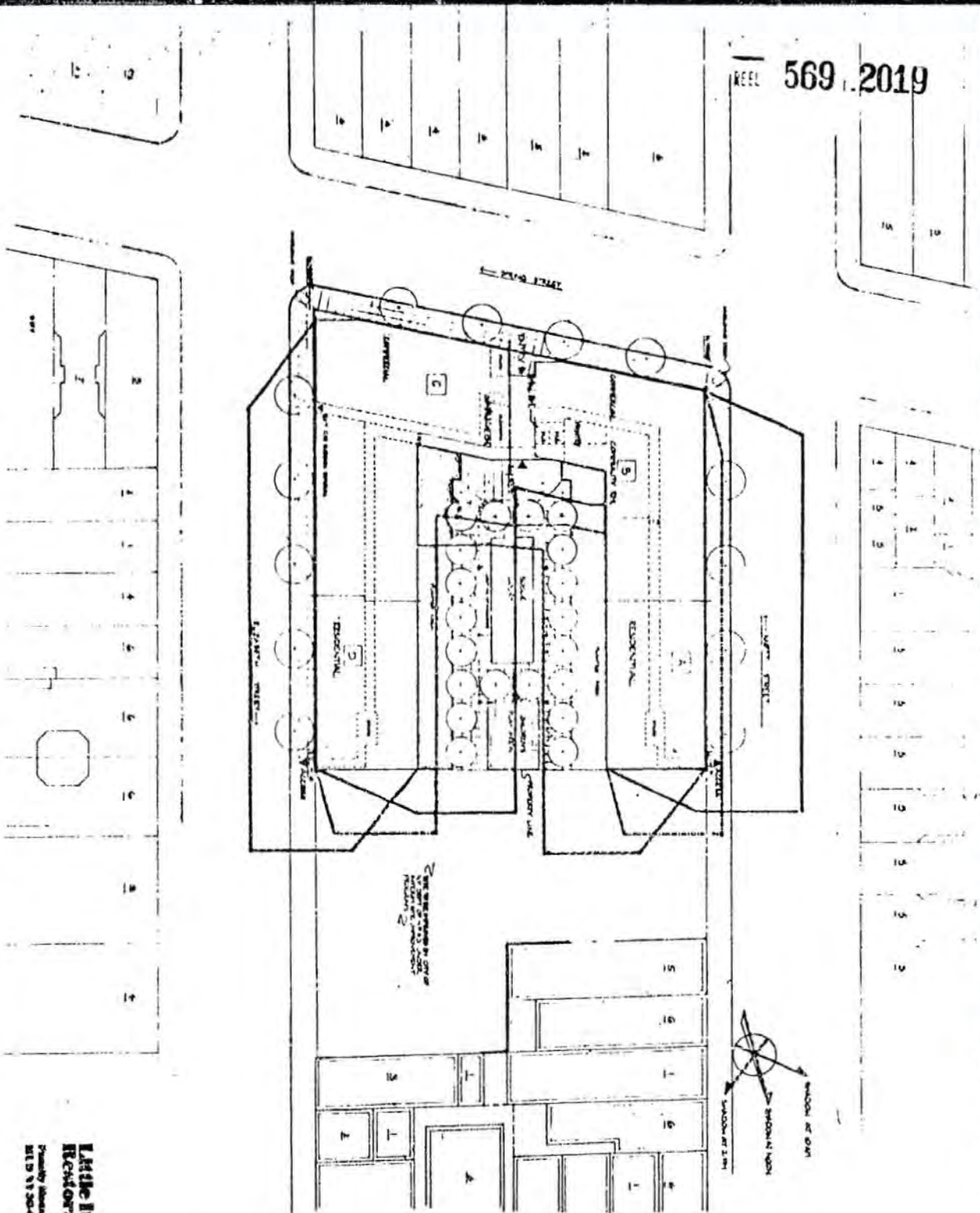
The proposed LIRA Apartments will have DeMatteis Development Corp. as the General Partner and Leon D. DeMatteis Construction Corp. as an initial limited partner.

The partnership capital will be provided by limited partners investing in said partnership. This project will receive FHA Section 8 subsidy payments from the Department of Housing and Urban Development under a Housing Assistant Payments Contract. A reservation of Section 8 funds has already been made.

100% of this project will receive Section 8 Subsidy payments. This project is seeking Tax Exemption under Article V of the Private Housing Finance Law.

Tax Exemption is to be provided pursuant to Section 125 of the Private Housing Finance Law for a forty year period. The tax obligation of the project upon initial occupancy is anticipated to be not less than a fixed annual payment to be determined by the Board of Estimate, representing the minimum

REEL 569 2019



REEL 569 2020

SECTION 8 INCOME LIMITS

<u>NO. OF PERSONS</u>	<u>LOWER INCOME (As of 7/19/78)</u>	<u>VERY LOW INCOME (As of 7/30/79)</u>
1	\$11,950	\$ 6,500
2	13,650	7,450
3	15,350	8,350
4	17,050	9,300
5	18,100	10,050
6	19,200	10,800
7	20,250	11,550
8+	21,300	12,300

NOTE: Income limits are based upon gross income; no deductions are allowed. Thirty (30%) percent of Section 8 units must be occupied by very low income tenants.

7/2/80

4(B) -

Shelter Rent taxes for the Project.

It is further proposed that after the tax exemption becomes effective, the Redevelopment Company shall pay additional taxes in the amount equal to 25% of the amount by which the Contract Rents applicable to the Project, as adjusted and established from time to time pursuant to Section 8 of the United States Housing Act of 1937, exceeds the Contract Rents in effect as of the date of occupancy of the project, provided that at no time shall the tax obligation of the project exceed 17% of the contract rent or full taxes, whichever amount is lower.

(Attached as Page 5(A) is a copy of the HUD Preliminary Approval letter for this Project, dated April 27, 1977.) Also attached is a FHA Form 2013, (Draft - For Information Only) for this Project. (Page 5(B)).

B. The Site

This Site (Tax Block 493 - Portion of Lot 41) consists of approximately 36,921 square feet, is located at Spring Street between Mott and Elizabeth Streets, New York, New York. The site is presently vacant.

This project site is presently owned by the City of New York. Existing utilities are at the site, consisting of Public Sewers, Public Water and Con Edison Electric. Additional utilities are not proposed for the site. No streets will be demapped. The site plan for the project conforms to requirements of the Little Italy Special District.

A zoning map is attached as Page 5(C).

C. The Neighborhood

The Site and Neighborhood are suitable for family housing. This neighborhood has long needed new housing location for families. The prevalent type of housing in the Little Italy area is rent controlled small multi-family housing. The population characteristic of this neighborhood is family and elderly. The physical and social strength of the neighborhood is stable. The aforementioned

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT
HOUSING - FEDERAL HOUSING COMMISSIONER

REEL 569, 2022

6/26/80

APPLICATION - PROJECT MORTGAGE INSURANCE

Project Name: L.I.R.A.						Project Number: 012-35768					
TO: Area Manager, New York Area Office and the FEDERAL HOUSING COMMISSIONER.											
The undersigned hereby requests a loan in the principal amount of \$9,450,800 to be insured under the provisions of Section 822(d)(4) of the National Housing Act, said loan to be secured by a first mortgage on the property hereinafter described.											
Insurance of advances during construction <input checked="" type="checkbox"/> is, <input type="checkbox"/> is not desired. <input type="checkbox"/> Feasibility (Rehab.) <input type="checkbox"/> SAMA <input type="checkbox"/> Conditional <input checked="" type="checkbox"/> Firm											
Type of Mortgagor: <input type="checkbox"/> PM <input checked="" type="checkbox"/> LD <input type="checkbox"/> RS <input type="checkbox"/> NP Permanent Mortgage Interest Rate 7.5 %											
A. LOCATION AND DESCRIPTION OF PROPERTY:											
1. Street No.		2. Street		3. Municipality		4. Census Tract		5. County		6. State and ZIP Code	
41 Spring & Elizabeth Sts.		New York		43		New York		NY		10021	
7. Type of Project:		8. No. Stories		9. Foundation:		10. Full Basement		11. Partial Basement		12. Basement Floor: Structural Slab on Grade	
<input checked="" type="checkbox"/> Elevator <input type="checkbox"/> Walkup <input type="checkbox"/> Row (T.H.) <input type="checkbox"/> Detached <input type="checkbox"/> Semi-Detached		7		<input type="checkbox"/> Grade <input checked="" type="checkbox"/> Basement		<input type="checkbox"/> Full		<input type="checkbox"/> Partial		<input checked="" type="checkbox"/> Space	
10. <input checked="" type="checkbox"/> Proposed <input type="checkbox"/> Existing		11. Number of Units		12. Number of Buildings		13. List Accessory Buildings and Area		13a. List Recreation Facilities and Area		13b. List Recreation Facilities and Area	
		Revenue Non-Rev.		1		None		Outdoor Recreation Area 13,000 s.f.		Indoor Comm. Space: 2790 s.f.	
SITE INFORMATION								BUILDING INFORMATION			
14. Dimensions:								15. Yr. Built			
ft. by ft. or 36,949 sq. ft.								16a. <input type="checkbox"/> Manufactured Housing <input checked="" type="checkbox"/> Conventional Built			
15. Zoning: (If recently changed, submit evidence)								16b. Exterior Finish			
Little Italy Special District								Brick			
17. Structural System								18. Heating, A/C System			
Brick								M.S. Bearing			
19. Date Acquired								20. Purchase Price			
								\$ 400,000			
21. Additional Costs Paid or Accrued								22. If Leasehold, Annual Ground Rent			
23a. Total Cost								23b. Outstanding Balance			
\$ 400,000								\$			
24. Relationship, Business, Personal or Other Between Seller and Buyer								To be purchased from City			
25. Utilities: Public Community Distance from Site								26. Unusual Site Features:			
Water <input checked="" type="checkbox"/> at site <input type="checkbox"/> Sewers <input checked="" type="checkbox"/> at site								<input type="checkbox"/> Cuts <input type="checkbox"/> Fills <input type="checkbox"/> Rock Formations <input type="checkbox"/> Erosion <input type="checkbox"/> None <input type="checkbox"/> Poor Drainage <input type="checkbox"/> High Water Table <input type="checkbox"/> Retaining Walls <input checked="" type="checkbox"/> Other (Specify) Grade Beam <input type="checkbox"/> Off-Site Improvements			
C. ESTIMATE OF INCOME:											
27. Number of Family Type Unit		Living Area (Square Feet)		Composition of Units		Unit Rent Per Month		Total Monthly Rent for Unit Type			
6		590		1BR (Handicapped)		622		3,732			
28		605		1BR		\$ 622		\$ 17,416			
61		765		2BR		\$ 747		\$ 45,567			
26		835		2BR		\$ 747		\$ 19,422			
6		835		2BR (Handicapped)		\$ 747		\$ 4,482			
24		905		2BR + OHR		\$ 747		\$ 17,928			
28. Tenant pays own household electric											
1BR-\$26; 2BR-\$31											
TOTAL ESTIMATED RENTALS FOR ALL FAMILY UNITS \$108,547											
29. Number of Parking Spaces:											
<input type="checkbox"/> Attended None <input type="checkbox"/> Self Park											
Open Spaces None @ \$ per month											
Covered Spaces @ \$ per month											
30. Commercial:											
Area-Ground Level 5,815 sq. ft. @ \$ 30 per sq. ft./month											
Other Levels 6,699 sq. ft. @ \$ 71 per sq. ft./month											
6,500											
31. TOTAL ESTIMATED GROSS PROJECT INCOME AT 100% OCCUPANCY \$115,047											
32. TOTAL ANNUAL RENT (Item 31 x 12 months) \$1,380,564											
33. Gross Floor Area: 180,275 sq. ft.											
34. Net Rentable Residential Area: 115,585 sq. ft.											
35. Net Rentable Commercial Area: 12,514 sq. ft.											
36. NON-REVENUE PRODUCING SPACE											
Type of Employee		No. Rooms		Composition of Unit		Location of Unit in Project					
Supt.		4 1/2									
D. EQUIPMENT AND SERVICES INCLUDED IN RENT: (Check Appropriate Items)											
37. EQUIPMENT:				38. SERVICES:				39. SPECIAL ASSESSMENTS:			
<input checked="" type="checkbox"/> Ranges (Gas or Elec.) <input type="checkbox"/> Dishwasher <input checked="" type="checkbox"/> Refriger. (Elec.) <input type="checkbox"/> Carpet <input checked="" type="checkbox"/> Air Cond. (Equip. Only) <input type="checkbox"/> Ven. Blinds <input type="checkbox"/> Kitchen Exhaust Fan <input type="checkbox"/> Swimming Pool <input type="checkbox"/> Laundry Facilities <input type="checkbox"/> Tennis Court <input type="checkbox"/> Disposal <input checked="" type="checkbox"/> Other (Specify) Master TV Antenna				<input checked="" type="checkbox"/> Heat <input type="checkbox"/> Hot Water <input checked="" type="checkbox"/> Cooking <input type="checkbox"/> Air Conditioning <input type="checkbox"/> Heat <input type="checkbox"/> Hot Water <input type="checkbox"/> Cooking <input type="checkbox"/> Air Conditioning <input checked="" type="checkbox"/> Lights, 24-hour in public area <input type="checkbox"/> Heat <input type="checkbox"/> Hot Water <input type="checkbox"/> OTHER <input type="checkbox"/> WATER				a. <input type="checkbox"/> Prepayable <input type="checkbox"/> Non-Prepayable b. Principal Balance \$ Annual Payment \$ d. Remaining Term			

E. ESTIMATE OF ANNUAL EXPENSE:		G. ESTIMATE OF REPLACEMENT COST:	
ADMINISTRATIVE:		STRUCTURES:	
1. Advertising		36a. Unusual Land Improvements	
2. Management		36b. Other Land Improvements	
3. Other		36c. Total Land Improvements	502,342
4. TOTAL ADMINISTRATIVE	67,992	FEES:	
OPERATING:		37. Main Buildings	
5. Elevator Maintenance Expense		38. Accessory Buildings	
6. Fuel (Heating and Domestic Hot Water)		39. Garage	
7. Lighting & Misc. Power		40. All Other Buildings	
8. Water		41. TOTAL STRUCTURES	6,217,934
9. Gas		42. General Requirements	335,969
10. Garbage & Trash Removal		FEES:	
11. Payroll		43. Builder's General Overhead @ 2%	141,107
12. Other		44. Builder's Profit @	BSPRA
13. TOTAL OPERATING	213,660	45. Architect's Fee - Design @ 3%	215,894
MAINTENANCE:		46. Architect's Fee - Supervisory @	71,965
14. Decorating		47. Bond Premium	60,000
15. Repairs		48. Other Fees	24,050
16. Exterminating		49. TOTAL FEES	513,016
17. Insurance		50. TOTAL for All Improvements (Lines 36c + 41 + 42 + 49)	7,568,261
18. Ground Expense		51. Cost per Gross Square Foot	41.98
19. Other		52. Estimated Construction Time	16 months
20. TOTAL MAINTENANCE	37,302	CARRYING CHARGES AND FINANCING:	
21. Replacement Reserve (0.001-0 x Total for Structures, Line 41)	37,302	53. Interest 18 months @ 13%	921,453
22. TOTAL EXPENSE	356,634	54. Taxes	14,000
TAXES:		55. Insurance	46,000
23. Real Estate Estimated Annual 10% G.S.R. Valuation \$	52,547	56. FHA Mtg. Ins. Pre. (0.05%)	94,508
24. Personal Property Est. Assessed Valuation \$		57. FHA Exam. Fee (0.3%)	28,352
25. Employee Payroll Tax	11,625	58. FHA Inspec. Fee (0.5%)	47,254
26. Other	4,000	59. Financing Fee (1.5%)	141,762
27. Other		60. AMPO (..%)	
28. TOTAL TAXES	68,172	61. FNMA/GNMA Fee (2 %)	189,016
29. TOTAL EXPENSE AND TAXES	424,806	62. Title and Recording	27,124
F. INCOME COMPUTATIONS:		63. TOTAL CARRYING CHARGES & FIN.	1,509,469
20. Estimated Project Gross Income (Line G32, Page 1)	1,380,564	LEGAL, ORGANIZATION & AUDIT FEE:	
31. Occupancy (Entire Project)	95 %	64. Legal	37,000
32. Effective Gross Income (Line 30 x Line 31)	1,311,536	65. Organization	8,000
33. Total Project Expenses (Line 29)	424,806	66. Cost Certification Audit Fee	8,500
34. Net Income to Project (Line 32 - Line 33)	886,730	67. TOTAL LEGAL, ORGANIZATION & AUDIT FEE	53,500
35. Expense Ratio (Line 29 ÷ by Line 32)	%	68. Builder & Sponsor Profit and Risk	913,123
H. TOTAL REQUIREMENTS FOR SETTLEMENT:		69. Consultant Fee	
1. DEVELOPMENT COSTS (Line 72)	10,059,453	70. Supplemental Management Fund	15,100
2. LAND INDEBTEDNESS (Or Cash required for Land Acquisition)	400,000	71. Contingency Reserve	
3. SUBTOTAL (Line 1 + Line 2)	10,459,453	72. TOTAL ESTIMATED DEVELOPMENT COST (Excluding Land or Off-Site Cost) (Lines 50 + 63 + 67 + 68 + 69 + 70 + 71)	10,059,453
4. Mortgage Amount	9,450,800	73. LAND (Estimated Market Price of Site) sq. ft. @ \$	41,500
5. Fees Paid by Other than Cash	913,123	74. TOTAL ESTIMATED REPLACEMENT COST OF PROJECT (Line 71 + Line 72)	10,500,953
6. Line 4 plus Line 5 Subtotal	10,363,923	Source of Cash to meet Requirements	
7. CASH INVESTMENT REQUIRED (Line 3 - Line 6)	95,530	Amount	
8. INITIAL OPERATING DEFICIT			\$
9. ANTICIPATED DISCOUNT	236,270		\$
10. Working Capital (2% of Mortgage Amount)	189,016		\$
11. Off-Site Construction Costs	41,500		\$
12. TOTAL ESTIMATED CASH REQUIREMENT (Lines 7 + 8 + 9 + 10 + 11)	562,316		\$
		TOTAL	

569-2024

3-

I. NAMES, ADDRESSES AND TELEPHONE NUMBERS OF THE FOLLOWING:

1. SPONSOR(S): Name, Address and ZIP Code:

Little Italy Restoration Assn, Inc.
c/o Oscar Ianello
Umberto's Clam House
129 Mulberry Street
New York, N.Y. 10013

Telephone Number: 212-966-0070

1a. Name, Address and ZIP Code:

DeMatteis Organization
820 Elmont Road
Elmont, New York 11003
Attn: Al DiMeo

Telephone Number: 516-285-5500

2. CONTRACTOR: Name, Address and ZIP Code:

DeMatteis Organization
820 Elmont Road
Elmont, N. Y. 11003
Attn: Al DiMeo

Telephone Number: 516-285-5500

3. SPONSOR'S ATTORNEY: Name, Address and ZIP Code:

Alfred Sica, Esq.
110 East 42nd Street
New York, NY

Telephone Number: 212-697-0700

1b. Name, Address and ZIP Code:

Coordinator
I. Wharton & Co., Inc.
60 Cutter Mill Rd.
Great Neck, NY 11021
Attn: Francis X. Sweeney

Telephone Number: 516-466-5300

4. ARCHITECT: Name, Address and ZIP Code:

Pasanella & Klein
154 W. 57th Street
New York, N. Y. 10019

Telephone Number: 212-247-7420

J. CERTIFICATION:

The undersigned, as the principal sponsor of the proposed mortgagor, certifies that he is familiar with the provisions of the Regulations of the Federal Housing Commissioner under the above identified Section of the National Housing Act and that to the best of his knowledge and belief the mortgagor has complied, or will be able to comply, with all of the requirements thereof which are prerequisite to insurance of the mortgage under such section.

The undersigned further certifies that to the best of his knowledge and belief no information or data contained herein or in the exhibits or attachments listed herein are in any way false or incorrect and that they are truly descriptive of the project or property which is intended as the security for the proposed mortgage and that the proposed construction will not violate zoning ordinances or restrictions of record.

The undersigned agrees with the Federal Housing Administration that pursuant to the requirements of the FHA Regulations, (a) neither he nor anyone authorized to act for him will decline to sell, rent or otherwise make available any of the property or housing in the multifamily project to a prospective purchaser or tenant because of his race, color, religion or national origin; (b) he will comply with federal, state and local laws and ordinances prohibiting discrimination; and (c) his failure or refusal to comply with the requirements of either (a) or (b) shall be proper basis for the Commissioner to reject requests for future business with the sponsor identified or to take any other corrective action he may deem necessary.

Date: 6/27/80

Signed: 

(Sponsor)

REQUEST FOR COMMITMENT: ☐ Conditional ☒ Firm

TO: FEDERAL HOUSING COMMISSIONER:

Pursuant to the provisions of the Section of the National Housing Act identified in the foregoing application and FHA Regulations applicable thereto, request is hereby made for the issuance of a commitment to insure a mortgage covering the property described above. After examination of the application and the proposed security, the undersigned considers the project to be desirable and is interested in making a loan in the principal amount of \$ 9,450,800 which will bear interest at 7.5 %, will require repayment of principal over a period of 480 months according to amortization plan agreed upon.

Insurance of advances during construction ☒ is, ☐ is not desired.

It is understood that the financing expense, in the amount of \$ 141,762 is subject to adjustment so that the total will not exceed 1.5 % of the amount of your commitment.

Herewith is check for \$ 1,714.20, which is in payment of the application fee required by FHA Regulations.

CITIBANK, N.A.

Prev. Paid - 1/5/77 - \$13,328.00
" " 10/24/78 - 3,246.05
" " 5/5/80 10,064.15

Signed: 

(Proposed Mortgagee)

Address of Mortgagee: 399 Park Ave., New York, NY 10043

EDWARD J. CERAUGHTY, A.D.
1286/1210 CCD, Inc. 399 Park Ave.
559-4153 11th Fl. Zone 11

FOR FHA USE ONLY

Date Received					
Amount					
Code					
Schedule					
Received By					

This is a detailed street map of the East River area in New York City. The map shows a grid of streets, including Roosevelt, Park, and Bulwark. Various lot numbers and street names are visible. A large area in the upper left is circled, and a smaller area in the lower right is also circled. The East River is labeled at the bottom, and the Borough of Queens is visible on the right. The map includes a scale bar at the top left and a legend at the bottom left.

12c

8b	8d	9b
12c	12c	13a
12b	12d	13b

INDICATES PROPERTY
REZONED BY AMENDMENT
EFFECTIVE FEBRUARY 3, 1977

COMMENTS OF THE U.S. AIR FORCE

5 (C)

Neighborhood Facilities, Recreation, Transportation, Library, Churches, Medical Hospital and Shopping are close at hand as are a wealth of ethnic cultural facilities. An area map identifying the Community Facilities in Local Board Area 2 & 3 is attached.

The Neighborhood is primarily Italian- Americans with some Orientals. The 1970 census data as to age and income is not believed to be accurate at this time and it is therefore omitted. Set forth above is a listing of schools, transportation and the cultural strengty of the LIRA Community.

D. Community Facilities in the Area include:

POLICE STATIONS

Fifth Precinct	19 Elizabeth Street
----------------	---------------------

FIRE HOUSES

Engine 55	365 Broome Street
Ladder 20	251 Lafayette Street

COMMUNITY FACILITIES & CLINICS

Judson Health Center	34 Spring Street
Cabrini Mecial Center	179 Mulberry Street

PUBLIC SCHOOLS

PS 130	143 Baxter Street
--------	-------------------

PAROCHIAL SCHOOLS

St. Patrick's	233 Mott Street
---------------	-----------------

TRAIN TRANSPORTATION

Sixth Avenue Line
"B" "D" "F"
(Independent)

Lafayette & Houston Street

Lexington Avenue Line
"6"
IRT

Spring & Lafayette Street

BMT
"RR"

Prince & Broadway
cr
Canal and Broadway

BMT
"J" "M"

Bowery and Broadway

BUS TRANSPORTATION

M8
M8

East on Grand Street
West on Broome Street

Bowery Bus
M101
M102

North on Bowery
South on Bowery

Broadway Bus

North on Centre Street
South on Broadway

COMMUNITY ORGANIZATIONS

Little Italy Restoration Association 384 Broome Street

Neighborhood Council to
Combat Poverty

37 Spring Street

BUILDINGS OF HISTORIC INTEREST

Bowery Savings Bank

128-130 Bowery

Former Stephen Van Rensselaer House

149 Mulberry Street

Banca Stabile

189 Grand Street

Proposed Italian-American Cultural
Center/Former Police Headquarters

240 Centre Street

Most Precious Blood Church

113 Baxter Street

Old St. Patrick's Cathedral
& School

264 Mulberry Street
236 Mott Street

4th Ward Industrial Building

256 Mott Street

REEL 569 PG 2028

CHURCHES

St. Patrick's Rectory	263-265 Mulberry Street
Old St. Patrick's Cathedral	264 Mulberry Street
Most Precious Blood Church	113 Baxter Street
Holy Trinity Church	359 Broome Street
Most Holy Crucifix Church	378 Broome Street
Our Lady or Loretto	20 Bleecker Street
United Ukranian Church	357 Broome Street

FRATERNAL ORGANIZATIONS

San Gennaro Society	140 Mulberry Street
Maria S.S. Della Grazia	184 Mulberry Street
Immaculate Conception Society	186 Mulberry Street
St. Anthony Society	174 Hester Street
Knights of Columbus Dr. John G. Coyle Council #163	196 Grand Street
Veterans of Foreign Wars	55 Kenmare Street

The following Banks have branches in the immediate vicinity of the Project:

Chase Manhattan Bank	Mott and Canal Street
Manufacturer's Hanover Trust Bank	231 Grand Street
First National City Bank	124 Bowery
East River Savings Bank	Spring and Lafayette Street
Bowery Savings Bank	128-130 Bowery

7/2/80

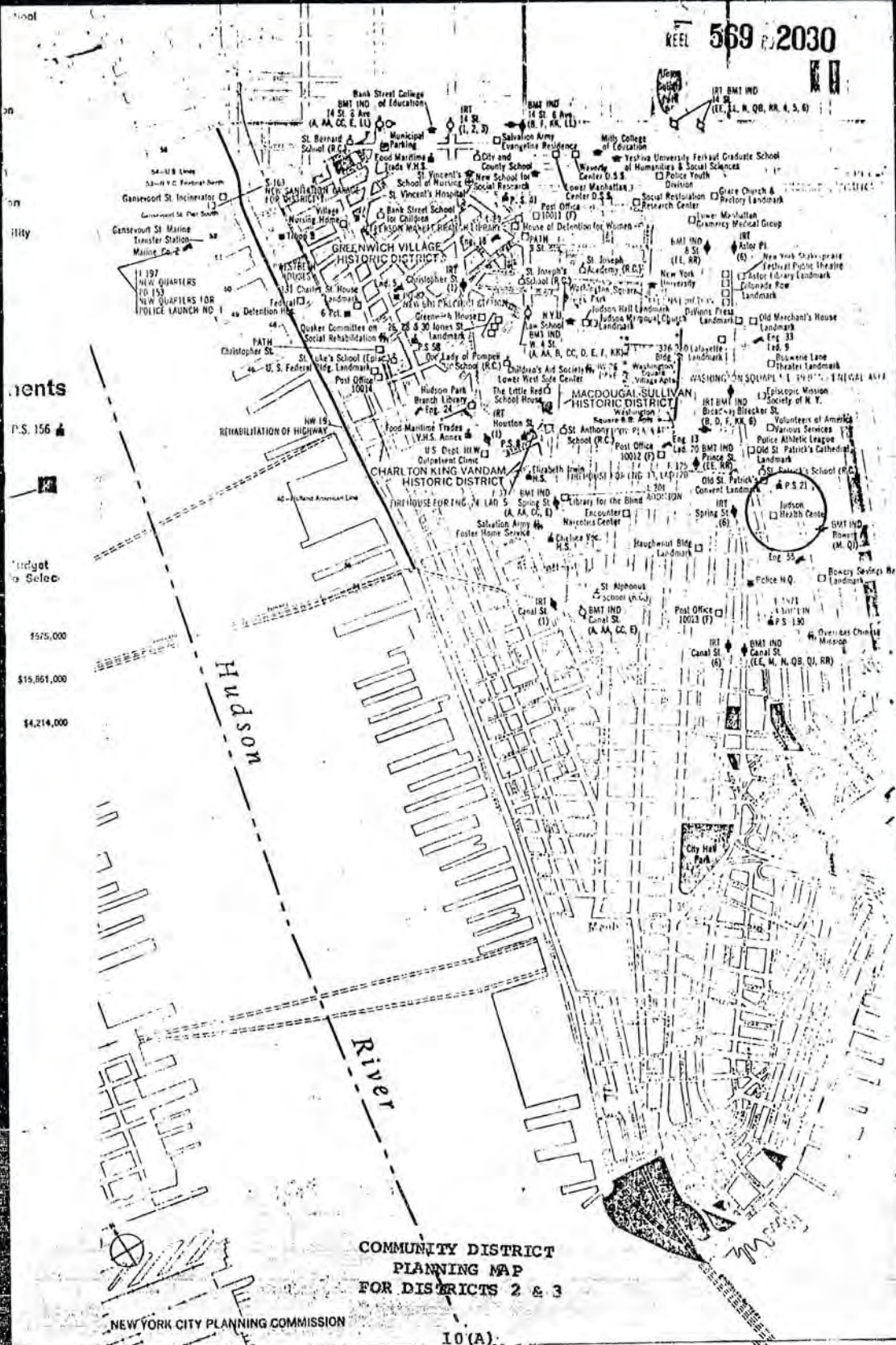
The area is rich in food shops and all related community enterprises necessary to create a viable community, listed below are some of the types of shops that are available:

Italian Grocery Stores	4
Paint and Hardware Stores	9
Housewares and Gifts	4
Luncheonettes	5
Fresh Vegetables	12
Bakeries	3
Italian Restaurants	20
Seafood Houses	2
Pizzerias	5
Music & Novelty Shops	3
Candy Stores	5
Liquor Stores	3
Butcher Shops	6
Fish Stores	5
Dried Fruits & Nuts	2
Cafe Expressos & Pastry Shops	11
Furniture Showrooms	9
Special Importers of Italian	
Cheeses and Macaroni Specialities	4

Other businesses in the peripheral area around Little Italy contain jewelry shops and lighting and fixture stores. Also in the area are manufacturing district which supply employment to community residents.

A community facilities map is annexed hereto as Page 10.

KEEL 569 P.2030



COMMUNITY DISTRICT
PLANNING MAP
FOR DISTRICTS 2 & 3

NEW YORK CITY PLANNING COMMISSION

10(A)

7/2/80

REEL 569 2031

chool

ility

ents

P.S. 156

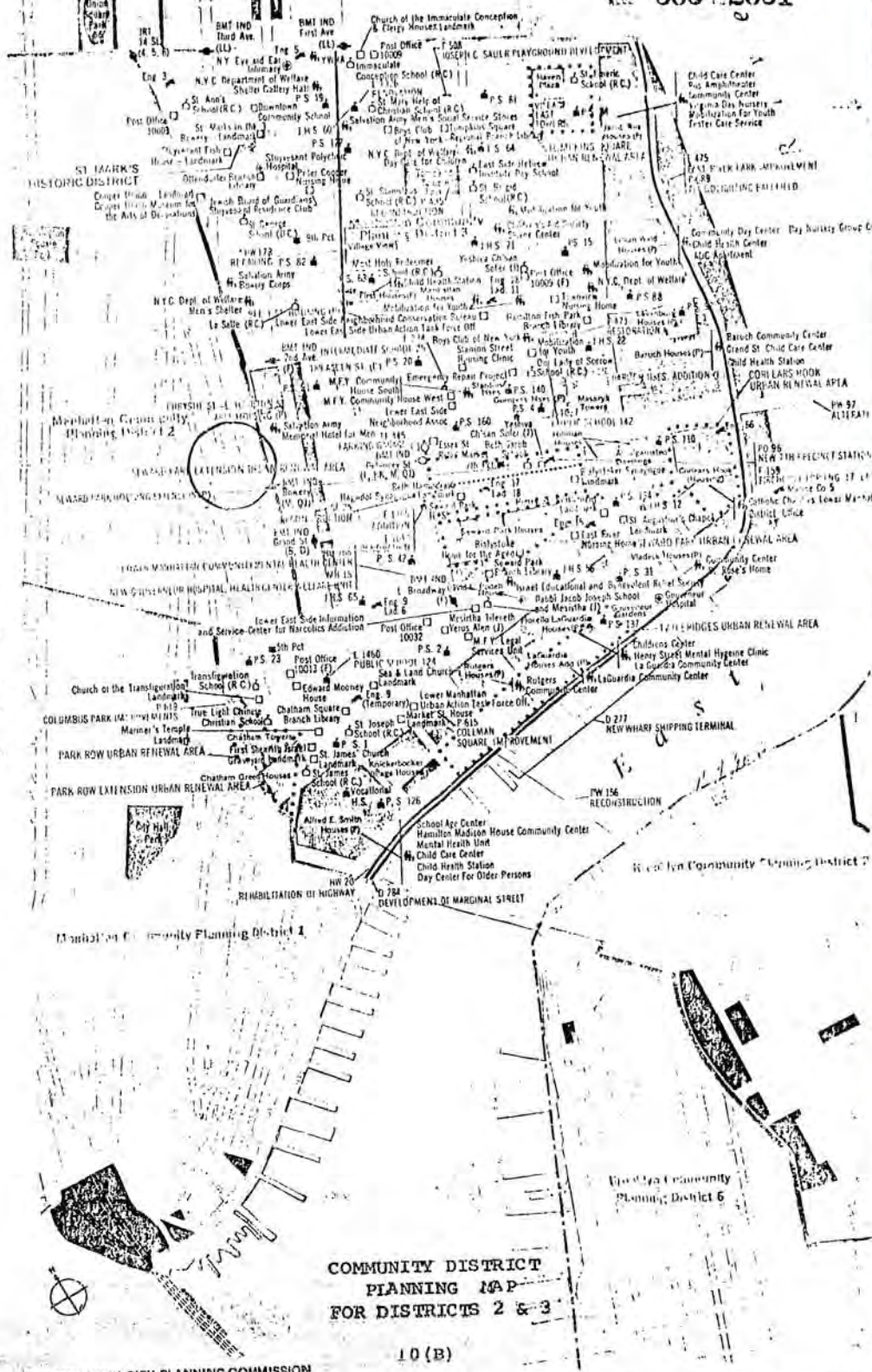
Budget
the Selec-

\$2,850,000

\$80,000

\$3,700,000

\$575,000



COMMUNITY DISTRICT
PLANNING MAP
FOR DISTRICTS 2 & 3

10 (B)

NEW YORK CITY PLANNING COMMISSION

7/2/80

PASANELLA + KLEIN, ARCHITECTS

Pasanella + Klein, Architects was established by Giovanni Pasanella in 1964 and joined by J. Arvid Klein 1975. The firm has in-depth experience in the disciplines of particular interest to this project, that is, community design and urban planning, and multifamily construction. Their clients for these services have included New York City Planning Commission, Housing Authority, Educational Construction Fund and UDC. Their work has received numerous awards for design excellence and has been widely published nationally and internationally. Resumes of the partners and a list of commissioned projects follows.

Giovanni Pasanella

Has his National Council of Architectural Registration Boards Certification and is a registered architect in the state of New York. He received his Masters in Architecture from Yale University in 1958, was a designer for Edward Larabee Barnes from 1959 to 65 and, in that year, established private practice. His professional and civic activities include: Critic - Architecture, Yale University, 1963; Critic - Architecture, University of Kentucky, 1964; Associate Professor of Architecture, Columbia University, 1965-68; Project Director, Institute of Urban Environment, Columbia University, 1965-66; Architectural Consultant to Chairman of N.Y.C. Planning Commission, 1967; Critic - Architecture, Institute for Architectural & Urban Studies, 1974; Architectural Consultant to Little Italy Restoration Association 1974-75. He has received the following honors and awards: Honorable Mention, F.D.R. Memorial Competition, 1965; New York Chapter A.I.A. Residential Award, 1970; Architectural Record Awards, 1978, 1970, 1974. He is a member of the following professional and civic groups: American Institute of Architects; Cattaneo Societe, Camaiore, Italy; Municipal Art Society; Society of Architectural Historians; Visiting Fellow, Institute for Architectural & Urban Studies.

J. Arvid Klein

Has his National Council of Architectural Registration Boards Certification and is a registered architect in the state of New York. He received his Masters in Architecture from Yale University in 1958, was a designer for Skidmore, Owings & Merrill from 1958-61, a project manager for I.M. Pei & Partners from 1961-68 and in that year established private practice. His professional and civic activities include: New York Chapter A.I.A.: elected Director, 1973-75; elected to Ethics Committee, 1975-77; Member of Oculus Committee, 1969-71; Chairman Graphics Committee, 1971; Chairman Oculus Committee, 1971-73; Member Urban Design Committee, 1976. He has received the following honors and awards: New York Chapter A.I.A., Harry B. Rutkins Award for Service to Chapter, 1973. He is a member of the following professional and civic groups: American Institute of Architects; American Arbitration Association; Municipal Art Society; Society of Architectural Historians.

Commissioned Projects

REEL 569 2033

Urban Planning and Community Development:

- 1975 Planning study of Little Italy for the Housing and Development Administration. City of New York
- 1973 Manhattan Landing Hotel Complex, New York, New York, Rentar Development Corporation Resorts International, Inc.
- 1972 Planning Study for Hartz Mountain Industries, Hackensack Meadows, New Jersey
- 1970 Consultant to Twin Parks Community Development Committee, Bronx, New York
- 1968 Study for resort development of Negril, Jamaica, British West Indies, for Adelatec Company, S. A.
- 1967 Twin Parks Study, Bronx, New York, for New York City Planning Commission and J. M. Kaplan Fund
- 1967 Harlem Housing Study, for "The New City: Architecture and Urban Renewal," an exhibition at The Museum of Modern Art

Multi-Family Housing:

- 1978 Little Italy Restoration Family Housing, 160 units of Section 8 housing, New York City, \$6,000,000
- 1978 Pueblo Nuevo, 100 units of Section 8 housing, New York City, \$4,000,000
- 1972 Melrose Renewal Area, Site C, 200 units of housing, day care center and commercial space, New York, New York, \$4,500,000
- 1972 Albany "Three Towns" Program, 200 units of low rise housing, Colonie, New York, \$4,000,000
- 1972 40 Story Luxury Apartments and retail space, for private developer, New York, New York, \$12,000,000
- 1972-74 Twin Parks East, Sites 1, 1a, 4-5, 600 units of moderate income housing in three buildings, 200 car parking structure, Elementary School P-205 and center for aged. New York, New York, \$24,000,000
- 1969-73 Twin Parks West, Sites 5-7, 6, 8, 10-12, 600 units of moderate and low-income housing, in four buildings, day care center, commercial space and community facilities, New York, New York, \$18,000,000
- 1969-73 Twin Parks West, Site 1-2, 312 units of low income housing and a day care center, New York, New York, \$12,000,000

Educational:

- 1978 Primary and Secondary School, Columbia Grammar & Preparatory School, New York, New York, \$3,000,000
- 1973 Code Compliance, State University College at Potsdam, New York, \$130,000
- 1972 Elementary School P-205, City Educational Construction Fund and the Board of Education, New York, \$6,000,000

Educational (continued):

REEL 569 2034

- 1972 Rehabilitation, Administration and Classroom Building, Baruch College, The City University of New York, New York, New York \$750,000
- 1971 Entrance Gates, Roads and Parking Areas, State University College at Potsdam, New York, \$1,000,000
- 1970 Dormitories, Residential Complex "B", State University College at Purchase, New York, \$6,000,000
- 1969 Recycling existing dormitory into classrooms, offices and computer center, State University at Potsdam, New York, \$1,800,000
- 1969 Physics and Mathematics Building, State University College at Fredonia, New York, \$2,500,000
- 1969 Administration Building, State University College at Potsdam, New York,
- 1967 Science Building II, State University College at Potsdam, New York, \$2,500,000
- 1965 Master plan for new campus, Wykeham Rise School, Washington, Connecticut

Institutional:

- 1972 Administration, Teaching Center and Vocational Shops, Wallkill Correctional Facility, Wallkill, New York, \$6,630,000
- 1972 Rehabilitation, Housing and Dining Facilities, Wallkill Correctional Facility, Wallkill, New York, \$2,480,000
- 1972 Master Plan, Wallkill Correctional Facility, Wallkill, New York
- 1970 Nursing Home for the Third Church of Christ Scientist, Riverdale, New York, \$1,100,000
- 1969 Firehouse and Chief's Headquarters, Brooklyn, New York
- 1965 Intensive Therapy Center for Infants, Willowbrook State School, Staten Island, New York, \$1,500,000

Commercial:

- 1975 Office Building and Warehouse, Joseph E. Seagram & Sons, Inc., Des Plaines, Illinois
- 1974 Computer Center, Owens Corning Fiberglas Technical Center, Granville, Ohio, \$1,000,000
- 1974 Master Plan, Owens-Corning Fiberglas Technical Center, Granville, Ohio
- 1973 Prototype & 10 Systems Built Medical Office Buildings Unicor, Inc., Boston, Massachusetts, Prototype \$250,000
- 1973 Bank, Union Savings Bank of New York, New City, New York, \$250,000
- 1972 Bank, Union Savings Bank of New York, Mamaroneck, New York, \$500,000

QUALIFICATIONS OF THE GENERAL CONTRACTOR

The DeMatteis Organization have been the Contractors for the following Governmentally Assisted Housing Projects in the Metropolitan Area:

Lind-Ric	Bronx, New York
Dayton Towers	Rockaway Beach, New York
Dayton Beach Park	Rockaway Beach, New York
Linden Plaza	Brooklyn, New York
Twin Parks Northeast Sites 2, 6 & 8	Bronx, New York
Keith Plaza	Bronx, New York
Kelly Towers	Bronx, New York
F.I.T. Staff Housing	Manhattan, New York
Beekman Downtown Hospital Staff Housing	Manhattan, New York
Einstein Hospital Staff Housing	Manhattan, New York
Harlem River Park Houses	Bronx, New York
Confucius Plaza	Manhattan, New York
Scott Towers	Bronx, New York
Ruppert Towers	Manhattan, New York
Yorkville Towers	Manhattan, New York
Knickerbocker Plaza	Manhattan, New York

The DeMatteis organization has also built extensive amounts of school and other types of public buildings in the United States and abroad.

FACT SHEET

LIRA APARTMENTS

Location: 21 Spring Street, Mott to Elizabeth Streets,
New York, New York.
Block 493 - Lot 41

Number of Units: 151 Apartments, plus one Superintendent.

Project Replacement Cost: \$10,500,000.00

Per Unit Replacement Cost: Approximately \$69,000.00

Sponsor/Developers:
The Sponsor is Little Italy Restoration Association ("LIRA") 384 Broome Street, New York, N.Y. (212) 966-0070
The Developer is DeMatteis Development Corp.
820 Elmont Road, Elmont, N.Y. 11003
(516) CU5-5500

Housing Company: LIRA Apartments, a limited partnership, to be formed under Article V, Section 103 of the Private Housing Finance Law.

Financing: Mortgage to be provided by a Bank or Government Agency insured by the Federal Housing Administration under the provisions of Section 221 (d) (4) of the Housing Act of 1937 with subsidy provided under Section 8 of the United States Housing Act of 1937, as amended.

Supervised By: The Department of Housing Preservation and Development of the City of New York;
Anthony Gliedman, Commissioner

General Contractor: Leon D. DeMatteis Construction Corp.
820 Elmont Road
Elmont, New York 11103
516-CU5-5500

Architect: Pasanella & Klein
154 West 57th Street
New York, New York 10019
212-247-7420

7/2/80

Apartment Distribution

<u>Apt. Type</u>	<u>Number of Units</u>	<u>% of Total Distr.</u>	<u>Zoning Rooms Per Unit</u>	<u>Total Zoning Rooms</u>	<u>Population 2 x BR #</u>
1 BR	34	22%	3.5	119	68
2 BR	93	62%	4.5	418.5	372
2 BR + OHR	24	16%	4.5	108	96

151 + 1 Superintendent (2BR)

A Site Plan is annexed hereto as Page 4(A).

The Section 8 Income Limits Table is set forth herein on Page 4(B).

3. Financial Plan

The Total Estimated Replacement Cost for LIRA Apartments is \$10,500,953. It is to be financed by a Mortgage insured by the Federal Housing Administration of the Department of Housing and Urban Development, estimated at \$9,450,800 or 90% of the actual final project cost, whichever is less. The equity capital requirements for this rental housing project will be provided by a limited partnership to be organized pursuant to Article 5 of the Private Housing Finance Law.

The proposed LIRA Apartments will have DeMatteis Development Corp. as the General Partner and Leon D. DeMatteis Construction Corp. as an initial limited partner.

The partnership capital will be provided by limited partners investing in said partnership. This project will receive FHA Section 8 subsidy payments from the Department of Housing and Urban Development under a Housing Assistant Payments Contract. A reservation of Section 8 funds has already been made.

100% of this project will receive Section 8 Subsidy payments. This project is seeking Tax Exemption under Article V of the Private Housing Finance Law.

Tax Exemption is to be provided pursuant to Section 125 of the Private Housing Finance Law for a forty year period. The tax obligation of the project upon initial occupancy is anticipated to be not less than a fixed annual payment to be determined by the Board of Estimate, representing the minimum

E. ESTIMATE OF ANNUAL EXPENSE:		G. ESTIMATE OF REPLACEMENT COST:	
ADMINISTRATIVE:		STRUCTURES:	
1. Advertising		37. Main Buildings	
2. Management		38. Accessory Buildings	
3. Other		39. Garage	
4. TOTAL ADMINISTRATIVE	67,992	40. All Other Buildings	
OPERATING:		41. TOTAL STRUCTURES	6,217,034
6. Flyover Maintenance Expenses		42. General Requirements	335,969
6. Fuel (Heating and Domestic Hot Water)		FEES:	
7. Lighting & Misc. Power		43. Builder's General Overhead @ 2%	141,107
8. Water		44. Builder's Profit @ 15%	HSPRA
9. Gas		45. Architect's Fee - Design @ 3%	215,894
10. Garbage & Trash Removal		46. Architect's Fee - Supervisory @ 5%	71,965
11. Payroll		47. Bond Premium	60,000
12. Other		48. Other Fees	24,050
13. TOTAL OPERATING	213,660	49. TOTAL FEES	513,016
MAINTENANCE:		50. TOTAL for All Improvements (Lines 36c + 41 + 42 + 49)	7,568,261
14. Decorating		51. Cost per Gross Square Foot	41.98
15. Repairs		52. Estimated Construction Time	16 months
16. Exterminating		CARRYING CHARGES AND FINANCING:	
17. Insurance		53. Interest 18 months @ 13%	921,453
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21. Replacement Reserve (0.0060 x Total for Structures, Line 41)	37,302	57. FHA Exam. Fee (0.35%)	28,352
22. TOTAL EXPENSE	356,634	58. FHA Insur. Fee (0.55%)	47,254
TAXES:		59. Financing Fee (1.5%)	141,762
23. Real Estate Estimated As-sessed 10% G.S.R. Valuation \$		60. AMPO ()	
\$	52,547	61. FNMA/GNMA Fee (2%)	189,016
24. Personal Property: Est. Assessed Valuation \$		62. Title and Recording	27,124
\$	11,625	63. TOTAL CARRYING CHARGES & FIN.	1,509,469
25. Employee Payroll Tax	4,000	LEGAL, ORGANIZATION & AUDIT FEE:	
26. Other		64. Legal	37,000
27. Other		65. Organization	8,000
28. TOTAL TAXES	68,172	66. Cost Certification Audit Fee	8,500
29. TOTAL EXPENSE AND TAXES	424,806	67. TOTAL LEGAL, ORGANIZATION & AUDIT FEE	53,500
F. INCOME COMPUTATIONS:		68. Builder & Sponsor Profit and Risk	913,123
30. Estimated Project Gross Income (Line C32, Page 1)	1,380,564	69. Consultant Fee	15,100
31. Occupancy (Entire Project)	95%	70. Supplemental Management Fund	
32. Effective Gross Income (Line 30 x Line 31)	1,311,536	71. Contingency Reserve	
33. Total Project Expenses (Line 29)	424,806	72. TOTAL ESTIMATED DEVELOPMENT COST (Excluding Land or Off-Site Cost) (Lines 50 + 63 + 67 + 68 + 69 + 70 + 71)	10,059,453
34. Net Income to Project (Line 32 - Line 33)	886,730	73. LAND (Estimated Market Price of Site) sq. ft. @ \$	41,500
35. Expense Ratio (Line 29 ÷ by Line 32)		74. TOTAL ESTIMATED REPLACEMENT COST OF PROJECT (Line 71 + Line 72)	10,500,953
H. TOTAL REQUIREMENTS FOR SETTLEMENT:		Source of Cash to meet Requirements	
1. DEVELOPMENT COSTS (Line 72)	10,059,453	Amount	
2. LAND INDEBTEDNESS (Or Cash required for Land Acquisition)	400,000		\$
3. SUBTOTAL (Line 1 + Line 2)	10,459,453		\$
4. Mortgage Amount	9,450,800		\$
5. Fees Paid by Other than Cash	913,123		\$
6. Line 4 plus Line 5 Subtotal	10,363,923		\$
7. CASH INVESTMENT REQUIRED (Line 3 - Line 6)	95,530		\$
8. INITIAL OPERATING DEFICIT	236,270		\$
9. ANTICIPATED DISCOUNT 2.5%	189,016		\$
10. Working Capital (2% of Mortgage Amount)	41,500		\$
11. Off-Site Construction Costs			\$
12. TOTAL ESTIMATED CASH REQUIREMENT (Lines 7 + 8 + 9 + 10 + 11)	562,316		\$
		TOTAL	\$

1. NAMES, ADDRESSES AND TELEPHONE NUMBERS OF THE FOLLOWING:	
1a. SPONSOR: Name, Address and ZIP Code:	2. CONTRACTOR: Name, Address and ZIP Code:
Little Italy Restoration Assn, Inc. c/o Oscar Iannello Umberto's Clam House 129 Mulberry Street New York, N.Y. 10013	DeMatteis Organization 820 Elmont Road Elmont, N. Y. 11003 Attn: Al DiMeo
Telephone Number: 212-966-0070	Telephone Number: 516-285-5500
1b. Name, Address and ZIP Code:	3. SPONSOR'S ATTORNEY: Name, Address and ZIP Code:
DeMatteis Organization 820 Elmont Road Elmont, New York 11003 Attn: Al DiMeo	Alfred Sica, Esq. 110 East 42nd Street New York, NY
Telephone Number: 516-285-550	Telephone Number: 212-697-0700
1c. Name, Address and ZIP Code:	4. ARCHITECT: Name, Address and ZIP Code:
Coordinator I. Wharton & Co., Inc. 60 Cutter Mill Rd. Great Neck, NY 11021 Attn: Francis X. Sweeney	Pasanella & Klein 154 W. 57th Street New York, N. Y. 10019
Telephone Number: 516-466-5300	Telephone Number: 212-247-7420

J. CERTIFICATION:

The undersigned, as the principal sponsor of the proposed mortgagor, certifies that he is familiar with the provisions of the Regulations of the Federal Housing Commissioner under the above identified Section of the National Housing Act and that to the best of his knowledge and belief the mortgagor has complied, or will be able to comply, with all of the requirements thereof which are prerequisite to insurance of the mortgage under such section.

The undersigned further certifies that to the best of his knowledge and belief no information or data contained herein or in the exhibits or attachments listed herein are in any way false or incorrect and that they are truly descriptive of the project or property which is intended as the security for the proposed mortgage and that the proposed construction will not violate zoning ordinances or restrictions of record.

The undersigned agrees with the Federal Housing Administration that pursuant to the requirements of the FHA Regulations, (a) neither he nor anyone authorized to act for him will decline to sell, rent or otherwise make available any of the property or housing in the multifamily project to a prospective purchaser or tenant because of his race, color, religion or national origin; (b) he will comply with federal, state and local laws and ordinances prohibiting discrimination; and (c) his failure or refusal to comply with the requirements of either (a) or (b) shall be proper basis for the Commissioner to reject requests for future business with the sponsor identified or to take any other corrective action he may deem necessary.

Date: 6/27/80

Signed: 

(Sponsor)

REQUEST FOR COMMITMENT: ☐ Conditional ☒ Firm

TO: FEDERAL HOUSING COMMISSIONER:

Pursuant to the provisions of the Section of the National Housing Act identified in the foregoing application and FHA Regulations applicable thereto, request is hereby made for the issuance of a commitment to insure a mortgage covering the property described above. After examination of the application and the proposed security, the undersigned considers the project to be desirable and is interested in making a loan in the principal amount of \$ 9,450,800 which will bear interest at 7.5 %, will require repayment of principal over a period of 480 months according to amortization plan agreed upon.

Insurance of advances during construction ☒ is, ☐ is not desired.

It is understood that the financing expense, in the amount of \$ 141,762 is subject to adjustment so that the total will not exceed 1.5 % of the amount of your commitment.

Herewith is check for \$ 1,714.20, which is in payment of the application fee required by FHA Regulations.


Prev. Paid - 1/5/77 - \$13,328.00

" " 10/24/78 - 3,246.05

" " 5/5/80 10,064.15

" " \$26,638.20

Address of Mortgagor: 399 Park Ave., New York, NY 10043

Signed: 
(Proposed Mortgagee)
EDWARD J. GINNERTY, A.D.
HBC/RE/C/CO, Inc. 399 Park Ave.
559-4155 11th Fl. Zone 11

FOR FHA USE ONLY

Date Received					
Amount					
Code					
Schedule					
Received By					

REEL 569 P. 2041

SCHEDULE D

D

SCHEDULE C

REF 569 2042

On April 25, 1980, Mayor Edward I. Koch signed Executive Order 50 (1980) (the "Executive Order") requiring that contractors provide equal employment opportunity to all employees and applicants for employment as a condition of doing business with the City of New York. The Executive Order supersedes Executive Order No. 71 (1968), as amended, and Executive Order 20 (1970), as amended, making inoperable the contract provisions enforcing those Executive Orders.

Effective immediately, the Executive Order shall be attached to and incorporated as part of this contract (Exhibit A) in lieu of the inoperable provisions referred to above and shall be in full force and effect.

The contractor expressly agrees that it will comply with the provisions of the Executive Order including inter alia that it shall:

- (a) treat all employees and applicants for employment without unlawful discrimination as to race, creed, color, national origin, sex, age, handicap, marital status, sexual orientation or affectional preference in all employment decisions, including but not limited to recruitment, hiring, compensation, training and apprenticeship, promotion, upgrading, demotion, downgrading, transfer, lay-off and termination, and all other terms and conditions of employment except as provided by law;
- (b) submit on a pre-award basis a completed Employment Report for review by the Bureau of Labor Services once it is identified as a proposed contractor except as noted in Section 6 of the Executive Order. (An Employment Report is attached as Exhibit B);
- (c) submit to the Bureau of Labor Services periodic reports updating the information provided in the Employment Report; and
- (d) participate in on-the-job training programs utilizing trainees in the ratio of one trainee to four journey level employees on construction projects in excess of \$125,000.

The contractor understands that the Bureau of Labor Services shall determine whether it is in compliance with the Executive Order and shall make a finding of noncompliance only after the holding of a hearing pursuant to Section 8 of the Executive Order. The contractor further understands that the following sanctions for noncompliance may be imposed: disapproval of a proposed contractor, the suspension or termination of a contract and the reduction of a contractor's compensation.

May 1980



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

Exhibit A

REEL 569 2043

EXECUTIVE ORDER NO. 50

APRIL 25, 1980

BUREAU OF LABOR SERVICES

By the power vested in me as Mayor of the City of New York,
it is hereby ordered:

Section 1. Purpose. It is the purpose of this Order to ensure compliance with the equal employment opportunity requirements of City, State and Federal law in City contracting.

§ 2. Bureau Continued. The Bureau of Labor Services shall continue to serve such purposes and to have such responsibilities as restated by this Order.

§ 3. Definitions. Whenever used in this Executive Order, the following terms shall have the following meanings:

(a) Bureau means the Bureau of Labor Services;

(b) construction project means any construction, reconstruction, rehabilitation, alteration, conversion, extension, improvement, repair or demolition of real property contracted by the City;

(c) contract means any written agreement, purchase order or instrument whereby the City is committed to expend, or does expend funds in return for work, labor, services, supplies, equipment, materials, or any combination of the foregoing;

(i) Unless otherwise required by law, the term "contract" shall include any City grant, loan, guarantee or other City assistance for a construction project.

(ii) The term "contract" shall not include:

(A) contracts for financial or other assistance between the City and a government or government agency;

(B) contracts, resolutions, indentures, declarations of trust, or other instruments authorizing or relating to the authorization, issuance, award, and sale of bonds, certificates of indebtedness, notes or other fiscal obligations of the City, or consisting thereof; or

(C) employment by the City of its officers and employees which is subject to the equal employment opportunity requirements of applicable law.

(d) contracting agency means any administration, board, bureau, commission, department or other governmental agency of the City of New York, or any official thereof, authorized on behalf of the City to provide for, enter into, award or administer contracts;

(e) contractor means a person, including a vendor, who is a party or a proposed party to a contract with a contracting agency, first-level subcontractors of supply or service contractors, and all levels of subcontractors of construction contractors;

(f) Director means the Director of the Bureau of Labor Services;

(g) economically disadvantaged person means a person who, or a member of a family which, is considered economically disadvantaged under applicable law.

(h) employment report means a report filed by a contractor containing information as to the employment practices, policies and programs, employment statistics and collective bargaining agreements, if any, of the contractor in such form as the Bureau may direct by regulation;

-3-

(i) equal employment opportunity means the treatment of all employees and applicants for employment without unlawful discrimination as to race, creed, color, national origin, sex, age, handicap, marital status, sexual orientation or affectional preference in all employment decisions, including but not limited to recruitment, hiring, compensation, training and apprenticeship, promotion, upgrading, demotion, downgrading, transfer, lay-off and termination, and all other terms and conditions of employment except as provided by law;

(j) trainee means an economically disadvantaged person who qualifies for and receives training in one of the construction trades pursuant to a program other than apprenticeship programs, approved by the Bureau and, where required by law, the State Department of Labor or the United States Department of Labor, Bureau of Apprenticeship and Training.

§ 4. Responsibilities of Bureau. The responsibilities of the Bureau shall be as follows:

(a) To implement, monitor compliance with, and enforce this Order and programs established pursuant to City, State and Federal law requiring contractors to provide equal employment opportunity;

(b) To implement, monitor compliance with, and enforce on-the-job training requirements on construction projects;

(c) To monitor compliance by contractors with State and Federal prevailing wage requirements where required;

(d) To advise and assist contractors and labor unions with respect to their obligations to provide equal employment opportunity;

(e) To advise and assist persons in the private sector with respect to employment problems;

(f) To establish advisory committees, including representatives of employers, labor unions, community organizations and others concerned with the enforcement of this Order; and

(g) To serve as the City's principal liaison to Federal, State and local contract compliance agencies.

§ 5. Contract Provisions.

(a) Equal Employment Opportunity. A contracting agency shall include in every contract to which it becomes a party such provisions requiring the contractor to ensure equal employment opportunity as the Bureau may direct by regulation.

(b) On-the-Job Training. A contracting agency shall include in every contract concerning a construction project to which it becomes a party such provisions requiring the contractor to provide on-the-job training for economically disadvantaged persons as the Bureau may direct by regulation.

(c) Subcontractors. A contracting agency shall include in every contract to which it becomes a party such provisions requiring the contractor not to discriminate unlawfully in the selection of subcontractors as the Bureau may direct by regulation.

§ 6. Employment Reports.

(a) Submission Requirements. No contracting agency shall enter into a contract with any contractor unless such contractor's employment report is first submitted to the Bureau for its review. Unless otherwise required by law, an employment report shall not be required for the following:

(i) a contract in the amount of \$50,000 or less;

(ii) an emergency contract or other exempt contract except as the Bureau may direct by regulation; and

(iii) a contract with a contractor who has received a certificate of compliance with the equal employment opportunity requirements of applicable law from the Bureau, or an appropriate agency of the State of New York or the United States within the preceding twelve months, except as the Bureau may direct by regulation.

(b) Bureau Review. The Bureau shall review all employment reports to determine whether contractors are in compliance with the equal employment opportunity requirements of City, State and Federal law and the provisions of this Order. The contracting agency shall transmit the employment report to the Bureau within ten business days after the selection of a proposed contractor. A contracting agency may thereafter award a contract unless the Bureau gives prior written notice to the contracting agency and the contractor as follows:

(i) If the Bureau notifies the contracting agency and the contractor within five business days after the receipt by the Bureau of the employment report that the contractor has failed to submit a complete employment report, the Director may require the contracting agency to disapprove the contractor unless such deficiency is corrected in a timely manner;

(ii) If the Bureau notifies the contracting agency and the contractor within fifteen business days of the receipt by the Bureau of the completed employment report that the Bureau has found reason to believe that the contractor is not in substantial compliance with applicable legal requirements and the provisions of this Order, the Bureau shall promptly take such action as may be necessary to remedy the contractor's noncompliance as provided by this Order.

Provided that a contracting agency may award a requirements contract or an open market purchase agreement prior to review by the Bureau of the contractor's employment report, but may not make a purchase order against such contract or agreement until it has first transmitted such contractor's employment report to the Bureau and the Bureau has completed its review in the manner provided by this Section.

(c) Employment Program. The Bureau may require a contractor to adopt and adhere to a program designed to ensure equal employment opportunity.

(d) Periodic Reports. Contractors shall file periodic employment reports after the award of a contract in such form and frequency as the Bureau may direct by regulation to determine whether such contractors are in compliance with applicable legal requirements and the provisions of this Order.

§ 7. Training Programs. The Bureau shall monitor the recruitment, training and placement of economically disadvantaged persons in on-the-job training programs on construction projects. Contracting agencies shall require contractors to make a good faith effort to achieve the ratio of one trainee to four journey-level employees of each craft on each construction project.

(a) The Bureau shall determine the number of trainees and hours of training required by each contractor or subcontractor for each construction project.

(b) In the event that a contractor fails to make a good faith effort to train the required number of individuals for the required amount of hours, the Bureau, after consultation with the contracting agency, shall direct such agency to reduce the contractor's compensation by an amount equal to the amount of wages and fringe benefits which the contractor failed to pay to trainees.

(c) On-the-job training of economically disadvantaged persons shall not be required on construction contracts in the amount of \$125,000 or less.

§ 8. Compliance Investigations and Hearings. The Bureau shall conduct such investigations and hold such hearings as may be necessary to determine whether contractors are in compliance with the equal employment opportunity requirements of City, State and Federal law and the provisions of this Order.

(a) Voluntary Compliance. The Bureau shall seek to obtain the voluntary compliance of contractors and labor unions with applicable legal requirements and the provisions of this Order.

(b) Noncompliance. Upon receiving a complaint or at its own instance, the Bureau shall determine whether there is reason to believe a contractor is not in compliance with applicable legal requirements and the provisions of this Order.

(c) Hearings. The Bureau shall hold a hearing on prior written notice to a contractor and the contracting agency before any adverse determination is made with respect to such contractor's employment practices or imposing any sanction or remedy for non-compliance with applicable legal requirements and the provisions of this Order. The hearing shall be held before a City hearing officer, or such other person designated by the Director, who shall submit a report containing findings of fact and recommendations to the Director. Based on the record as a whole, the Director shall determine whether a contractor has failed to comply with applicable legal requirements or the provisions of this Order and the appropriate sanctions for noncompliance.

(d) Notices. The Bureau shall give prior notice of any hearing and shall provide a copy of any hearing report and determination of the Director under paragraph (c) of this Section to the contracting agency, the Corporation Counsel and the Comptroller. The Bureau shall notify appropriate City, State and Federal agencies of violations of law and may, with the approval of the Corporation Counsel, initiate proceedings in such agencies.

§ 9. Sanctions and Remedies. After making a determination that a contractor is not complying with applicable legal requirements and the provisions of this Order, the Director may direct that such sanctions as may be permitted by law or contractual provisions be imposed, including the disapproval of a proposed contractor, the suspension or termination of a contract and the reduction of a contractor's compensation, except as follows:

(a) Within five business days of the issuance of a determination by the Director under Section 8(c), a contracting agency head may file with the Director written objections to the sanctions to be imposed. Where such objections have been filed, the Director and the contracting agency head shall jointly determine the appropriate sanctions to be imposed.

(b) In lieu of any of the foregoing sanctions, the Director may require a contractor to adopt and adhere to a program to ensure equal employment opportunity.

§ 10. Public Agencies. Any administration, board, bureau, commission, department or other public agency, not subject to this Order, which imposes by rule, regulation or order equal employment opportunity requirements, may, with the consent of the Mayor, delegate such responsibilities to the Bureau as may be consistent with this Order.

§ 11. Confidentiality. To the extent permitted by law and consistent with the proper discharge of the Bureau's responsibilities under this Order, all information provided by a contractor to the Bureau shall be confidential.

§ 12. Regulations. The Bureau shall promulgate such regulations, subject to the approval of the Mayor, as may be necessary to discharge its responsibilities under this Order, including regulations increasing the dollar amounts referred to in this Order. Any regulations of the Bureau establishing terms and conditions for contractors shall be approved as to form by the Corporation Counsel.

§ 13. Annual Report. The Bureau shall submit an annual report to the Mayor concerning its responsibilities under this Order.

§ 14. Separability. If any provision of this Order or the application thereof is held invalid, the remainder of this Order and the application thereof to other persons or circumstances shall not be affected by such holding and shall remain in full force and effect.

§ 15. Revocation of Prior Orders. Executive Orders No. 71 (1968), No. 20 (1970), No. 23 (1970), No. 27 (1970), No. 31 (1971), No. 74 (1973), No. 7 (1974), and No. 80 (1977) are hereby revoked and the first paragraph of Section 2 of Executive Order No. 4 (1978) is hereby deleted. Nothing in this Order shall be deemed to relieve any person of any obligation not inconsistent with this Order assumed or imposed pursuant to an Order superseded by this Order.

§ 16. Effective Date. This Order shall take effect immediately:


EDWARD I. KOCH
MAYOR



REEL 569 2052

Exhibit B

THE CITY OF NEW YORK
OFFICE OF THE MAYOR
BUREAU OF LABOR SERVICES
100 Church Street, 2nd Floor
New York, New York 10007
566-6737/1254

CONSTRUCTION EMPLOYMENT REPORT

INSTRUCTIONS

The filing of a completed Construction Employment Report ("ER") is a condition of doing business with the City of New York ("City"). The ER's purpose is to ensure that contractors are in compliance with the City's equal employment requirements.

The ER must be completed and filed by contractors and their subcontractors on construction contracts in the amount of \$10,000 or more when such contract is federally financed or assisted, and on all other contracts in excess of \$50,000. Subcontracts for supplies or services related to construction are included in this requirement. A separate form will be provided for such supply and service subcontractors.

If you are a prime contractor, you are responsible for the submission of an ER by each of your construction or supply and service subcontractors or vendors whose subcontract meets the dollar amounts referred to above. The ER of each subcontractor or vendor must be approved by the Bureau of Labor Services ("BLS") before the subcontractor or vendor may commence work.

The signatory of this and all other documents submitted to BLS must be an authorized official of the company. Only type or legible print will be acceptable on this document and on any other submission to BLS.

Section I of the ER requests basic information about the contract and the contractor. Section II of the form contains several questions concerning the contractor's employment practices. Section III of the form requires that workforce data be provided for the contract.

The workforce data is to be supplied by trade and pay classification. Working supervisors are to be included as journey-level employees in their respective trades. Non-working supervisors (i.e., above working supervisors) are to be listed as supervisory personnel.

In the first part of the table ("TRADE"), list all trades to be used on this contract, even if the work will not be performed by your company. If any or all of the work in a trade is to be subcontracted, enter the name of the trade and write "to be subcontracted" in the space for that trade. Whenever possible, indicate the name of the subcontractor to be used. Please use one of the trade names listed below (page iii) whenever possible. If

you cannot find a trade on this list, use the trade name with which you are most familiar.

The second part of the table ("CURRENT WORKFORCE") concerns the number and kinds of employees you currently employ. This information is to be provided by trade and classification. In column 1, indicate the total number of employees; in column 2, list the total number of minority employees, both male and female; in column 3, list the total number of female employees, both minority and non-minority.

The third part of the table ("PROJECTIONS FOR THIS CONTRACT") indicates your projected workforce on this contract by trade and classification. In columns 4 and 5, enter the total number of workhours and workers, respectively, that you expect to employ on this contract. In columns 6 and 7, enter this same information for the minority workers, both male and female, you expect to employ; in columns 8 and 9, enter this information for the female workers, both minority and non-minority, you expect to employ. In columns 10 and 11, enter the total number of minority and female workhours and workers, respectively, you project will be employed on this contract. Do not double-count your minority female employees.

If your contract is for \$125,000 or more, you will be required to provide on-the-job training opportunities for disadvantaged persons. You must utilize the services of a trainee whenever you employ four journey-level employees in a trade. This should be indicated as appropriate on the Workforce Utilization Table.

While it is understood that the numbers provided in columns 4 through 11 are only projections, they should be as accurate as possible. These projections will be used by BLS as guidelines during the term of the contract to monitor your compliance with EEO requirements. In addition, on a federally funded or assisted contract, these projections will serve as goals and timetables for the federally required affirmative action plan.

You should be aware that BLS' monitoring of your contract will include site inspections by our field staff. The field inspectors will check your workforce on a periodic basis.

DEFINITIONS

For the purposes of this document and all others issued by BLS, the following terms shall have the following meanings:

"Minority" means black, Hispanic (non-European), Asian, or American Indian;

"Minority/female business" or "minority/female subcontractor" means any firm of which 50% or more is owned by a member or members of a minority group or by women;

"Female worker" means any female worker, either minority or non-minority;

"Trainee" means an economically disadvantaged person who qualifies for and receives training in one of the construction trades pursuant to a program, other than an apprenticeship program, approved by BLS and, where required by law, the New York State Department of Labor or the United States Department of Labor, Bureau of Apprenticeship and Training.

TRADES

The term "building and construction trades" shall include, but is not limited to, the following:

asbestos workers	operating engineers (equipment)
boilermakers	operating engineers (surveyors)
bricklayers	operating engineers (all others)
carpenters	painters
cement masons	plasterers
demolition workers	plumbers
dockbuilders	roofers
electricians	sheetmetal workers
elevator constructors	steamfitters
glaziers	structural ironworkers
laborers	tapers
mason tenders	teamsters (ready-mix concrete)
metal, wire & wood lathers	teamsters (all others)
mosaic, tile & terrazzo workers	tunnel workers
ornamental ironworkers	

ABBREVIATIONS

As used in the Workforce Utilization Table, the following abbreviations shall have the following meanings:

A = apprentice	MIN = minority
FEM = female	Trn = trainee
H = helper	Tot = total
HRS = hours	WRS = workers
J = journey-level workers	

These instructions are to be detached before the completed ER is submitted to BLS.

CONSTRUCTION EMPLOYMENT REPORT

THE CITY OF NEW YORK
OFFICE OF THE MAYOR

BUREAU OF LABOR SERVICES
100 Church Street, 2nd Floor
New York, New York 10007
Telephone: 566-6737/1284

REC-569-2055

File # _____
Register # _____
Funding _____
Routed _____
Sight ☐ _____ Date _____
Phone ☐ _____
Mail ☐ _____
Pre-A ☐ _____
DISAP ☐ _____

I. CONTRACT INFORMATION

A. Contracting Agency or Owner

B. Name and Address of Your Company

C. Principal Officers of Your Company and Their Telephone Numbers

D. Name and Telephone Number of Company Official in Charge of Equal Opportunity

E. Name and Address of Prime Contractor (if same as item B, write "same")

F. Dollar Value of Your Proposed Contract: \$ _____

G. Contracting Agency's or Owner's Project Number: _____

H. Description and Address of Proposed Contract

I. Other Projects: Are you doing other work within the City of New York? Yes ☐ No ☐
If yes, please list the work on the following page.

CONSTRUCTION EMPLOYMENT REPORT

REEL 569 2056

Other Projects:

_____ (Project Name)	Federally Assisted/Funded? Yes <input type="checkbox"/> No <input type="checkbox"/>
_____ (Address)	Project # _____
_____	Agency/Owner _____
_____	Dollar Value _____
_____	% Complete _____

_____ (Project Name)	Federally Assisted/Funded? Yes <input type="checkbox"/> No <input type="checkbox"/>
_____ (Address)	Project # _____
_____	Agency/Owner _____
_____	Dollar Value _____
_____	% Complete _____

If necessary, attach additional sheets to provide information on other jobs.

II. EMPLOYMENT POLICIES

Please provide the requested information regarding your employment policies and practices.

1. List below the community, labor, minority, and female outreach organizations and trade schools that your company notifies when it has employment opportunities available.
2. Do you maintain a record of your inquiries to the organizations identified in question 1 above and their responses? Yes ☐ No ☐
3. Does your company have an equal employment opportunity program? Yes ☐ No ☐
If yes, please attach a copy of the program.
4. Is your company presently subject to a court or administrative agency order concerning its employment practices? Yes ☐ No ☐ If yes, please attach a copy of each order.
5. Has your company been reviewed by a federal and/or state agency for nondiscrimination in the past twelve (12) months? Yes ☐ No ☐ If yes, please attach a copy of any certification by such agency.
6. Are you party to, or are you a member of an association which has, a collective bargaining agreement with any labor organization? Yes ☐ No ☐ If yes, list the union, local number, and craft covered by each agreement or attach a copy of each collective bargaining agreement.
7. List below the names of the minority and/or female businesses and/or subcontractors solicited or invited to bid for subcontracts, or to negotiate for joint or co-ventures, in connection with this contract. Indicate those subcontracts which have been awarded to, or are actively under negotiation with, minority and/or female businesses and/or subcontractors. Indicate the trade to

CONSTRUCTION EMPLOYMENT REPORT ADDENDUM

REEL 569 2057

THE CITY OF NEW YORK
OFFICE OF THE MAYOR

BUREAU OF LABOR SERVICES
100 Church Street, 2nd Floor
New York, New York 10007
Telephone: 566-6720/1761

Date _____

SUPPLIERS' INFORMATION

List below in the spaces provided all information requested for each of the companies from which you will be purchasing materials, equipment, or supplies in order to perform the contract for which this Employment Report has been completed.

This form is to be completed and returned to the above address (attention Mr. David Hendrickson, Information Officer) within thirty (30) days of your receipt of this form if you are a prime contractor, or fifteen (15) days if you are a subcontractor. If you need additional time to identify your suppliers, please contact BLS before your deadline for completion of the addendum.

Name of Your Company: _____	
Address: _____	
Telephone #: _____	
Contact Person: _____	
Project #: _____	Signature: _____
Dollar Value: _____	Title: _____
Contracting Agency or Owner: _____	

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

CONSTRUCTION EMPLOYMENT REPORT ADDENDUM

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

Attach additional sheets as necessary to list other suppliers.

REEL 569 2059

CONSTRUCTION EMPLOYMENT REPORT ADDENDUM

THE CITY OF NEW YORK
OFFICE OF THE MAYOR

BUREAU OF LABOR SERVICES
100 Church Street, 2nd Floor
New York, New York 10007
Telephone: 566-6720/1761

Date _____

SUPPLIERS' INFORMATION

List below in the spaces provided all information requested for each of the companies from which you will be purchasing materials, equipment, or supplies in order to perform the contract for which this Employment Report has been completed.

This form is to be completed and returned to the above address (attention Mr. David Hendrickson, Information Officer) within thirty (30) days of your receipt of this form if you are a prime contractor, or fifteen (15) days if you are a subcontractor. If you need additional time to identify your suppliers, please contact BLS before your deadline for completion of the addendum.

Name of Your Company: _____	
Address: _____	
Telephone #: _____	
Contact Person: _____	
Project #: _____	Signature: _____
Dollar Value: _____	Title: _____
Contracting Agency or Owner: _____	

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

CONSTRUCTION EMPLOYMENT REPORT ADDENDUM

REEL 569 2060

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

Name of Company: _____

Address: _____

Telephone #: _____

Contact Person: _____

Basic Good(s) Supplied: _____

Estimated Dollar Value of Purchases: _____

Attach additional sheets as necessary to list other suppliers.

1. As required by New York State Labor Law §220-a:

(a) That in the hiring of employees for the performance of work under this contract or any subcontract hereunder, neither the Contractor, Subcontractor, nor any person acting on behalf of such Contractor or Subcontractor, shall by reason of race, creed, color or national origin discriminate against any citizen of the State of New York who is qualified and available to perform the work to which the employment relates;

(b) That neither the Contractor, Subcontractor, nor any person on his behalf shall, in any manner discriminate against or intimidate any employee hired for the performance of work under this contract on account of race, creed, color, or national origin;

(c) That there may be deducted from the amount payable to the Contractor by the City under this contract a penalty of five dollars for each person for each calendar day during which such person was discriminated against or intimidated in violation of the provisions of this contract; and

(d) That this contract may be cancelled or terminated by the City and all moneys due or to become due hereunder may be forfeited, for a second or any subsequent violation of the terms or conditions of this section of the contract.

(e) The aforesaid provisions of this section covering every contract for or on behalf of the State or a municipality for the manufacture, sale or distribution of materials, equipment or supplies shall be limited to operations performed within the territorial limits of the State of New York.

2. As required by New York City Administrative Code §343.8.0:

(a) It shall be unlawful for any person engaged in the construction, alteration or repair of buildings or engaged in the construction or repair of streets or highways pursuant to a contract with the City or engaged in the manufacture, sale or distribution of materials, equipment or supplies pursuant to a contract with the City to refuse to employ or to refuse to continue in any employment any person on account of the race, color or creed of such person.

(b) It shall be unlawful for any person or any servant, agent or employee of any person, described in subdivision (a) above, to ask, indicate or transmit, orally or in writing, directly or indirectly, the race, color or creed or religious affiliation of any person employed or seeking employment from such person, firm or corporation.

(c) Disobedience of the foregoing provisions shall be deemed a violation of a material provision of this contract.

(d) Any person, or the employee, manager or owner of or officer of such firm or corporation who shall violate any of the provisions of this section shall, upon conviction thereof, be punished by a fine of not more than one hundred dollars or by imprisonment for not more than thirty days, or both.

REEL 569 P. 2062

SCHEDULE E

E

LICENSE AGREEMENT

REEL 569,2063

THIS AGREEMENT, made and entered into the day of 1981, by and between THE CITY OF NEW YORK, acting by and through the DEPARTMENT OF HOUSING PRESERVATION AND DEVELOPMENT (hereinafter referred to as "City"), and LIRA Apartments Company, a limited partnership, a corporation duly organized and existing by virtue of the laws of the State of New York having its office at 820 Elmont Road, Elmont New York (hereinafter referred to as "Sponsor").

WITNESSETH:

In consideration of the promises of the Sponsor as stated herein, the City hereby gives permission to the Sponsor to occupy and use certain premises in the Borough of Manhattan, City and State of New York, more particularly described below, exclusively for the purpose of recreational use under New York HPD's Interim, all on the terms and conditions herein set forth.

Site Improvement Program

ARTICLE I. The property of the City that the Sponsor is hereby permitted to enter, occupy, and use is described as follows: That portion of Block 493, Lot 41 known as the Former Primary School 21 Site, consisting of Approximately 20,000 square feet.

(hereinafter referred to as the "Site").

ARTICLE II. The Sponsor hereby acknowledges the title of the City to the above described Site and agrees never to assail, resist, or deny such title.

ARTICLE III. It is expressly agreed and understood that this Agreement shall not operate or be construed to create the relationship of landlord and tenant between the parties hereto under any circumstances whatsoever, and it is further agreed that the privileges hereby conferred shall not be transferred or assigned in whole or in part.

ARTICLE IV. In order to facilitate the safe operation of the Site for the purpose(s) described herein, the Sponsor shall have responsible person(s) physically present on the Site during such hours of each day as the City shall direct. Such person(s) shall supervise and oversee all activities at the Site. Compensation, if any, for the services of such personnel shall be the sole responsibility of the Sponsor.

ARTICLE V. The City reserves the right to terminate the permission hereby given at any time by written notice at least thirty (30) days in advance of such termination, except that the City may, at its election, terminate the permission forthwith at any time if the Sponsor shall fail to comply with or abide by each and all of the provisions hereof. Waiver by the City of any breach of any term or provision hereof shall not be deemed a waiver of any subsequent breach of the same or any other term or provision hereof. The Site shall immediately be reconveyed to the Board of Education upon demand after the adoption of a Resolution of the Board of Estimate.

ARTICLE VI. The Sponsor shall make all repairs at its own cost and expense and keep the Site in good repair and free from deposit of objectionable materials. The Sponsor further covenants that it will be responsible for all acts of waste attributable to the privileges granted hereunder.

ARTICLE VII. The Sponsor agrees to:

Defend, indemnify and

a) Save harmless the City, its agents, representatives and employees, of any claims of whatsoever nature for damages by reason of injury to person or damage to property occurring on the Site or occurring as a result of any activity undertaken by the Sponsor or any agent, servant or independent contractor of the Sponsor.

b) Comply with all laws, rules, regulations, and orders of Federal, State and City authorities.

c) Take out and maintain during the life of this Agreement the following insurance policies:

1) A liability insurance policy for the protection the City, its employees and representatives against any claims, suits, demands or judgments by reason of personal injuries, including death, and for any claims for damage to property occurring on or in proximity to the Site, or arising out of or as a result of the Sponsor's occupancy and use of the Site. Such liability insurance shall provide limits of \$100,000 for property damage and \$1,000,000 for personal injury or death in any one occurrence, and an aggregate of \$200,000 for property damage and \$1,000,000 for personal injury or death in any one year. The above insurance policy shall name the City as one of the insureds and shall be issued by a responsible insurance company or companies approved by the City for adequacy, sufficiency and form of protection and shall be delivered to the City simultaneously with the execution of this Agreement by the Sponsor with full premiums paid. In any action brought against the City, upon written demand, the Sponsor shall pay to the City the full amount of any judgment to the extent not paid under such insurance policy. The Sponsor shall have the right, prior to payment, to appeal and defend any such judgment.

2) Workmen's Compensation Insurance as required in accordance with the laws of the State of New York and shall furnish the City with a certificate evidencing same.

d) Hold the City harmless from any and all liens and encumbrances which may be placed against said Site during the term of this Agreement, when, as and if, any such lien or encumbrance is placed against said property. However, in the event of any such lien or encumbrance, the Sponsor agrees to furnish a bond in the sum of the amount of each of said liens or encumbrances.

e) Provide for the protection of the public by means of duly secured fences, wherever required by law.

SCHEDULE E

providing for construction of a school on the site. Such reconveyance shall be at no cost to the Board of Education.

**shall provide for the defense of the City and the Sponsor

f) Allow representatives of the City to enter upon said Site at reasonable hours for the purpose of examining same to determine whether the Sponsor is complying with this Agreement, all laws, rules or regulations of the City, State or Federal Governments, which may affect the Site or the work performed by them on said Site, and to permit the City to erect and maintain signs on said Site.

g) Obtain written approval from the City prior to engaging in income producing activities on the Site. The City reserves the right to charge rental fees in the event that such income producing activities are permitted.

ARTICLE VIII. The Sponsor agrees that it will not:

- a) Place or cause to be placed, any liens or encumbrances on the said Site.
- b) Assign or sublet the Site or grant any licenses as to the whole or any part thereof without the specific written authorization and consent of the City.
- c) Make any improvements or alterations without the prior written consent of the City. All improvements shall become the property of the City upon expiration or termination of this Agreement.

ARTICLE IX. The Sponsor has inspected the Site and for purposes of this Agreement accept same in its "as is" condition.

ARTICLE X. The City does not warrant or represent that the Site is safe, healthful, or suitable for the purposes for which it is permitted to be used.

ARTICLE XI. The Sponsor agrees not to discriminate or engage in any act of discrimination in the use of the Site hereunder against any person because of race, creed, color, sex or national origin, and further covenants that it will comply with provisions of Article 15, Sections 291 through 299 of the Executive Law of the State of New York and Article 4, Sections 40C through 44A of the Civil Rights Law of the State of New York and all other requirements of law with respect thereto.

ARTICLE XII. The Sponsor agrees and covenants to properly care for the Site, and on termination of the rights of occupancy and use hereby granted, to peaceably surrender possession of the Site in as good order and condition as it now is, ordinary wear and tear excepted.

ARTICLE XIII. This Agreement may not be changed orally but only by written amendment, executed and acknowledged by the City and the Sponsor, which refers expressly to this Agreement.

ARTICLE XIV. This Agreement shall not take effect until completion of construction on the Site by the City, and delivery by the Sponsor to the City of the insurance policies required herein.

ARTICLE XV. The Sponsor agrees to give prominent credit to the City for its role in constructing and supervising the site, in any announcements, ceremonies, signs, press releases, or other public notices.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the day and year first above written.

THE CITY OF NEW YORK

DEPARTMENT OF HOUSING PRESERVATION
AND DEVELOPMENT

By (Signature) _____

THE SPONSOR

By (Signature) _____

Print Name _____

LIRA Apartments Company
Representing

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

On this 15th day of April, 1981, before me personally came Albert Aboulafia, to me known, who, by me duly sworn, did depose and say that deponent resides at New Rochelle, New York, that deponent is the Secretary Treasurer of DeMatteis Development Corp, the corporation described in, and which executed the foregoing instrument, that he knows the seal of the corporation, that the seal affixed to the foregoing instrument is the corporate seal, that it was affixed by order of the board of directors of the corporation, and that he signed his name by like order.

Notary Public

GERALD GOLDSTEIN
Notary Public, State of New York
No. 1492265
Qualified in Nassau County
Certificate filed in New York County
Commission Expires March 30, 1982

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

On this day of April, 1981, before me personally came, to me known, who being by me duly sworn, did depose and say that he resides at and he acknowledged that he executed the foregoing instrument as a General Partner of LIRA APARTMENTS CO., a Redevelopment Company organized as a limited partnership, and as and for the act and deed of said partnership.

Notary Public

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

SO IN ORIGINAL

On this 19 day of April May 1981, before me personally came Nathan Leventhal to me known and known to me to be the (Deputy) Mayor of the City of New York and the same person who executed the foregoing instrument, and he acknowledged that he executed the foregoing instrument on behalf of The City of New York as said (Deputy) Mayor and pursuant to the authority vested in him by Resolution of the Board of Estimate adopted on March 12, 1981 (Cal. No. 22).

Notary Public

ALFRED F. MOLLER, JR.
Notary Public, State of New York
No. 41-8052950
Qualified in Queens County
Commission Expires March 30-1982

STATE OF NEW YORK)
) SS.:
COUNTY OF NEW YORK)

On this 20th day of May, 1981, before me personally came DAVID N. DINKINS, with whom I am personally acquainted and known to me to be the City Clerk of the City of New York, who being by me duly sworn, did depose and say that he resides at 157-10 Riverside Drive West, New York, New York 10032; that he is the City Clerk of The City of New York, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed as provided by law, and that he signed his name thereto as City Clerk by like authority.

COMMISSIONER OF DEEDS
CITY OF NEW YORK No. 3-011
Certificate Filed in New York County
Commission Expires November 1, 1981

Notary Public

REEL 569 2066

AGREEMENT
Between
THE CITY OF NEW YORK
And
LIRA APARTMENTS CO.

Dated as of March 12, 1981

CERTIFICATE OF APPROVAL

The Department of Housing Preservation and Development of the City of New York, pursuant to Article 5 of the Private Housing Finance Law of the State of New York, hereby certifies that the proposed Agreement and Plan of the Project to be undertaken by L.I.R.A. Apartments Co., a Redevelopment Company, meets with its approval as to conformity with the provisions and purposes of said law.

DEPARTMENT OF HOUSING PRESERVATION
AND DEVELOPMENT
OF THE
CITY OF NEW YORK

By: Anthony Gliedman
Commissioner

Record and Return to:

Department of Housing Preservation
and Development
Bureau of Legal Affairs
100 Gold Street
New York, NY 10038

Attention: Andrew S. Robins, Esq.

JUN-12-81 50885 B-1st 97.00

1981 JUN 12 PM 2:08

OFFICE OF CITY REGISTER
New York County
RECORDED
Witness my hand
and official seal

John J. Legattista

CITY REGISTER

0

M-16286

B-97

AGREEMENT BETWEEN THE CITY
OF NEW YORK AND LIRA APART-
MENTS CO. 7412

SECTION:

BLOCK 493

LOT 41

COUNTY:

LOC. TEL. 2

ATTN TO:
DEPT OF HOUSING PRESERVATION AND DEVELOPMENT
BUREAU OF LEGAL AFFAIRS
100 GOLD ST.
NEW YORK, N.Y. 10038

ATTN: ANTHONY S. ROBINSON ESQ

RECORDED BY
LITIC ASSOC., INC.
41 East 42 Street
NEW YORK, N.Y. 10017
599-2170

BELSON, CONNOLLY & BELSON
COUNSELLORS AT LAW
32 N. RADIWAY
NEW YORK, N.Y. 10004

569 2067

MM-12-21 50885 B-1st 97.00

1961 JUN 12 PM 2:08

OFFICE OF CITY REGISTER
New York County
RECORDED
Witness at hand
and official seal

John J. Leggett

CITY REGISTER

0

M-16286

B-97

AGREEMENT BETWEEN THE CITY
OF NEW YORK AND LIRA APART-
MENTS CO.
7412

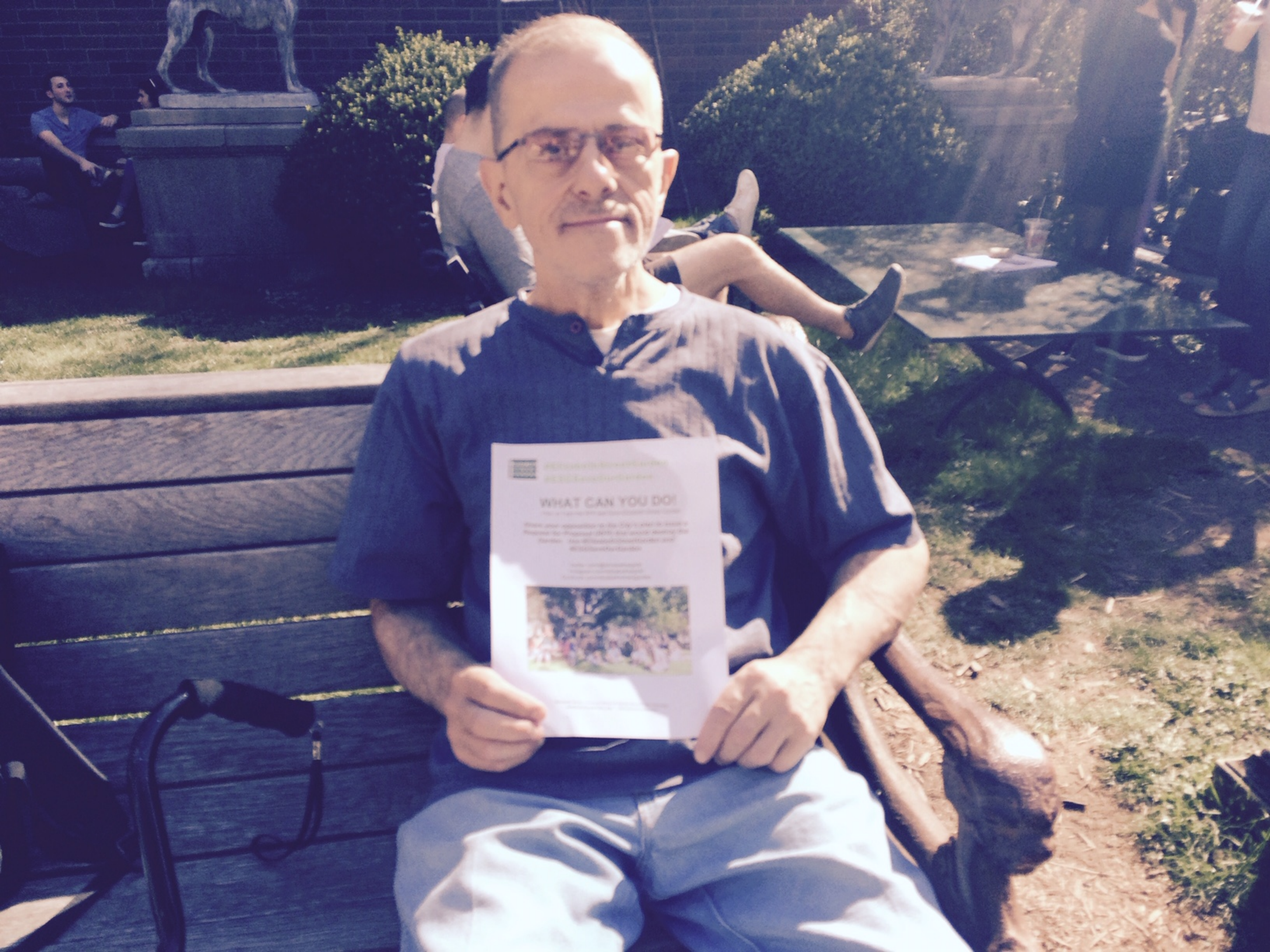
SECTION:
BLOCK 493
LOT # 41
COUNTY:

100-11-2

G + R to
DEPT OF HOUSING PRESERVATION AND DEVELOPMENT
BUREAU OF LEGAL AFFAIRS
100 GOLD ST
NEW YORK, N.Y. 10038 ATTN: ANNEAU S. ROBINSON
BELSON, CONNOLLY & BELSON
CORPORATE ATTORNEYS
32 NASSAU ST
NEW YORK, N.Y. 10038

RECORDED BY
LITIC ASSOC., INC.
41 East 42 Street
NEW YORK, N.Y. 10017
599-2170





WHAT CAN YOU DO?

When your reputation is the City's most valuable resource, the Mayor's Office is here to help you. We'll work with you to develop a strategy for managing your reputation and ensuring it's always at its best.

For more information, please contact the Mayor's Office at 311-333-3333 or visit our website at www.cityofseattle.net/mayors-office.





















ME

THESE PREMISES ARE
PROTECTED BY THE
FEDERAL PROTECTIVE
SERVICE DIVISION
FOR INFORMATION
CALL (212) 264-0025

U.S. GOVERNMENT PROPERTY
NO UNAUTHORIZED PARKING
OR STANDING PERMITTED
VIOLATORS SUBJECT TO
FINE UP TO \$500.00

U.S. GOVERNMENT PROPERTY
NO UNAUTHORIZED PARKING
OR STANDING PERMITTED
VIOLATORS SUBJECT TO
FINE UP TO \$500.00

U.S. GOVERNMENT PROPERTY
AUTHORIZED VEHICLES ONLY
Not for Public Use

SPEED
LIMIT
5
MPH

Affordable Housing and Public Urban Spaces such as gardens and parks are not mutually exclusive. Together they exhibit the values that safe and happy communities need to succeed.

According to *The World Health Organization*, “urban parks and gardens play a critical role in cooling cities, and also provide...sites for ...social interaction and recreation.

Green spaces are also important to mental health...” (www.who.int/sustainable-development/cities/health-risks/urban-green-space/en)

Little Italy and SoHo make up 23% of CB 2’s population, yet have only 3% of the district’s open space which is verified by *Manhattan Community District 1 Land Use Map (published by NYC Planning)*.

Providing affordable low income senior housing for approximately 100 people does NOT solve New York City’s rent control and rent stabilization problems. We need a VISION of housing sustainability for our citizens.

Please vote against the Haven Green Project being built on the site of The Elizabeth Street Garden.

Beth Hermelin
ESG Volunteer
Community Minister, Judson Memorial Church

OPPOSITION to Haven Green Development on Elizabeth Street Garden

Dear Sir/ Madam

I visit New York City once a year from the UK. I would like you to reconsider the proposed building work in the Elizabeth Street Gardens for the following reasons:

It adds character to the city which in turn attracts tourists

No or very few green spaces is detrimental to the mental health of the community.

Green spaces are good for the planet

Where are the pensioners going to spend their leisure time if you have built their homes on the only piece of green space in the area?

Regards,

Gabrielle O'Donnell

OPPOSITION to Haven Green Development on Elizabeth Street Garden

I have found respite at the Elizabeth Street Garden on many occasions over the years; always grateful for this haven in the bustling intense city. Please preserve this special place— ever more necessary in such a dense urban environment. Once it's gone it's gone forever. This is what makes cities great. Thank you.

Louise Steinman

Independent Literary Curator

Co-Director, Los Angeles Institute for Humanities

Roving Cultural Correspondent

www.crookedmirror.wordpress.com

Save the Elizabeth Street Garden

Hello,

I'm writing to beg the city to reconsider your current plan to destroy the Elizabeth Street Garden, one of the most cherished green spaces in downtown Manhattan. It's such a special place, enjoyed by locals and visitors alike, young and old, people from all walks of life. To demolish it now, when there are other options for low income housing nearby, would be a tragic mistake - irreversible and negatively affecting the entire community of people it currently serves.

Please recognize that the garden is a space much more valuable to the neighborhood than any housing complex could be - especially when there are commercial interests at play that will negate any benefits to low income residents in the long run. It is a treasure that improves the lives of all who visit it and should be treated as such.

Thank you,

Natalie Bergh

NYC resident & garden volunteer

--

Natalie Bergh

OPPOSITION to Haven Green Development on Elizabeth Street Garden

I strongly oppose the proposed development that would destroy Elizabeth Street Garden. Those of us who live in Soho, Noho, Little Italy, and Chinatown have already lost so much of what makes these neighborhoods livable, such as grocery stores, small local businesses, and parking lots. Nearly every green space or open lot is now gone--developed into multiple unit apartment buildings. The interests of real estate developers have overtaken the interests of the residents. Shoppers flocking to chain stores now overrun the streets. I urge you to join with the overwhelming majority of residents of these neighborhoods; preserve our only green and open space.

Elizabeth Street Garden is beautiful. It is a beloved community garden used by over 100,000 people throughout the year. The garden is not only a desperately needed community green space but also offers hundreds of free public programs year-round for people of all ages.

With the alternative site for housing located at 388 Hudson, there is no need to destroy this invaluable resource for the community.

Please listen to the community and follow Community Board 2's resolution in denying the Haven Green development.

Sincerely,
Jessica R. Wolff
66 Crosby St.
NY, NY 10012

Director of Policy and Research
Center for Educational Equity
Teachers College, Columbia University
Phone: 646-745-8285

Support for Haven Green

As a member of the Little Italy/Chinatown/Nolita/SoHo community for 35 years my family and I heartily support a true compromise that brings both housing and green space to this city-owned site in Little Italy/SoHo. Please go ahead with Haven Green Senior Housing.

Thank you.

Jane Barrer

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 2, 2019

(PLEASE PRINT)

Name: Thomas O'Neill

Address: 31 Greene street #4, New York NY

I represent: Supporter of preservation 10013

Address: of the Elizabeth Street Garden

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. H6 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: David Vincent

Address: _____

I represent: SAGE

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. H6 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Grayson Clark

Address: _____

I represent: Paul Castucci Architect

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. Haven Green Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Elizabeth Gilmore

Address: 39 W. 11 St 10011

I represent: my neighborhood

Address: senior citizens for Eliz. St

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: NANCY KONG

Address: 170 PARK RD

I represent: KHAY HATHA

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: 5/2/19

(PLEASE PRINT)

Name: Jeannette

Address: 33 Bleeker Street

I represent: DIDC Downtown Independent

Address: Democrats, Elizabeth St. Garden

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: RENE CALVO

Address: 242 W 123

I represent: MANDELA GARDEN

Address: 265 W 124

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: _____

Address: _____

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: JEANNE WILCKE

Address: 10 Bleecker St, NY, NY 10012

I represent: DOWNTOWN INDEPENDENT

Address: DEMOCRATS & NHO NEIGHBORHOOD

ASSOCIATION
10 Bleecker St, NY, NY 10012
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: 5/2/19

(PLEASE PRINT)

Name: Zoe Rose Simon

Address: 99 East 14th Street Apt 6B

I represent: Garden

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: 5/2/19

(PLEASE PRINT)

Name: Maeghan Carroll

Address: 338 Broome Street

I represent: Garden

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: 5/2

(PLEASE PRINT)

Name: Patricia Scollari

Address: 34 Spring St

I represent: Elizabeth Street Garden

Address: 209 Elizabeth Street

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. HAVEN GREEN Res. No. _____

☐ in favor ☒ in opposition

Date: 5/2/19

(PLEASE PRINT)

Name: Adam Laukhuf

Address: 362 Broome St. Apt 53

I represent: the neighborhood - 15 year

Address: resident

**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: 5/2/2019

(PLEASE PRINT)

Name: THEKESA SURACI

Address: 86 KENMARE ST.

I represent: on the ELIZABETH ST.

Address: GARDEN

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. HAVEN Res. No. _____

☐ in favor ☒ in opposition

Date: May 2, 2019

(PLEASE PRINT)

Name: Abby Schwartz

Address: 88 Bleeker Street

I represent: private citizen

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. 5/2/19 Res. No. _____

☐ in favor ☒ in opposition

Date: 5/2/19

(PLEASE PRINT)

Name: STEPHANIE BONADIO

Address: 149-151 ELIZABETH ST C3

I represent: BAN

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. HAVEN GREEN Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: STEPHANIE BONADIO

Address: 149-151 ELIZABETH ST C3

I represent: ELIZABETH STREET GARDEN

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. HAVEN GREEN Res. No. _____

☐ in favor ☒ in opposition

Date: 5/2/19

(PLEASE PRINT)

Name: Cortney Van Jahnke

Address: 20 Spring Street # 11 NYC 10012

I represent: Elizabeth Street Garden

Address: Elizabeth Street Garden b/w Prince

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. Haven Green Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: Lucy Garcia Berga

Address: 21 Spring St #7 WNYCA 10012

I represent: Elizabeth St Garden

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 to HAVEN GREEN

Date: 5/2/2019

(PLEASE PRINT)

Name: RICHARD FREITAS

Address: 29 PRINCE ST #4

I represent: ELIZABETH STREET GARDEN

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 to HAVEN GREEN

Date: 5/2/19

(PLEASE PRINT)

Name: ELISE FIFE

Address: 86 KENMARE ST #12

I represent: ELIZABETH STREET GARDEN

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: Jennifer Romine

Address: 21 Spring Street 6F

I represent: 21 Spring St. / Elizabeth

Address: 21 Spring St. 6F Street Garden

**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: John M. ...

Address: 200 Elizabeth

I represent: ave the garden

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: 5/2/2019

(PLEASE PRINT)

Name: Manni Halasa

Address: 440 W. 34th Street 9A NYC 10001

I represent: Elizabeth Street Garden, Community Control of Land Use,

Address: (same as above) Fight for NYCHA

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: Frank Shifreen

Address: 290 Elizabeth St 10012

I represent: opposed to Hare Green

Address: Elizabeth St Garden

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: 5/2/19

(PLEASE PRINT)

Name: Joseph Reiver

Address: 309 Elizabeth Street

I represent: Elizabeth Street Garden, Inc.

Address: 307 Elizabeth Street 10012

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: 5/2/2019

(PLEASE PRINT)

Name: 5166Y RAIBLE

Address: 160 Bleecker St #50ENYC 10012

I represent: MYSELF

Address: _____

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

4324

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition *of Haven Green*

Date: *May 2*

(PLEASE PRINT)

Name: *Rev Dr. Donna Schaper*

Address: *235 E 18th St NYC 10003*

I represent: *Judson Memorial Church*

Address: *Washington Square Park*

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition *to Haven Green*

Date: *5/2/19*

(PLEASE PRINT)

Name: *MINA TAYLOR*

Address: *2 Prince St. #3A, NY, NY 10012*

I represent: *Elizabeth S. Garden*

Address: *Same as above*

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: *05-02-19*

(PLEASE PRINT)

Name: *AZIZ DEHKAN*

Address: *428 EAST 107th St NY NY 10003*

I represent: *NYC Community Garden Coalition*

Address: *232 EAST 11th St NY NY 10003*

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: David Eisenbach

Address: 201 E 12th Pl 12

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: Kate Fletcher

Address: 260 Madison Ave, 22nd Floor

I represent: Elizabeth Street Garden, Inc

Address: 207 Elizabeth Street

**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: 5/2/19

(PLEASE PRINT)

Name: Norman Siegel

Address: 260 Madison Avenue

I represent: Elizabeth Street Garden

Address: 207 Elizabeth Street

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: Kirsten Theodos

Address: 333 E. 14th St apt 17k

I represent: NY NY 10003

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: Renee Green

Address: 14 Prince St., Apt. 3A 10012

I represent: Elizabeth Street Garden

Address: 207 Elizabeth Street 10012

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. 4324 Res. No. _____

☐ in favor ☒ in opposition

Date: 5/2/19

(PLEASE PRINT)

Name: Charles Birnbaum

Address: 1711 Connecticut Ave NW Washington DC 20009

I represent: The Cultural Landscape Foundation

Address: 1711 Connecticut Ave NW

Washington DC 20009

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: 5/2/19

(PLEASE PRINT)

Name: Elliott Meisel

Address: 945 Third Avenue NY 10022

I represent: Allan River & Elizabeth Street, Inc

Address: 209 Elizabeth Street, NYC

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. Haven Green Res. No. _____

☒ in favor ☐ in opposition

Date: 5/2/19

(PLEASE PRINT)

Name: Jordan Press

Address: 111 East 85th NY NY

I represent: Myself

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: ED MORRIS

Address: 170 Delancey St #C NY NY

I represent: myself 10002

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: Lacey Tauber

Address: _____

I represent: HPD

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. HG Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Leila Borzorg

Address: HPD

I represent: HPD

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: Maria Scafe

Address: _____

I represent: VISION URBANA

Address: _____

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

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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: 05/02/19

(PLEASE PRINT)

Name: TOM CANNON

Address: 9 J Ave

I represent: Greench House SPECTR

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: Karen Haycox

Address: _____

I represent: Habitat

Address: _____

THE COUNCIL THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. HG Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Scott Short

Address: _____

I represent: Rise Boro

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. HG Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Dylan Salmons

Address: _____

I represent: PennRose

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: JIM FOURATT

Address: 227, WAVENY PLACF

I represent: lesbian + GAY Elder Circle STA

Address: 227 WAVENY PL

**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: 05/02/19

(PLEASE PRINT)

Name: Lynn Kelly

Address: 55 Broad St.

I represent: New Yorkers for Parks

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: 05/02/19

(PLEASE PRINT)

Name: John Scott

Address: 310 Greenwich

I represent: HN Tenant Assoc.

Address: 310 Greenwich St

**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: 05/02/19

(PLEASE PRINT)

Name: Tito Delgado

Address: _____

I represent: Cooper Square Committee

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: K Webster

Address: 246 BOWERY

I represent: Resident Community

Address: Board 2

**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: Mariusz Dudzicz

Address: _____

I represent: 32B)

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: David Vincent

Address: _____

I represent: SAGE

Address: 305 7th Ave NYC

**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: 5/2/19

(PLEASE PRINT)

Name: Richard Emerson

Address: Nolita

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: _____

(PLEASE PRINT)

Name: Jeannine Kiely

Address: The Friends of Elizabeth

I represent: Street Garden

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: Michael Greer

Address: Friends of Eliz. St. Gard

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: Emily Herfshorn

Address: Friends of Eliz. St. Gard

I represent: _____

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: Steve Hernick

Address: 61 E 4th St

I represent: Cooper Square Committee

Address: 61 E 4th St.

**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: Tobi Bergman

Address: _____

I represent: CB2

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: Carter Bookin

Address: CB2

I represent: _____

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: David Gruber

Address: _____

I represent: CBZ

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: 5/2/19

(PLEASE PRINT)

Name: Valerie Reyes-Jimenez

Address: 470 W. 62nd St. #5A NYC 10069

I represent: Housing Works Inc.

Address: 81 Wiloughby St. Bklyn NY 11201

**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: 5/2/2019

(PLEASE PRINT)

Name: MAGALI REGIS

Address: 601 EAST 11 STREET NYC

I represent: NEW YORK CITY COMMUNITY GARDEN COALITION

Address: 232 E 11 STREET NYC

**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: Rodney Washington

Address: _____

I represent: Vision Urban, Inc.

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: 5/2/19

(PLEASE PRINT)

Name: Ken A.

Address: _____

I represent: Open New York

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. HAVEN 4000 Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: LEWIS SEMPERE & U

Address: 151 MOTT ST Apt 36 NY NY 10012

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: 5/1/19

(PLEASE PRINT)

Name: TED GLASS

Address: 118 Forsyth St

I represent: My family

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: 5/2/19

(PLEASE PRINT)

Name: Valerio Orselli

Address: 16 2nd Ave

I represent: Founding member

Address: Cooper Square CLT

**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: 5/2/19

(PLEASE PRINT)

Name: Sayid Lashan

Address: 463 West St

I represent: Myself

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: Ben Carlos Thypin

Address: Rose Hill, New York

I represent: OPEN NEW YORK

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: _____

Address: _____

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. 11400 6000 Res. No. _____

☒ in favor ☐ in opposition

Date: _____

(PLEASE PRINT)

Name: Alison Seiden

Address: 200 273 Bowery, NYC 10002

I represent: University Settlement

Address: 184 Eldridge St, NYC 10002

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: Nancy Sanchez

Address: _____

I represent: Roseboro - in favor of 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: _____

(PLEASE PRINT)

Name: Prof. John Antrobus

Address: 45 Broom St. NYC

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: 5-2-19

(PLEASE PRINT)

Name: Celestine Jones

Address: 766 Classon Ave. BRKLYN

I represent: Roundtable Senior Center

Address: 1175 Gates Ave

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: 5-2-19

(PLEASE PRINT)

Name: MARC GREENBERG

Address: _____

I represent: INTERFAITH ASSEMBLY HOUSE

Address: HOMELESS VETS

**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: Ella Barnes

Address: 209 Elizabeth Street Garden

I represent: Elizabeth Street Garden

Address: Elizabeth Street Garden

**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: JOSEPH Reiver

Address: 209 Elizabeth St New York NY

I represent: Elizabeth Street Garden

Address: 209 Elizabeth Street Garden

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: Kate Fletcher

Address: 209 Elizabeth

I represent: Elizabeth Street Garden

Address: Elizabeth Street Garden

**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: Norman Siegel

Address: 209 Elizabeth Street Garden NY NY 10012

I represent: Elizabeth Street Garden

Address: 209 Elizabeth Street NY NY 10012

**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: Andrea Cianfrani

Address: _____

I represent: Live On NY

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: David Mulkins

Address: 239 East 5th St

I represent: Bowery Alliance of Neighbors

Address: 184 Bowery

**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: 05-02-2019

(PLEASE PRINT)

Name: Lauren Thomas

Address: 1167 Decatur St Brooklyn, NY 11207

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: 5/2/19

(PLEASE PRINT)

Name: Ingrid Wiegand

Address: 48 Grand St NY 10013

I represent: Elizabeth St Garden

Address: 209 Elizabeth St

**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 2, 2019

Name: Heather (PLEASE PRINT) Schwalb

Address: 14 Morton St apt 17 10014 NY NY

I represent: Elizabeth Street Garden

Address: Elizabeth Street Btwn Prince & Spring

**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: _____

Name: Sikay Tang (PLEASE PRINT)

Address: 5 Spring St # NY 10012

I represent: myself - the community

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: 5/2/19

Name: Bobbie Lachman (PLEASE PRINT)

Address: _____

I represent: Radical Age Movement

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: Matthew Dunbar

Address: _____

I represent: Habitat for Humanity NYC.

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 2, 2019

(PLEASE PRINT)

Name: CAROLE ASHLEY

Address: 49 BEACH ST. #7 NYC 10013

I represent: I WISH TO SPEAK IN OPPOSITION TO DEVELOPMENT

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: 05/02/2019

(PLEASE PRINT)

Name: TAMARA ALVAREZ

Address: 247 Elizabeth Street

I represent: _____

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: 5/2/19

(PLEASE PRINT)

Name: MICHAEL GRIFFIN

Address: 249 W 34th St

I represent: FRIENDS OF ELIZABETH GARCIA

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: May 2, 2019

(PLEASE PRINT)

Name: Ronnie Wolf

Address: 458 Broadway #3 NY

I represent: My Building of 8 Families

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. SEAN GREEN Res. No. _____

☐ in favor ☒ in opposition

Date: 4/2

(PLEASE PRINT)

Name: SEAN SWEENEY

Address: 125 Green St

I represent: SOHO ALLIANCE

Address: P.O. BOX 429, NYC 10012

**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: LISA JANOWSKI

Address: 176 GRAND ST

I represent: Myself

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: CHRISTOPHER GOODE

Address: 176 GRAND STREET

I represent: Myself

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: DIDI D'ERRIC W

Address: E 29th ST

I represent: Visiting Neighbors

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: _____

Name: DAVID GRUBER (PLEASE PRINT)

Address: _____

I represent: CB2

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: _____

Name: Michael Madrid (PLEASE PRINT)

Address: 601 W. 57th St

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: _____

Name: John CAMPO (PLEASE PRINT)

Address: 184 BOWERY

I represent: BAM

Address: BOWERY

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: JOHN SCHABEL

Address: 204 SPRING ST #25

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: Laurence Hong

Address: 64 Fulton St Suite 301-302

I represent: Yuh-Line Niou (Assemblymember)

Address: Smp - 23

**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: Stephanie Sosa

Address: _____

I represent: Association for Neighborhood + Housing Development

Address: 50 Broad St Ste 1402 New York, NY 10004

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: 5/2/19

(PLEASE PRINT)

Name: Arthur Deras

Address: 1

I represent: myself

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: 5/2/19

(PLEASE PRINT)

Name: Assembly member Deborah J. Glick

Address: 853 Broadway, #2007

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: 5/2/19

(PLEASE PRINT)

Name: Liz York

Address: 90 Gold St #4G, NY 10038

I represent: The planet.

Address: _____

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

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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: 05/02/19

(PLEASE PRINT)

Name: ERIC DINE

Address: 207 EAST BROADWAY NY NY 10002

I represent: Vision urbana, inc. / LES Neighborhood

Address: 207 EAST BWAY

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: Dylan Goodrich

Address: 178 3rd St Brooklyn NY 11249

I represent: ESB Garden

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: May 1, 2019

(PLEASE PRINT)

Name: Kishi Niam

Address: 2-5 Lafayette St

I represent: ESB Garden

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: 5-2-2019

(PLEASE PRINT)

Name: LISA FAIRSTEIN

Address: 319 LAFAYETTE ST. NYC 10012

I represent: MYSELF

Address: SAME AS ABOVE

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 2, 2019

(PLEASE PRINT)

Name: PATRICK CHRISTIANO

Address: 3606 9 St #2 Astoria, NY 11106

I represent: myself

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: May 2/19

(PLEASE PRINT)

Name: RUTH FLUEVOG Garden

Address: 137 DUANE ST Manhattan

I represent: JOHN FLUEVOG SHOES

Address: 250 MULBERRY ST

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: Ben Shepard

Address: 249 Hoyt Street

I represent: Brooklyn NY

Address: 11717

**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: ROBERT PIERCE

Address: 164 W 79

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: May 2, 2019

(PLEASE PRINT)

Name: Leif Weatherken St. Garden

Address: 2 Washington Sq. Village 1046

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: Michele Campo

Address: 184 Bowery

I represent: Bowery block asso. & bowery

Address: same & neighborhood unit

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. _____ Res. No. _____

☐ in favor ☒ in opposition to Harn Green

Date: 5-2-19

(PLEASE PRINT)

Name: Brian Winters

Address: 108 Bowery #2 NY NY 10013

I represent: myself

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: SOSAN WITTENBERG

Address: 110 Greene St NYC

I represent: Friends of ESC

Address: 110 Greene St

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. YES Res. No. _____

☐ in favor ☒ in opposition

Date: _____

(PLEASE PRINT)

Name: KARE KOBAYASHI

Address: 237 ELIZABETH ST

I represent: ELIZABETH ST GARDEN

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: 5/2/2019

(PLEASE PRINT)

Name: Adina Schwartz

Address: 1 Washington Square Village NYC 10012

I represent: _____

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. HAVEN GREEN Res. No. _____

☐ in favor ☒ in opposition

Date: 5/2/20

(PLEASE PRINT)

Name: LISA KEENAN

Address: 290 ELIZABETH ST

I represent: MYSELF

Address: _____

Handwritten notes:
Hannah vs.
Elizabeth
Street
Garden

**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: Katalin Balog

Address: 14 Bruce St. #6

I represent: Elizabeth St. Garden

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: Hannah & Gabriel Byrne

Address: 211 Elizabeth St

I represent: Elizabeth St Garden

Address: _____

**THE COUNCIL
THE CITY OF NEW YORK**

Appearance Card

I intend to appear and speak on Int. No. LU Res. No. _____

☐ in favor ☒ in opposition *to the dev of Elizabeth St Garden*

Date: _____

(PLEASE PRINT)

Name: Ryan Keenan

Address: 290 ELIZABETH STREET

I represent: MYSELF

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: Kari Thorsen

Address: 690 Broadway St

I represent: NY, NY 10012

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: HAMILTON REGEN

Address: 44 REMSEN ST APT 8 11201

I represent: ELIZABETH ST. GARDEN

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: 5/2/18

(PLEASE PRINT)

Name: Crista Graver

Address: 223 Broadway

I represent: Myself

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: 3/2/19

(PLEASE PRINT)

Name: Alison Sky

Address: 60 GREENE ST, NY, NY 1002

I represent: myself

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: 5/2/2019

(PLEASE PRINT)

Name: Kristin Shea

Address: 70 Charlton St, NYC 1002

I represent: I am a community member

Address: who believes in the Garden

**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: 5/2/2019

(PLEASE PRINT)

Name: Sebastian Gobbi

Address: 240 CENTRE STREET, 4R, NY, NY 10013

I represent: ELIZABETH STREET GARDEN

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: May 2, 2018

(PLEASE PRINT)

Name: Barbara Ramsey

Address: 164 W 79 St NYC 10024

I represent: The Elizabeth Street Garden

Address: Please save the garden/park from destruction

**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: 5/2/2014

(PLEASE PRINT)

Name: Julin, Ann Brown

Address: 40 Centre St 5k NY, NY 100

I represent: Elizabeth Street Garden

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: Tabi Bergman

Address: 51 E 56 St

I represent: CB2 Mural

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. Haven Green Res. No. _____

☐ in favor ☒ in opposition

Date: 5/2/19

(PLEASE PRINT)

Name: Grace Lee

Address: 20 Broad Street Apt. 1901

I represent: Haven Green

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: Gordon Ramsey

Address: 244 Elizabeth St 1B

I represent: Save the Garden

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: Shirley Pyle

Address: 44 Elizabeth St 1B

I represent: Elizabeth St Garden

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. 4324

☐ in favor ☒ in opposition

Date: MAY 2, 2019

(PLEASE PRINT)

Name: TESSA GRUNDON

Address: 59 CROSBY STREET

I represent: ELIZABETH STREET GARDEN

Address: [Signature]

THE COUNCIL
THE CITY OF NEW YORK

Appearance Card

I intend to appear and speak on Int. No. HAZEN GLENN Res. No. _____

☐ in favor ☒ in opposition

Date: 5/2/19

(PLEASE PRINT)

Name: Stephen F. CLARK

Address: 240 Centre ST, APT 5K NY N710013

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: MAY 2, 2019

(PLEASE PRINT)

Name: JORDY MARK

Address: 63 THOMPSON ST., 3B

I represent: MYSELF, OPEN SPACE LOVERS + THE ELIZABETH STREET GARDEN

Address: 209 ELIZABETH ST.

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: 5/2/19

(PLEASE PRINT)

Name: Elizabeth St. Garden proposal

Address: 234 Thompson St

I represent: Residents of the City

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: May 2, 2019

(PLEASE PRINT)

Name: Barbara Horn

Address: PO Box 640 NY, NY 10009-0640

I represent: 89 E. 2nd St. #2

Address: (resident nearby)

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: 5-2-2019

(PLEASE PRINT)

Name: AGAINST ASSAULTED STRUCK

Address: OF ELIZABETH STREET GARDEN

I represent: YVONNE BROOKS, MANAGER

Address: 52 PRINCE STREET, NEW YORK, NY 11238

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: 5/2/19

(PLEASE PRINT)

Name: Catherine Ugarte

Address: 245 Mulberry St

I represent: Elizabeth Street Garden

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: 5/2/2019

(PLEASE PRINT)

Name: Thomas Boster

Address: 198 S 2nd St. 36 Brooklyn, NY 11211

I represent: I OPPOSE. Havegreen's application

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: 05/02/19

(PLEASE PRINT)

Name: POORLY WASHINGTON

Address: _____

I represent: Primitive Christian Church/Vision URBANA

Address: _____

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