

CITY COUNCIL
CITY OF NEW YORK

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TRANSCRIPT OF THE MINUTES

Of the

SUBCOMMITTEE ON LANDMARKS, PUBLIC
SITING, AND MARITIME USE

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May 2, 2019
Start: 1:32 p.m.
Recess: 4:57 p.m.

HELD AT: Committee Room - City Hall

B E F O R E: Adrienne E. Adams
Chairperson

COUNCIL MEMBERS: Peter Koo
Margaret S. Chin
Mark Treyger
Inez D. Barron
I. Daneek Miller

A P P E A R A N C E S (CONTINUED)

Lacy Tauber
Leila Bozorg
Karen Haypacks
Scott Short
Dylan Salmons

HPD

Assembly Member Deborah Glick

Lawrence Hong
Chief of Staff
Assembly Member Yuh-Line Niou

Toby Bergman
CB2

David Gruber
CB2

Carter Booth
CB2

Lynn Kelly
Executive Director
New Yorkers for Parks

Nancy Sanchez

Kay Webster

Valerie Reyes Jimenez

Maurice Dujets

Susan Wittenberg

Joseph Reeve
Executive Director
Elizabeth Street Garden

Michelle Campo

Kate Kobiachi

Tito Delgado

Stephanie Sosa
Senior Associate
Housing Development Policy
Association for Neighborhood and Housing
Development

Grayson Jordan

David Vincent
Chief Program Officer
SAGE

Jeanine Kiley
President
Friends of Elizabeth Street Garden

Ms. Elstrom

Lisa Fairstein Mata

Conta Limbar

Aziz Dehkan

Valerio Orselli

John Scott

Didi D'Aurico

Andrea Gianfrani
Live On New York

John Foret

Norman Segal

Kirsten Theodos

Siggy Raybel

Melanie Maccio

Jordan Press

Tom Connor

Sikay Tan

Jody Mark

Ben Carlos Tipan

Ted Class

Michael Gruen

Richard Emerson

Eliot Maisel

Arthur Derris

Elizabeth Yuark

Steve Herrick

Mark Greenberg

John Shabel

Eric Diaz

Sayed Fasha

Magdaly Regis

Stacy Kaufman

Barbara Horn

Ed Morris

Allison Smith

Tom O'Neill

2 CHECK: This a microphone check. Today's
3 date is May 2, 2019, Committee on Landmarks, being
4 record by John Viando, City Hall, Council chambers.
5 check] [pause]

6 SERGEANT AT ARMS: Quiet, please.

7 [[gavel]]

8 CHAIRPERSON ADAMS: Good afternoon.

9 Welcome to this meeting of the Subcommittee on
10 Landmarks, Public Siting, and Maritime Uses. I'm
11 Council Member Adrienne Adams, the chair of this
12 subcommittee. We're joined today by Council Members
13 Koo and Chin. Today we will be hearing preconsidered
14 LU Haven Green Senior Housing, an application
15 submitted by the New York City Department of Housing
16 Preservation and Development, for development of a
17 site in the Little Italy neighborhood of Manhattan in
18 Council Member Margaret Chin's district, which is the
19 only site and community board to currently controlled
20 by HPD. Specifically, the application is for
21 disposition of city-owned property at 199-207
22 Elizabeth Street, Mott Street, block 493, lot 30, and
23 sale of this disposition area to the project sponsor.
24 This application presents us with the difficult
25 process of balancing two of the most critical issues

3 currently facing our city - the need to balance
4 access to green space and access to affordable
5 housing for our most vulnerable populations. All
6 members of this subcommittee and the City Council are
7 aware of the complexity involved with dealing with
8 these issues and look forward to hearing testimony
9 from advocates of both sides. The approvals that HPD
10 is seeking would facilitate the development of a new
11 seven-story building with 123 LGBTQ-friendly
12 affordable units for seniors, approximately 6700
13 square feet of public open space, nonprofit office
14 space, a community room, and storefront commercial
15 space. Haven Green will offer on-site supportive
16 services to all building residents in partnership
17 with RiseBoro, SAGE NYC, and Habitat for Humanity
18 NYC. Before I call on HPD and the development team
19 to testify on this application I would like to invite
20 Council Member Chin to provide remarks.

21 COUNCIL MEMBER CHIN: Thank you, Chair
22 Adam. Thank you for providing me with an opportunity
23 to speak about this land use application in my
24 council district. The path to this hearing has been
25 a long one. For decades this site in Little Italy
has been promised as the future home of affordable

3 housing. With this application, I believe our city
4 is finally delivering on that promise. This project
5 will create over 100 units of deeply affordable
6 housing for elderly New Yorkers, including members of
7 our city's LGBTQ community and the formerly homeless.
8 It will also create permanent green space that I hope
9 will be mapped as city park land under the management
10 of the Parks Department. Almost every day I hear
11 from seniors who are struggling to get by. It may be
12 hard for some of us to imagine what it's like to
13 worry about where you're going to live next year,
14 next money, or even next week, but that is the
15 reality for tens of thousands of New Yorkers. These
16 New Yorkers might not be able to afford to hire
17 lobbyists or consultants to create slick marketing
18 campaigns or recruit celebrities to their cause.
19 Their struggles are mostly out of public view and
20 their voices are not always heard. But I hear them
21 and I know there are many in this room that hear
22 them, too. Opponents of this project hold a
23 passionate point of view regarding the future of this
24 site. It pains me to disagree with them, especially
25 when I know that we all want what is best for our
community. However, I speak regularly with seniors

2 who fully support this effort to bring more safe,
3 accessible, and affordable housing to the people of
4 our city. They want to know when it will be ready.
5 Telling them that now is not the time and that this
6 city-owned lot is not the place, it's unacceptable.
7 The depth of the affordability crisis requires an
8 all-in approach to maximize the public benefits of
9 public resources. We will need more affordable
10 projects, not fewer. Fair and equitable housing
11 calls for all neighborhoods in our city to
12 participate in alleviating this crisis. I thank you,
13 Chair Adam, and the members of this committee for
14 their consideration of this application, and I look
15 forward to hearing all the testimony.

16 CHAIRPERSON ADAMS: Thank you, Council
17 Member Chin. We now call on the panel for HPD, Lacy
18 Tauber, Leila Bozorg, Karen Haypacks, Scott Short,
19 and Dylan Salmons. You're here, welcome. Council,
20 please swear in the panel.

21 UNIDENTIFIED: Please say your name
22 before answering. Do you affirmed to tell the truth,
23 the whole truth, and nothing but the truth in your
24 testimony before this subcommittee and in response to
25 all council member questions?

1 SUBCOMMITTEE ON LANDMARKS,
PUBLIC SITING, AND MARITIME USES

11

2 LEILA BOZORG: Leila Bozorg, yes I do.

3 LACY TAUBER: Lacy Tauber, yes.

4 UNIDENTIFIED: Press the button.

5 KAREN HAYCOX: Karen Haycox, yes.

6 SCOTT SHORT: Scott Short, yes.

7 DYLAN SALMONS: Dylan Salmons, yes.

8 CHAIRPERSON ADAMS: Thank you all very
9 much for being here today. You may begin.

10 LACY TAUBER: All right. Thank you, Chair
11 and council members for your time today. So, ah,
12 this land use application is related to, um, an urban
13 land use review process, [inaudible] application
14 seeking an article 11 disposition approval for a
15 city-owned lot located at 199 to 207 Elizabeth Street
16 in Manhattan Council District 2 for a project known
17 as Haven Green. The Haven Green site is composed of
18 several lots that were acquired by the city through
19 deed and condemnation between 1853 and 1930. In 1991
20 prior to HPD assuming management jurisdiction of the
21 property the Department of Citywide Administrative
22 Services, DCAS, leased the property to a neighboring
23 property owner on a month-to-month basis. This lease
24 allowed that tenant to use the property for any as-
25 of-right use, including storing sculptures. The

2 lease stipulated that the tenant must vacate the
3 property upon 30 days' written notice from the city.
4 DCAS transferred jurisdiction of the property to HPD
5 in 2018. Given the tremendous need for affordable
6 housing in core Manhattan and the extremely limited
7 number of public sites, the city made a commitment to
8 develop affordable housing on this site in 2012 as
9 part of an agreement regarding the Seward Park, Essex
10 Crossing Development, in the Lower East Side. HPD
11 issued the Mott Elizabeth Streets RFP in September of
12 2016. It required that respondents propose a high-
13 quality mixed use affordable housing development to
14 include affordable senior housing, quality commercial
15 and/or community facilities, and a creative design to
16 ensure at least 5000 square feet of publicly
17 accessible open space that would be reserved for
18 community use. The RFP also noted that the site is
19 located in the Special Little Italy District, or the
20 SLID, which was established in 1977 with the goals of
21 preserving and strengthening the historic and
22 cultural character of the community. The selected
23 development team, which includes Penrose, RiseBoro
24 and Habitat for Humanity, submitted a proposal that
25 met these requirements, complied with the terms of

3 the SLID, and exceeded the minimum open space
4 requirement by including 8400 square feet of publicly
5 accessible open space, including 6700 square feet
6 open to the sky and 1700 square feet of covered
7 entryway. The project will be developed under HPD's
8 Senior Affordable Rental Apartments, or SARA program,
9 and is deeply affordable, targeting seniors with
10 incomes from 30% to 60% of the area median income,
11 AMI, which amounts to an annual income of
12 approximately \$21,930 to \$43,860 for an individual
13 based on 2018 AMI levels. As is customary, HPD and
14 the developer will enter into a regulatory agreement
15 to memorialize the project's affordability and other
16 restrictions. The regulatory agreement will have a
17 60-year term and will require that all units will be
18 rent stabilized even after the regulatory agreement
19 expires. 30% of the units will be set aside for
20 homeless seniors referred by the Department of
21 Homeless Services, DHS. The newly constructed
22 building will be seven stories tall with 123 age-
23 friendly studio apartments and on-site supportive
24 services. Resident amenities will include laundry
25 facilities, an exercise room, computer room, common
room, an outdoor landscaped terrace, and supportive

3 services offices with LGBT-friendly senior services
4 to be provided to residents in the community by SAGE.
5 The building also includes community facility space
6 for Habitat for Humanity and ground floor retail.
7 Haven Green will be built to passive house standards,
8 which is the gold standard in energy and resource
9 efficient building design. The project will include
10 publicly accessible open space to be maintained in
11 perpetuity through restrictions included in the
12 property disposition agreements and in the regulatory
13 agreement. These restrictions will run with the
14 land. The open space will be designed based on input
15 that the Haven Green development team collected
16 through their public engagement process. The team
17 engaged community members, gardeners, and other local
18 stakeholders in a series of participatory design
19 sessions to obtain public input on the activities,
20 design elements, and character of the space, with the
21 goal of creating a high-quality open space that is
22 grounded in community input and meets community
23 needs. The Haven Green project will be an LGBTQ-
24 friendly senior development and a welcome home for
25 many seniors who have been waiting years to have the
opportunity to apply for an affordable housing unit.

3 Therefore, HPD is before the council seeking approval
4 of this land use action to facilitate the development
5 of a multiuse development called Haven Green to
6 provide much-needed affordable housing for seniors.
7 And I'll turn it over to the development team to walk
8 you through their presentation. [pause]

9 DYLAN SALMONS: Thank you, Lacy, thank
10 you, members of the council and the subcommittee for
11 having us here today to hear about Haven Green. My
12 name is Dylan Salmons. I'm representing the
13 development team, comprised of three very experienced
14 and long-standing members of both the affordable
15 housing property management and home building
16 community. Penrose is lead developer for our three-
17 member team, is located in New York City here with
18 experience for over 45 years delivering high-quality
19 exceptional affordable housing and open space
20 communities, with having 16,000 units developed in
21 our over 200 properties. Our partner here in
22 RiseBoro Community Partnership is both a co-developer
23 in the creation Haven Green, a provider of high-
24 quality supportive services, and the project's
25 property manager. They have over 45 years of
experience into themselves as well in New York City

3 beginning in 1973, and also have a large number of
4 units developed and currently under their management
5 and stewardship. Habitat for Humanity NYC is another
6 one of our co-developer partners and also the ground-
7 floor tenant. Habitat has also 30-plus years of
8 experience in New York City, has built hundreds of
9 affordable homes and preserved as well and has a
10 long-standing history in this community having begun
11 their initial stewardship with Mascot Flats. The
12 general timeline of the project, as Lacy went
13 through, the project was identified for affordable
14 housing in 2012. The site was opened in limited
15 hours to the public in 2013. In December of 2017 HPD
16 selected the Penrose, RiseBoro, and Habitat for
17 Humanity team. In September of 2018 into the fall we
18 led four participatory designs in order to solicit
19 and garner feedback for the eventual opening of the
20 public space that would be behind Haven Green. In
21 November we certified the project into ULURP and the
22 public review process began. In December of 2018 we
23 had our CD2 review and recommendation period, which
24 was ultimately disapproved. In February of 2019 we
25 had the Manhattan borough president review the
recommendation period, which was approved with

2 conditions. In March and April of 2019 CBC reviewed
3 and had their voting period, upon which the project
4 received unanimous approval. We are currently in the
5 City Council review and recommendation period. Haven
6 Green is at once trying to accomplish several things
7 - affordable housing for 123 seniors of New York
8 City, provision of high-quality open and public
9 space, community facility space to provide services
10 for those who are most underserved and have the
11 smallest voice in the room, and also provide
12 opportunities for increasing the retail tapestry
13 along Elizabeth Street. For the affordable housing
14 for seniors component project, in [inaudible] alone
15 there are over 4600 seniors awaiting affordable
16 housing, with an average wait time of over seven
17 years. Since 2014 only 93 new units of affordable
18 housing was constructed in the community ward and the
19 site designated for Haven Green is the only
20 developable site within CB2 that is controlled by
21 HPD. Of the 123 rental units that will be at Haven
22 Green, 100% are affordable, at or below 60% of the
23 area median income, with greater than half of the
24 project below extremely low incomes, which is 30% of
25 the area median. Beyond housing, Haven Green will

3 offer on-site support services, tailored to meet the
4 needs of an aging population, as well as those LGBTQ
5 identified community members. The project will
6 [inaudible] depths of experience from RiseBoro,
7 Habitat for Humanity, and SAGE New York City, along
8 with the many other not-for-profit and community
9 members, who have been our supporters all along.
10 Supports will be offered from a breadth of services,
11 including entitlement and advocacy, wellness, and
12 connectivity. As a neighborhood asset, Haven Green
13 will offer a diverse array of public open space, both
14 open space to the sky, covered open space from the
15 elements, and over 600 square feet of space that will
16 be offered through Habitat as a community asset for
17 nonprofit entities to use. As far as community
18 engagement, as stated in the summer and fall of 2018,
19 we led an inclusive participatory design process to
20 collectable imagine the future of the open space at
21 Haven Green. The process was designed to be open,
22 inclusive, accessible, and engaging, and provide an
23 opportunity for a wide range of stakeholders to
24 participate and provide input, which was ultimately
25 gathered into a participatory design report that is
hosted on the Haven Green community website. For the

2 residential features of Haven Green, there are over
3 123 affordable apartments. There are common
4 laundries on each floor, allowing residents to
5 comeingle with their neighbors and escape
6 reclusiveness of their own apartment. There is an
7 1100 square feet community room on the second floor
8 that opens into a roof terrace [inaudible] diverse
9 array of programming 365 days a year for residents of
10 the project. There will be a 300 square feet support
11 service space which will be shared by the supportive
12 service providers to provide case management and
13 including a designated case management office and, as
14 mentioned, the site is designed to passive house
15 standards for the highest levels of energy
16 efficiency. The commercial space along Elizabeth
17 Street is partitioned into small scale, neighborhood
18 scale retail, and the community facility space spans
19 the ground floor at the rear of the project and the
20 5200 square feet and also has cellar level space.
21 The community facility will be leased to Habitat for
22 Humanity NYC, offering again the 600 square feet
23 meeting room available to neighboring groups and
24 local nonprofits, as well as SAGE New York City. The
25 ground floor of the building program fronts Elizabeth

3 Street. The tan is identified as the small scale
4 retail and commercial space. The blue is the
5 [inaudible] residential lobby served by elevators for
6 the aging seniors, and then towards the rear of the
7 ground floor is the lease space for Habitat for
8 Humanity NYC and SAGE New York City. You'll see
9 towards the far right, left-hand side is the
10 demarcated space, it will be reservable for not-for-
11 profit entities. Zoning analysis - the project is
12 consistent with zoning regulations, including the
13 Little Italy Special District requirements. The
14 design has been reviewed and certified by the
15 Department of City Planning. The height restriction
16 imposed is in alignment with the Little Italy Special
17 District requirements and is seven stories, with a
18 total building height of just about 75 feet. The
19 building design is underneath the maximum floor area
20 ratio that permitted 4.1, with a floor area ratio of
21 3.7, of the [inaudible] 34% is open to the sky. The
22 building mass itself is centered towards the northern
23 portion of the site with attention to create as much
24 open space for a solar access as possible. The site
25 offers access both from Mott Streets and Elizabeth
Streets and will be open to the public continuously

3 year round. The current site design is laid out as
4 part of the initial RFP response and is yet to be
5 updated to reflect the design strategies, goals, and
6 features identified in the participatory design
7 response. The northern portion of the site, as shown
8 here, is the second floor roof terrace. The site at
9 no times becomes a private back yard for the
10 residents or community tenants or retail tenants of
11 Haven Green and so the space is just for tenants in
12 the evening. A couple renderings here that describe
13 the architectural quality of the building,
14 replicating the unique masonry material shown along
15 Elizabeth Street, architectural details of vertical
16 coining, and [inaudible] masonry rose, emblematic of
17 some of the other architecture around the street.
18 There is a continuous metal banding reminiscent also
19 of the iron facades along the street and then there's
20 the gratuitous kind of open breezeway that flows
21 towards the rear end of the site. Closer view of the
22 entry way and breezeway. Condition of the breezeway
23 space heading towards the public open space with
24 access to the community facility space to the right.
25 An illustrative view of the critical mass of open
space surrounded by public [inaudible] and other

2 features that are identified in the participatory
3 design response. I think I'm going to hand it over
4 to Scott Short, who is going to give a few remarks of
5 the development team. Thank you again.

6 SCOTT SHORT: Thank you, Dylan, and thank
7 you, council committee. My name is Scott Short. I'm
8 the CEO of RiseBoro Community Partnership, one of the
9 co-developers, service provider, and property manager
10 for Haven Green. You've heard about the merits of
11 the project from Dylan, and I'd like to talk a little
12 bit about the philosophical underpinnings that
13 brought this team together to propose this project,
14 and those revolve around equity and fairness. Equity
15 and fairness are two big concepts...

16 SERGEANT AT ARMS: Quiet, please!

17 SCOTT SHORT: Equity and fairness are two
18 big concepts that the development team believes in
19 deeply and I know that belief is shared by everyone
20 on this committee. We believe in it because we see
21 the disparity all around us in this city. We see the
22 growing homeless population. We see kids falling
23 behind in low-income neighborhoods. We see long-time
24 residents being displaced. We see seniors forced out
25 of the communities that they helped build, and we

2 want to do something about it. I admire all the
3 steps that this City Council has taken to change laws
4 and create new resources to make this city a fairer
5 and more equitable place. The Haven Green project
6 builds on the legacy that the council has established
7 in promoting these essential ideals. It's rare that
8 you get the opportunity to approve a single project
9 that so clearly advances the principles of equity and
10 fairness. To be able to build housing for some of
11 our poorest, oldest, the most vulnerable citizens in
12 one of the wealthiest and most privileged communities
13 in the entire city, while offering publicly
14 accessible open space back to that community as part
15 of the project is a chance that does not come around
16 very often. I urge you to take advantage of this
17 unique opportunity to advance equity and fairness in
18 our city and vote to approve Haven Green. Thank you.

19 KAREN HAYCOX: I am Karen Haycox, CEO of
20 Habitat for Humanity NYC. Habitat for Humanity NYC
21 joined this team because of the opportunity to build
22 housing for a more vulnerable population than we
23 traditionally serve and to make a real impact on fair
24 housing in our city. Haven Green will be built in
25 one of the wealthiest, whitest neighborhoods in the

3 city, a neighborhood that rarely, if ever, sees new
4 affordable housing created. In short, this project
5 on this piece of land in this neighborhood is a
6 matter of social, economic, and racial justice.
7 Habitat NYC knew that a preexisting conflict existed
8 around this site, one that has separated
9 neighborhoods and created tension in the
10 neighborhood. We empathize with those who feel
11 passionately about the current space, though through
12 our participatory design and ongoing community
13 engagement efforts we have sought to hear residents
14 and consider their thoughts and opinions. We also
15 listen to the voices of those who were unable to
16 attend participatory design meetings or community
17 board meetings, the low income and homeless seniors
18 in our city. Those who may be confined to fourth-
19 floor walk-up apartments all day long until a
20 relative or caretaker can help them. Those who are
21 currently experiencing homelessness. Those LGBTQ
22 seniors who, after paving a way for so many and so
23 much social progress, were forced back into the
24 closet for fear of losing their existing housing.
25 Those voices are loud, too. We see this project as a
compromise and an opportunity for all stakeholders to

2 come together in service of multiple neighborhood
3 needs. Haven Green will provide more than 123 low-
4 income and formerly homeless seniors with desperately
5 need affordable homes, which they will utilize one
6 hundred percent of the time and provide the
7 neighborhood with publicly accessible green space.
8 Additionally, we believe the development of the site
9 will provide [inaudible] access to green and open
10 space by square feet once one factors into
11 consideration the hours of access of the current
12 space. We are thrilled to stand beside our
13 development team partners and all of you as we work
14 to build for a better city for every resident in
15 every neighborhood. Thank you.

16 CHAIRPERSON ADAMS: Thank you very much
17 for your testimony today. Thank you for being here
18 once again, panel. I do have a few questions for
19 you. What will the hours of operation for the public
20 space be?

21 UNIDENTIFIED: The hours of operation for
22 the public space will mirror or be longer than those
23 of neighboring surrounding open spaces at no less
24 than 9 to 5.

2 CHAIRPERSON ADAMS: All right, and who is
3 going to manage the open space?

4 UNIDENTIFIED: Ah, RiseBoro Community
5 Partnership as the property manager will be primarily
6 responsible for the management, but we envision
7 bringing in interested parties from all the community
8 engagement that we've done to help participate in the
9 planning, design, and ultimate maintenance of that
10 space.

11 CHAIRPERSON ADAMS: What about the Parks
12 Department?

13 UNIDENTIFIED: We can speak to that.

14 UNIDENTIFIED: Yeah, so I can speak to
15 that a little bit. Um, I think there are, ah, a
16 couple, ah, issues with working with Parks that, you
17 know, we've been in active conversations with them
18 about the possibilities of involvement here, um, and
19 we think, um, that having the development team be the
20 one that manages the space is really the best outcome
21 for a couple of a reasons. Um, one, they've done
22 this really extensive outreach process, you know,
23 with the community. They've heard a lot of input
24 about what folks want to see happen in this space and
25 so they're really well positioned to make sure that

2 the design, ah, really reflects that community input.
3 And then secondly in our conversations with Parks
4 we've heard that with the resources available to them
5 at this time they're really only able to commit to
6 what they call a roving crew of maintenance, which
7 may not be as regular as, ah, you know, what the
8 development team is able to provide since they're on
9 site and really more able to respond to issues in
10 real time. But I would say, you know, that we all
11 really share the goal of making sure that this is,
12 ah, a very high-quality open space that is accessible
13 to this community and really based on the input that
14 we've heard from them over the last few months and
15 years.

16 UNIDENTIFIED: And I'll also just add to
17 that that it's really through our financing that we
18 can ensure that the proper financing is in place for
19 long-term maintenance of the park and we also legal
20 tools in place that we'll be employing to ensure that
21 it is publicly accessible in perpetuity, so having
22 the development team do it does enable us to bring
23 more resources to bear to the management than we know
24 might be available to Parks, and we have a way of
25 actually enforcing that for the long term rather than

2 leaving it up to kind of the status of the city's
3 availability to finance it. We can actually ensure
4 now when we're financing it that the financing is in
5 place to manage and operate it for the very long
6 term.

7 CHAIRPERSON ADAMS: OK, so along those
8 lines can you describe the process for developing the
9 future of public open space? What does the process
10 look like? Kind of soup to nuts, for all of us to
11 hear it.

12 UNIDENTIFIED: Sure. So if the project is
13 successful through the [inaudible] application the
14 next steps would be working with HPD Finance and HPD
15 Program to develop a final site plan for both the
16 building and any open space. Ideally that plan is
17 completed within six to nine months and then the
18 project would be able to break ground on its
19 construction financing, construct the building and
20 the park hopefully over a period not to exceed 24
21 months.

22 CHAIRPERSON ADAMS: Anybody have anything
23 to add to that? That was a quick process.

24 UNIDENTIFIED: A lot of it will depend on
25 how soon the project is able to move forward and

2 again we put into our agreements at financial
3 closing, um, that we, um, you know, we wouldn't fully
4 convey the land until the park is, we would
5 essentially put in our land disposition agreement
6 that they would need to complete the park before
7 being able to, um, ah, get their TCO.

8 CHAIRPERSON ADAMS: OK, and what
9 assurance can you give that the public space, the
10 public open space, will indeed remain in perpetuity.

11 UNIDENTIFIED: I can answer that. Um, we
12 have a number of tools that we use to make sure that,
13 um, the agreements we come up with, um, are
14 enforceable and in place. So some of those tools
15 that we've used on other projects like this, um, is
16 an open space agreement that gets recorded, um, with
17 the financial closing. We can put it in the deed.
18 We can create a new restrictive declaration, um,
19 these are all really powerful legal tools that we
20 have used on similar projects to require, um, that
21 certain commitments actually are legally recorded and
22 in place for the very long term. Um, the way we
23 enforce something like that is that we actually do
24 have things called enforcement notes and enforcement
25 mortgages, um, and our regulatory agreement, where if

2 anything is violated we can actually, um, ah, enforce
3 really high financial penalties. It's usually,
4 capturing the land value can become that penalty, um,
5 so there's a huge financial incentive to not violate
6 any of those terms.

7 CHAIRPERSON ADAMS: OK. Did you explore
8 other configurations for the building mass in order
9 to provide more public open space on site?

10 UNIDENTIFIED: Um, so, you know, based on
11 the borough president's recommendation we have locked
12 into, um, you know what it would take to accomplish
13 that and, you know, I think as an agency we're very
14 committed to both maintaining the unit count on this
15 site and also the programming and, you know, the only
16 way that we have, ah, been able to, ah, see an
17 opportunity to do that would involve violating the
18 zoning provisions that are outlined in the Special
19 Little Italy District. Um, they're actually very
20 proscriptive in terms of what can happen here and,
21 you know, any violation of that would require, you
22 know, a follow-up zoning action and, you know, I
23 think also our RFP really called for projects that
24 were respectful of the SLID because we wanted to make
25

3 a project that was respectful of the community
4 character here, yeah.

5 UNIDENTIFIED: Yeah, and I'll also just
6 add during the competitive request for proposal
7 process one of the things we were looking forward is
8 the best proposal that balances these two very
9 important needs, the affordable housing and the open
10 space, and so looking at the various configurations
11 of what different teams proposed to, you know, that
12 was very much, um, one of the things, this project,
13 the way that it presented the balance of affordable
14 housing and open space, um, did that best relative to
15 the other proposals, um, as Lacy mentioned, we're
16 open to continuing the conversation about how to make
17 that even stronger, but it has serious costs and
18 tradeoffs that right now we feel like this is the
19 best balance of a strong number of affordable units
20 staying within the Special Little Italy District
21 zoning and providing high-quality, publicly
22 accessible open space.

23 CHAIRPERSON ADAMS: OK, thank you. I
24 have just one more question before I turn it over to
25 my colleagues. What is the nature of the lease with
the current tenant?

2 UNIDENTIFIED: It's, um, currently still a
3 month-to-month lease. It was a lease that was
4 previously managed by the Department of Citywide
5 Administrative Services. Um, it was always a month-
6 to-month lease. It's now managed by HPD rather than
7 DCAS, um, and the tenant is, ah, the lease does say
8 that the tenant is required to leave the site after
9 given 30-day notice, um, by the city when the city
10 needs to take the site back for affordable housing.

11 CHAIRPERSON ADAMS: OK, thank you very
12 much. Colleagues? Council Member Chin?

13 COUNCIL MEMBER CHIN: Thank you, Chair.
14 I have a couple of questions. Ah, HPD, because I
15 know this financing program, the SARA program, is for
16 60 years. So can HPD tell us like how can we, you
17 know, extend the affordable ability? What tools do
18 you have, um, to help make sure that that can happen,
19 that the affordability doesn't end at 60 years? I
20 know that part of it is keeping as rent stabilized
21 and for sentinel nodes, hopefully, you know, the
22 SCRIE will continue so there will be no rent
23 increases. But in terms of what tools HPD have, that
24 can help extend the affordability for this both.

2 UNIDENTIFIED: Sure, so, um, we, as you
3 mentioned, there will be an initial 60-year
4 regulatory agreement and we have a couple tools that
5 we plan to use as of now for Haven Green. Um, the
6 primary one is how we structure our financing. So we
7 do require, um, ah, we're essentially providing a
8 mortgage for the construction, um, of this project,
9 um, and we have the terms set up in a way so that
10 there is interest growing over time, over those 60
11 years, on our mortgage, and that becomes a very large
12 balloon payment at the end of that 60 years that the
13 developer is responsible for paying back unless they
14 extend affordability with us. Their tax incentive
15 also expires at the end of that term. So there are
16 very large financial incentives that through
17 practice, and this is essentially how HPD is able to
18 do, um, preservation and extended affordability,
19 we've set up the financial incentives for the, um,
20 development team, which has, um, very strong
21 nonprofit partners that are committed to long-term
22 affordability, as is Penrose, um, to come back to the
23 table and renegotiate another regulatory agreement,
24 um, with new financing. So that's the primary way on
25 a project like this. We also, as I mentioned, we

2 have our enforcement note and enforcement mortgages,
3 um, which the enforcement note captures the value of
4 the land, um, and we can enforce the repayment of
5 that if there's any violations during the term of the
6 agreement.

7 COUNCIL MEMBER CHIN: The other, part of
8 the plan, there is going to be four retail units.
9 Can you talk about the retail units' effects, um, the
10 financing of the affordable senior housing?

11 UNIDENTIFIED: Sure, so part of the
12 strategy for achieving very low levels of
13 affordability, or deep levels of affordability, I
14 should say, is leveraging the income generation of
15 the retail value of those four spaces. So we intend
16 to market them to market rate-paying retail tenants.
17 We intend to use that market-rate income at its high
18 levels to pay down a larger project-wide mortgage to
19 finance the project rather than relying on the rent
20 of the low-income units.

21 COUNCIL MEMBER CHIN: But I guess at the
22 same time we are losing a lot of, you know, mom and
23 pop stores, neighborhood retails, affordable grocery
24 store. I don't think you could find a shoe repair
25 shop in that area. So are you looking at, you know,

2 maybe working to make sure that small businesses,
3 neighborhood business, have an opportunity there to
4 also be able to operate a business so that it's not,
5 I don't want to see any more, you know, luxury
6 boutiques and all those things that are in there now.

7 UNIDENTIFIED: We are absolutely committed
8 to working with HPD to come up with a structure of
9 financing that could balance, you know, the burden on
10 rental income from the residential and the desired
11 need for a diverse amount of retail at the front.

12 COUNCIL MEMBER CHIN: Now, in your
13 presentation on the page that says ground floor block
14 plan you have the community facility. So that
15 community facility actually opens up to the public
16 open space?

17 UNIDENTIFIED: So the rear of the
18 community facility, I don't know if I have a cursor,
19 yeah. This rear space here is a double door that
20 actually leads into this, you know, effective meeting
21 room or boardroom. The idea is that, and this is the
22 space that Habitat for Humanity will administer
23 together with local nonprofits. And the opportunity
24 is available for that space to spill out into the
25 grounds for events and that's available there. Ah,

2 otherwise the intention would be that this is used by
3 the tenant, which is Habitat for Humanity, as their
4 boardroom space.

5 COUNCIL MEMBER CHIN: But I think that's
6 another opportunity we'd want to look at in terms of,
7 you know, increasing more public open space, that
8 that could be because it extends out into the green
9 space, the garden, and then that could be something
10 that you can have some programming during the day,
11 especially when it's raining or when it's cold. So
12 let's talk about that in terms of having more public
13 access for part of that space.

14 UNIDENTIFIED: Understood.

15 COUNCIL MEMBER CHIN: Thank you, Chair.

16 CHAIRPERSON ADAMS: Thank you, Council
17 Member Chin. Council Member Koo? Oh, before Council
18 Member Koo, I understand that we may have two people
19 that might want to be added to this panel, your
20 architect, Mr. Jordan, and David Vincent from SAGE.
21 Would you like to come up and join this panel for
22 questions?

23 UNIDENTIFIED: I think we would have them
24 join if is questions that they need to answer
25 relative to the designs.

2 CHAIRPERSON ADAMS: OK, thank you. We'll
3 continue then. Council Member Koo?

4 COUNCIL MEMBER KOO: Hi. Can you explain
5 to the public what is a month-to-month lease? How
6 can you terminate a month-to-month lease?

7 UNIDENTIFIED: Ah, we have the, because
8 it's not a long-term lease and it's month-to-month,
9 we have the ability at the end of any money to decide
10 not to renew it for the next month. We need to give
11 a 30-day notice to say that we do not intend to renew
12 the lease, um, at which time, um, the tenant is
13 required to vacate the site and plan for vacating the
14 site.

15 COUNCIL MEMBER KOO: So you just need to
16 give them 30-day notice?

17 UNIDENTIFIED: According to the current
18 lease.

19 COUNCIL MEMBER KOO: Yeah, and they
20 cannot stay, and they say, oh, I want a few more
21 months, six more months?

22 UNIDENTIFIED: As we've been going through
23 this process we've been, you know, in a normal
24 circumstance, for example, on a city-owned site where
25 we've designated a developer we'd already have given

3 the developer some site access through a temporary
4 license agreement to start doing environmental
5 testing. We've been, um, very sensitive, obviously,
6 to the existing use, knowing that it's a benefit to
7 the community, um, right now, so we haven't required
8 them to leave the site, but we've been flexible, um,
9 to date and, ah, we would, you know, continue to be
10 flexible going forward in terms of getting that site
11 access, but at some point, um, assuming the project
12 receives approval, we will need the tenant to leave
13 the site so that we can do our environmental testing
14 and due diligence in order to prepare for
15 development.

16 COUNCIL MEMBER KOO: So I notice you have
17 8400 square feet public space. Who made the
18 determination what are the uses of this public space?
19 Who decided this will be a garden, this will be a
20 playground, or whatever, you know?

21 UNIDENTIFIED: So we, HPD, put into the
22 request for proposals a requirement that at least
23 5000 square feet, um, be, um, used as publicly
24 accessible open space. Part of the review process
25 was looking at the approach that the development team
was proposing to design and develop and that site.

2 The development team has run a number of charettes to
3 have an inclusive process to inform that design, um,
4 and I know they're going to continue to be inclusive
5 as they make final decisions and HPD will be part of
6 that process as well, but as final decisions are made
7 about what the open space will actually look like.

8 COUNCIL MEMBER KOO: Can you use like at
9 least part of the space for garden use, where the
10 residents can grow vegetables or flowers, or whatever
11 they want to grow?

12 UNIDENTIFIED: Yes, that's certainly an
13 option and I know one that came up, um, in the
14 charrette, um, I will also add that that's actually
15 one of the benefits of having the development team
16 manage the manage the open space, because most Parks
17 Department, most parks operated and managed by the
18 Parks Department do not actually allow for community
19 gardening, um, unless they're specifically for that
20 use through the Green Thumbs program, for example.
21 So that is one of the benefits, too, of having the
22 development team manage the site is that we can be
23 flexible in determining the final uses of the open
24 space.

2 COUNCIL MEMBER KOO: Because it's really
3 popular now, a lot of buildings they have rooftop
4 gardens or some kind of gardens for residents to grow
5 their own vegetables or flowers [inaudible]. My next
6 question, this building has no parking, right?

7 UNIDENTIFIED: Correct. There is no
8 parking.

9 COUNCIL MEMBER KOO: Not even one parking
10 space?

11 UNIDENTIFIED: Correct. We have bike
12 parking in the south end.

13 COUNCIL MEMBER KOO: So how do you handle
14 the commercial deliveries?

15 UNIDENTIFIED: Street front loading.

16 COUNCIL MEMBER KOO: Street front
17 loading. Um, so this is really strange, they have no
18 parking at all?

19 UNIDENTIFIED: No, nor do many of the
20 spaces along Elizabeth Street have dedicated parking.

21 COUNCIL MEMBER KOO: All right, OK. So
22 you agree, a lot of traffic, ah, parking, [inaudible]
23 once the building is done, yeah. OK. I finished my
24 questions.

2 CHAIRPERSON ADAMS: Thank you very much,
3 Council Member Koo. Thank you panel. We're going to
4 call up the next panel at this time. I'll state for
5 the record that we were joined by Council Member Mark
6 Treyger as well. I'd like to call up Assembly Member
7 Deborah Glick, Toby Bergman, Community Board 12
8 [applause], Toby Bergman, CB2, David Gruber, CB2, and
9 Carter Booth, CB2. [pause]

10 ASSEMBLY MEMBER GLICK: Just before I
11 begin, I came from my rent regulation hearing across
12 the way and, um, my colleague, Yuh-Line Niou, is on
13 the housing committee and that's why she is still
14 there and she will probably have staff deliver some
15 testimony later one. She is definitely stuck.

16 CHAIRPERSON ADAMS: Come on up. Thank
17 you, Assembly Member Glick. Welcome, by the way.
18 Glad to have you.

19 ASSEMBLY MEMBER GLICK: Thank you.

20 CHAIRPERSON ADAMS: All right, you may
21 begin.

22 ASSEMBLY MEMBER GLICK: Thank you very
23 much for the opportunity to testimony before you
24 today regarding the Elizabeth Street garden uniform
25 land use review process application for the

2 disposition of city-owned land at Elizabeth Street
3 Garden site in order to construct the proposed Haven
4 Green development. This is a difficult and
5 complicated ULURP. The Haven Green development is a
6 prime example of the need for the City Council and
7 this administration to have a more transparent and
8 understanding approach to the needs of the community.
9 In this instance, the proposed destruction of the
10 Elizabeth Street Garden despite affordable housing
11 being a public benefit is emblematic of the constant
12 pernicious way in which the city pits two scarce
13 resources, like affordable housing and open space,
14 against each other. It is disappointing to me
15 ...[applause]

16 SERGEANT AT ARMS: Quiet down, please.

17 ASSEMBLY MEMBER GLICK: It is
18 disappointing to me that residents are asked to
19 choose between critically needed affordable housing
20 and vital open public space. These two elements are
21 essential for the quality of life in our increasingly
22 dense city. This administration has spoken at length
23 about affordable housing and affordable communities.
24 However, the concept of livable communities is often
25 lost in the equation in favor of pursuing other

2 public policy goals wherever feasible, even when more
3 appropriate and robust opportunities exist elsewhere
4 or have been offered by the community, this is what
5 has happened here with Elizabeth Street Garden. Low-
6 risk Manhattan, and particularly Community Board 2,
7 has one of the lowest ratios of open space to
8 population and is frequently forced to fight to
9 maintain the little space they do have. Affordable
10 housing is desperately needed in the city and we all
11 know that. While efforts to develop affordable
12 apartments are important, sacrificing a beloved
13 community space where there is an available
14 alternative site that has not been fully explored is
15 doing a disservice to the greater community. While
16 there are basic land use questions surrounding this
17 application, the merits of the ethical question that
18 our city faces in this particular ULURP remain
19 apparent. In the case of Elizabeth Street Garden, if
20 the community uses a space as a park, it has all the
21 characteristics of a park, and there is a grassroots-
22 based effort to preserve it for the quality seen in
23 similarly other open spaces, it is then effectively a
24 park. As part of the discussions over the last six
25 years regarding the Elizabeth Street Garden, CB2 has

3 suggested an alternative site at 388 Hudson Street in
4 order to build a much larger development of
5 affordable senior housing. This site was once
6 promised to CB2 as an open space and is used as an
7 access point to Water Tunnel 3. While it may be a
8 little logistically difficult to ask Housing
9 Preservation Development, the Department of
10 Environmental Protection, and the Department of
11 Buildings and a private developer to actually work
12 together to build on this location, that does not
13 mean that we should relying on destroying Elizabeth
14 Street Garden simply because it is easier.

15 Unfortunately, and I will point out there is a park
16 across the street from this alternative site which
17 could serve the residents as well. Unfortunately,
18 this administration has indicated that they wish to
19 build on both sites and not allow the community to
20 maintain an already-used open space as a park in
21 addition to building a larger amount of affordable
22 housing. I find this particular ULURP and the
23 proposal that this administration is forcing the
24 community to absorb and debate flies in the face of
25 the stated goals of previous objectives undertaken by
various agencies. In theory, the community board

2 process should allow for local control and discussion
3 about how city-owned sites, those assets that are
4 owned wholly by the public, can be used in the
5 future. My opposition to this development does not
6 mean that I am opposed to affordable housing for
7 seniors when it is constructed on sites that are
8 valuable to the community. Quite the contrary. Nor
9 does it indicate any animus towards Haven Green and
10 its partners. They simply responded to an RFP the
11 city never should have released. As it happens, I'm
12 simply forced to oppose communities being forced to
13 decide how to dispose of their necessary public
14 assets when presented with false choices surrounding
15 communities. I will point out, I will point out in
16 another, ah, community not far away a parking lot
17 that was designated for affordable housing was
18 subsequently turned into a park. This is a park. It
19 has been used as a park, and they are being forced to
20 forego crucial, essential open speech. It is a false
21 choice. There is another, better site. Thank you
22 very much, and I urge the City Council Subcommittee
23 on Landmarks, Public Siting, and Maritime Uses to
24 deny this application. [applause]

2 CHAIRPERSON ADAMS: Thank you very much.
3 Thank you for your testimony, Assembly Member. I
4 appreciate your being here. Assembly Member Niou?

5 LAWRENCE HONG: Thank you for the
6 opportunity to speak on the proposed plans for
7 Elizabeth Street Garden. My name is Lawrence Hong,
8 chief of staff for Assembly Member Yuh-Line Niou, who
9 serves as the assembly member for the 65th District,
10 which is home to the Elizabeth Street Garden. I will
11 be delivering the member's statement on her behalf.
12 Following the demolition of a public school, the
13 derelict lot was overrun with weeds and covered in
14 debris. Our community poured countless hours into
15 creating new open space. There was no direction from
16 the city in developing the garden to what it is
17 today. I wanted to make it very clear that Elizabeth
18 Street Garden is what it is today because our
19 community stepped up when the city would not. We
20 engaged our community to develop the Elizabeth Street
21 Garden into a jewel which meets our community's
22 needs. As a member of the Committee on Housing, I
23 recognize the need for low income and affordable
24 housing in New York. There is an assembly committee
25 on housing hearing on rent loss set to expire in June

3 that the member is presiding over as we speak. I
4 have fought for critical funding in our housing
5 system and affordability in our community. I have
6 also stood with advocates and other elected officials
7 to defend against privatization of public space on
8 all fronts, such as NYCHA housing, public facilities
9 like Rivington House, green spaces, and open space.
10 I firmly believe public land should remain public and
11 require ample public input prior to any change in
12 usage. When public land becomes privatized it
13 rarely, if ever, returns to public. Therefore, we
14 must be doubly sure that the local community needs
15 are taken into account fully prior to engaging the
16 often-permanent change in ownership. Lower Manhattan
17 is in need of affordable housing, but we cannot pit
18 the need for housing against the need for green
19 space, especially when good alternatives are
20 available. Both are vital and both are in dire need
21 of protection and expansion. Our neighborhood is the
22 only downtown neighborhood that NYC Parks defines as
23 underserved by open space, with an open space ratio
24 of 0.138 acre per 1000 residents. In Little Italy
25 and SoHo we have even less open space, with the open
space ratio of 0.07 acre per 1000 residents, or about

3 three square feet per person. The city proclaimed
4 its commitment to expanding open space to 2.5 acres
5 per 1000 residents. Yet the current plan for the
6 garden lowers the open space ratio even further and
7 eliminates nearly 70% of the open space currently
8 available, from 20,000 square feet to a mere 6700
9 square feet. The EAS, Environmental Assessment
10 Statement, arbitrarily stated that eliminating the
11 garden does not do any harm, even though it will
12 reduce the extraordinary minuscule amount of public
13 open space this area has. Losing the garden, or at
14 least diminishing and altering the garden, should
15 have triggered a more extensive environmental review
16 process to fully capture the damages done through
17 these plans. In addition, we believe the city owns
18 this site, entrusted to the Board of Education. The
19 current plan to transfer the property for a non-
20 educational purpose, such as creating non-permanent
21 affordable housing and office for retail space does
22 not adhere to the requirements of the trust.
23 Eliminating the garden for non-permanent affordable
24 housing and 11,200 square feet of below-market office
25 space is not a win-win scenario like the city often
portrays it as. It is a false choice. As Community

2 Board 2 elected officials like myself and others, and
3 other advocates have said time and time again, a win-
4 win solution is to build up to five times as much
5 affordable housing at a nearby city-owned 25,000
6 square feet alternative site at 388 Hudson Street,
7 and designate the Elizabeth Street Garden as a New
8 York City park. Choosing this solution would not set
9 a precedent. In fact the mayor's support is
10 similarly a real win-win solution in Chelsea, where
11 the city is creating a new park on West 20th and
12 building more housing on the largest city-owned site
13 nearby the park. We should be discussing a real win-
14 win solution and creating plans for truly affordable,
15 permanently affordable housing while supporting the
16 garden's operations and our community. In face of
17 the overwhelming support from Community Board 2,
18 other elected officials and community residents, I
19 urge the city council to vote nay on this proposal
20 and to seek out a solution that can match all of our
21 [inaudible] needs. Thank you.

22 CHAIRPERSON ADAMS: Thank you very much
23 for your test. [applause]

24 SERGEANT AT ARMS: Quiet on the floor
25 please.

2 CHAIRPERSON ADAMS: Community Board 2
3 members?

4 CARTER BOOTH: Hello and good afternoon.
5 Thank you for the opportunity to speak. My name is
6 Carter Booth. I'm the chair of Community Board 2
7 Manhattan. CB2 has been working to preserve the
8 entirety of Elizabeth Street Garden for many years.
9 Thousands of people support Elizabeth Street Garden
10 and most of our elected officials have specifically
11 identified and support saving and preserving
12 Elizabeth Street Garden in its entirety. The
13 proposal before you is masquerading under the guise
14 of balance and fairness. For some reason this has
15 been caught up under, um, this idea that this one
16 space needs to serve multiple purposes. Right now it
17 serves a single purpose in the best way possible as a
18 beautiful garden and open space that is used by an
19 entire community from young to old, newcomers to old-
20 timers. The proposal before you now has one space
21 serving multiple needs, resulting in a below-par
22 project all around to address two major issues in our
23 community - senior housing and public open space.
24 It's hard to understand why we are here at this point
25 right now when there is a better solution. We can do

2 better for seniors and the community in this case.
3 You will hear this again today. The solution is a
4 balance solution, a balanced solution across district
5 lines which allows for preserving the gem which is
6 the Elizabeth Street Garden in its entirety, and
7 creating a significant larger amount of senior
8 housing on an alternative site on Hudson Street, also
9 owned by the city and which is located within CB2.
10 Good governance and long-term planning for New York
11 City should not include jamming multiple uses
12 resulting in marginal plans, but it should include a
13 larger vision that crosses district lines and allows
14 for projects to shine. I urge the City Council to
15 vote no on this proposal and send it back for more
16 work so that we can all benefit from better
17 alternatives for senior housing and preserving
18 Elizabeth Street Garden in its entirety. Thank you.

19 DAVID GRUBER: Hello and good afternoon.

20 I am David Gruber, the past chair of CB2, and the
21 current chair of the CB2 Elizabeth Street Garden Task
22 Force. The community board has been trying to save
23 Elizabeth Street Garden for over five years now.
24 It's not a storage facility of old stone building
25 parts or a park supposedly for the new millennials,

2 as some have said, but a vibrant park used by all
3 residents of our community - teens, young families,
4 seniors, from Chinatown, from SoHo, from Tribeca,
5 from the adjoining Section 8 housing. It's
6 programmed all year long and the summer movie nights,
7 the Halloween harvest festivals, the free community
8 barbecues are attended by thousands, and Elizabeth
9 Street Garden is always listed as one of New York's
10 10 most beautiful and unique parks. I'm not saying
11 it's an equivalent to Penn Station at all, but there
12 will be buyer's regrets in the sense of what did we
13 do and what were we thinking if this park is largely
14 destroyed. We have over the years tried to engage
15 and meet with our City Council member to work out a
16 win-win site swap, just like the mayor and people
17 have referred to it just earlier, just like the mayor
18 and Speaker Johnson did in Chelsea, and what the
19 mayor says is an example of win-win governance. We
20 have identified a site that can in fact be built with
21 far more FAR possibilities outside the landmark
22 district, but within the boundaries of CB2, which
23 would mean that the residents of CB2 who get 50%
24 priority, have a much better chance of landing a
25 unit. We have offered other pathway ideas that could

2 be pursued, but nothing has gained traction. It's
3 not a NIMBY community board. We have 178 units
4 coming up on 350, ah, 550 Hudson Street, and we when
5 we rezoned Hudson Square a huge swath, we made sure
6 that there was an incentive for affordable housing.
7 Some 6000 people have identified themselves as
8 friends of Elizabeth Street Garden and almost 10,000
9 are on the mailing list. Wouldn't you as City
10 Council people, um, how would you react and consider
11 other possibilities if that many people spoke out in
12 unison in your district? Our three public forums were
13 attended by some 800 people. We know the City
14 Council almost always black votes behind the issue of
15 council person but let this hearing not be just going
16 through the motions of a pre-decided exercise, but a
17 real hearing. I call on the City Council not so much
18 to vote no, but to vote to return the ESG, Elizabeth
19 Street Garden, issue back to the council to work out,
20 like the mayor and the speaker did in Chelsea, a good
21 governance solution. Thank you.

22 TOBY BERGMAN: Good afternoon. I'm Toby
23 Bergman, ah, I'm a member of Community Board 2. I'm
24 also a past chair of Community Board 2. I'd like
25 the, I think we all understand, ah, the deference the

2 council has to its local members for, ah, largely
3 local issues. But there's also a reason, ah, why
4 ULURP ends with the council and that's because, ah,
5 sometimes there's a need for a larger view,
6 particularly when there's an issue that's generated
7 along conflict in the community. So just one person
8 really should not be making the decision and it's a
9 time to not show that deference. I'm not showing
10 deference, it's a matter of being the council, ah, a
11 council for all New Yorkers. Ah, I think if you look
12 carefully at the Community Board 2's resolution
13 you'll see that we did oppose this project, but our
14 last clause of our resolve tried to offer a road map
15 for a solution here. We think we have a better site.
16 We suggested that site. It's a bigger site. It's a
17 better place. It serves Community Board 2 also. Bu
18 We also think a must better job could have been done
19 on this site and we think that with a very small
20 reduction of the amount of housing units, ah, this
21 site can provide a much, much better park. Not a
22 perfect park maybe, but a much better park. That can
23 be done by adding two more floors, altering the SLID
24 to provide two more floors in this building, I think
25 something the community would embrace given the

2 importance of the two competing issues. Ah, also
3 greatly reducing the amount of office space, which
4 was never a part of the balance. It was supposed to
5 be a balance of parks and housing. Not a parks,
6 housing, and offices, and no matter how good the
7 cause of those offices, they're still offices and
8 they could be put someplace else. Then there are
9 aspects of the design of the building, like the big
10 pass-through, which looks attractive in the
11 beginning, but a covered open space is never really
12 an attractive kind of, it's more like a driveway than
13 anything else. It more serves the retail uses than
14 anything else. Then finally there's kind of a
15 protrusion out of the back of the building, which
16 really just houses a conference room. Now, Community
17 Board 2 holds dozens of meetings a month and we find
18 conference rooms. There are plenty of conference
19 rooms, plenty of places to meet in our neighborhood.
20 A one-story conference room building that sticks out
21 of the back of the, ah, this building should not be
22 taking away space for open space, and it doesn't just
23 take away the space that it covers, because it
24 divides the open space, the potential open space,
25 into what's being offered, which is very small, very

2 narrow, and very odd-shaped, and by removing that
3 conference room you would also open up the adjoining
4 space and create a much, much bigger space for a
5 reasonable open space park. The last thing I'd like
6 to say I think we'd really like you to take seriously
7 what we raise about the importance of Parks
8 Department management. That doesn't mean it has to
9 be done by Parks [inaudible]. So we have a great
10 example opposite the old St Vincent's Hospital, where
11 a park was built and that park is managed by the
12 building association of that, ah, of that project.
13 But it's managed under the guidelines and auspices of
14 the Parks Department through a contract with the
15 Parks Department. It makes all the difference. That
16 makes it a public park. Thank you very much.

17 CHAIRPERSON ADAMS: Thank you very much
18 for being here today, all of you. We really do
19 appreciate your testimony and for myself, past
20 chairperson of Community Board 12, the second-
21 largest community board in the borough of Queens, I
22 especially want to thank our Community Board 2
23 counterparts for being here today. It's very, very
24 important that we have balance of discussion and I
25 really do appreciate you bringing that balance here

2 today to this forum. So thank you all very much for
3 your time. Thank you.

4 UNIDENTIFIED: Thank you.

5 CHAIRPERSON ADAMS: OK, we are going to
6 bring up our next panel. In the interest of time we
7 are going to have to start a clock of two minutes or
8 we will be here until midnight and I know we don't
9 want to do that. So we will call upon Lynn Kelly,
10 Nancy Sanchez, Kay Webster, Valerie Reyes Jimenez,
11 and Lourdes Dujets. [pause] Anybody can begin
12 whenever you're ready. Thank you.

13 LYNN KELLY: Good afternoon. My name is
14 Lynn Kelly and I'm the executive director of New
15 Yorkers for Parks. New Yorkers for Parks is the
16 city's independent research-based advocacy
17 organization for over 100 years, championing parks
18 and open space for New Yorkers. Thank you for the
19 opportunity to speak today. We believe that healthy
20 neighborhoods require a balance of essential city
21 services, affordable housing, schools, healthy food
22 and of course open space. While our organization
23 seeks to maximize publicly accessible space wherever
24 possible, we also recognize that in a well-
25 functioning city that strives to be equitable to all

2 its residents it's necessary to plan for the present
3 and future needs of New Yorkers. It is a false
4 narrative for New Yorkers to have to choose between
5 open space and new opportunities for deeply
6 affordable housing. However, we ultimately believe
7 that the city is within its rights to move forward
8 with developing Haven Green and furthermore we
9 support the city's attempt to balance the dire need
10 for affordable city housing in this area while still
11 providing open space for the community. As the
12 public's voice and grassroots organization for over
13 100 years for open space, we have not come to this
14 decision lightly. It was made after many meetings
15 and conversations with stakeholders, parks and garden
16 advocates, both groups for Elizabeth Street Garden,
17 Department of Housing Preservation Development, the
18 Haven Green development team and our own board of
19 directors. We do have some concerns with the current
20 ULURP proposal that we hope the council take into
21 consideration. Number one - long-term maintenance.
22 The Parks Department is overburdened. Full stop. We
23 urge the city to have the developer commitment to a
24 long-term agreement. Public access - to maximize
25 access we urge the city to have hours beyond 9 to 5

2 p.m. so residents and community members can actually
3 use the park after hours. Public input - we urge the
4 city to continue its tradition of public input
5 opportunities, particularly as it relates to design
6 and programming. Make no mistake. We understand the
7 frustration of the community members who have come to
8 cherish this garden, but we also understand the
9 difficult choices that has to be made by the city in
10 light of the dwindling opportunities to create deeply
11 affordable housing in high-income neighborhoods like
12 Little Italy. Thank you for considering our
13 testimony. We support this application. Thank you.

14 CHAIRPERSON ADAMS: Thank you.

15 [applause]

16 SERGEANT AT ARMS: Quiet down, quiet
17 down.

18 CHAIRPERSON ADAMS: Next please. You may
19 proceed, thank you.

20 NANCY SANCHEZ: Mi nombre es Nancy
21 Sanchez [speaks in Spanish for testimony 1:34:03 to
22 1:36:19]. Gracias.

23 CHAIRPERSON ADAMS: Thank you, Ms.
24 Sanchez. We are going to have someone translate your
25

2 testimony just so everyone can understand your
3 message today. [pause]

4 UNIDENTIFIED: Good afternoon. I'll be
5 reading the statement that Nancy Sanchez just
6 presented in English. I arrived at RiseBoro in 2012
7 in the moment when I was no longer able to pay rent,
8 for rent, with my mother. There were moments of
9 suffering and we saw each other living in the
10 streets. My mother. My mother had Alzheimer's and I
11 was sick with chronic illness. Senior affordable
12 housing is vital. It allows for seniors to have low-
13 cost accessible and on-site services that offer
14 support and allows for seniors to age in a way that
15 makes the seniors feel appreciated and dignified. I
16 receive support from the service coordinator and
17 property manager. What has made a big difference in
18 my life are the classes, the yoga classes. They
19 restored my inner harmony. The exercises have
20 improved my mobility and balance. The Zumba classes
21 bring happiness, music, and it fuels my will to live.
22 It has greatly improved my overall health. The
23 painting classes have allowed me to discover my
24 artistic abilities, build a connection with my
25 innermost feelings, and it has furthered my learning.

3 I have an extraordinary teacher. Thank you for all
4 the good that RiseBoro has brought into my life.
5 Thank you to the people who fight for our rights at
6 an age where adulthood is underestimated. I'd like
7 to take this opportunity to support the construction
8 of Haven Green. Projects like this help defend our
9 aging communities and allows for access to just and
10 equitable housing for disadvantaged and vulnerable
11 aging people.

12 MARI DUJETS: Good afternoon Chair Adams
13 and members of the committee. My name is Maurice
14 Dujets. I'm a custodian of the Empire State Building
15 and I have been a member of 32BJ for over six years
16 now. My union represents over 80,000 building
17 workers across New York City. We maintain and clean
18 buildings like the one being discussed today. I am
19 here on the behalf of my union to express our support
20 for this project. As we all know, New York City is
21 facing a serious affordable housing crisis,
22 especially in Manhattan. At 32BJ we support using
23 our increasingly scarce public land to build projects
24 like this one that allow poor and working people stay
25 in our neighborhoods and thrive. We are glad to see
a development that will give low-income seniors the

2 opportunity to be part of what is an expensive
3 community. We are also happy to report that the
4 development team for the project has made a
5 commitment to provide good wages and benefits for
6 building service workers, who will maintain the
7 building once it is built. RiseBoro, a member of the
8 development team who will handle the day-to-day
9 management of the project is a responsible actor and
10 32BJ can attest to this throughout their portfolio.
11 We are proud to support their efforts to design a
12 project that delivers so many benefits and their
13 track record of pairing affordable housing and good
14 jobs across the city. Their example is one for all
15 others to follow. We know this project will allow
16 members of this community to live and work with
17 dignity and mobility. We urge you to support it.
18 Thank you very much.

19 VALERIE REYES JIMENEZ: Hi. My name is
20 Valerie Reyes Jimenez and I'm a community organizer
21 for New York City with Housing Works. I've been a
22 housing advocate for over 25 years. My testimony is
23 longer than the two minutes and I would like to
24 submit them in full to this body, and I will just
25 read a portion in the interest of time. I am a

2 native New Yorker with roots firmly planted in
3 Manhattan. I was born in New York City, as were my
4 children and grandchild. I worked for many years at
5 the Housing Works offices just three blocks away from
6 the Haven Green proposed site and many of my
7 colleagues still work there. I went to junior high
8 school and high school in Council District 1 and my
9 son learned to sail in the shadows of the Twin
10 Towers. When we are young it's almost next to
11 impossible to imagine one's self as an elderly
12 person. We can think of it in terms of sitting in a
13 rocking chair growing old with a life partner
14 reminiscing of our youth. Our grandparents are old.
15 Not so with the generation, with this generation of
16 grandparents and seniors. I would know, I'm a
17 grandmother of a 16-year-old granddaughter. There
18 are many injustices to people who are poor or black
19 or brown, but the greatest injustice in this society
20 is how the rich get richer and the poor get pushed
21 out of neighborhoods that have been called home for
22 generations. One-third of all New Yorkers spend over
23 one-half of their income on housing, making it hard
24 to achieve financial stability. Anyone who has lived
25 in New York City all their lives should be able to

2 live in any neighborhood they want and not be
3 beholden to their race, family composition, sexual
4 orientation, age, or income. The question should not
5 be why build here, it should be why not build here.
6 In my experience some of the most hurtful biases and
7 discrimination I have ever encountered came from
8 people who I considered neighbors and fellows, people
9 who I believe fear that life as they know it, life in
10 their safe, comfortable cocoons are in jeopardy it
11 will change drastically. People who have said things
12 like no, this is not going to get built here, no, not
13 in my backyard. I don't want these people here. A
14 [inaudible] display of discrimination and shaming
15 that goes by the name of NIMBY, not in my backyard.
16 In my mind's eye, having 123 real affordable housing
17 units for seniors versus a community garden, really
18 is no contest. You don't have to be a senior or even
19 a homeless person to appreciate the true human value
20 of that.

21 CHAIRPERSON ADAMS: Wrap up, please.

22 KAY WEBSTER: Hi. My name is Kay Webster.
23 Thank you for this chance to testify. I'm the
24 president of the [inaudible] Park Community Coalition
25 in a park two blocks away from this site. I help

2 stewards steward park spaces to become community
3 gardens and I am a community gardener there. I
4 helped spearhead the fight for Rivington House, but I
5 am speaking here primarily as a resident of Little
6 Italy. I moved to [inaudible] Prince in 1990. When
7 our son arrived in 1999 we sought places that
8 welcomed children. We joined a new parent
9 cooperative housed in Community Board 2's Thompson
10 Street Park House and when my son went to PS-130 we
11 played daily in the Disalvio playground. And to our
12 delight we found Green Thumbs [inaudible] Community
13 Garden in Sarah Roosevelt Park. We did not lack for
14 community gardens. Liz Cristie, Methinda, knew
15 foresight than others and diverse and vibrant outdoor
16 spaces two blocks away. So I specifically want to
17 challenge that notion. What changed in this
18 neighborhood is the influx of many wealthier people.
19 We've endured the losses of neighbors, elders and
20 others, and small businesses. A number of seniors in
21 walk-ups were forced out with high rents or were
22 trapped in walk-ups due to disability. One died of
23 complications from a fire in her fourth-floor walk-up
24 very recently. High rents forced out most of the
25 small businesses here that served our practical needs

2 - the bodegas, the boot repair, the copy shop, the
3 grocery store, all owned or operated by people of
4 color. This is a punishing city to grow old in if
5 you're poor. Racism, sexism, gay oppression, and
6 disability make it even more brutal. And we always
7 need more green spaces. We always want more. But I
8 have to say I don't think these issues are equivalent
9 at all. This is a compromise. It will not be the
10 statutory of the garden luxury marketplace that was
11 opened to the public in 2013 only after affordable
12 housing was proposed here. Because I've lived here a
13 long time and I know that. Um, yeah, I know you wish
14 my time was up, babe. [laughs] I will just say.
15 This is no charitable offer. This is about a chance
16 for an affluent neighborhood to get right in these
17 times. Our city is in deep trouble due to the lack
18 of affordable housing, racism, sexism, gay
19 oppression, and poverty. We don't get to say...

20 CHAIRPERSON ADAMS: Wrap, please.

21 KAY WEBSTER: We don't get to pretend
22 we've done our due diligence. We are not going to
23 get out of current mess, wealth disparity, without
24 some sacrifices. And I don't want to walk down my
25 street, look at people who are struggling...

2 CHAIRPERSON ADAMS: Thank you.

3 KAY WEBSTER: ...and not have done
4 anything that could make a difference...

5 CHAIRPERSON ADAMS: Thank you very much.

6 KAY WEBSTER: ...where I live.

7 CHAIRPERSON ADAMS: Thank you.

8 Appreciate your testimony, thank you.

9 KAY WEBSTER: Thank you.

10 CHAIRPERSON ADAMS: Thank you. [pause]

11 We'll call up the next panel. Joseph Reeve, Kate
12 Kobiachi, Susan Whittenburg, pardon me if I'm not
13 pronouncing your name correctly, I'm going by the
14 writing, Mr. Winters, I think it's Brian or Brian
15 Winters, Michelle Campo. Please step up, quickly.
16 Are they here? Oh, they're upstairs? [pause] Is Mr.
17 Winters here? No? Then we'll call Leif Witherberg.
18 [pause]

19 SUSAN WITTENBERG: Oops, sorry, I'll start
20 again. Hello everyone, my name is Susan Wittenberg
21 and I'm a long-time SoHo resident, a documentary
22 filmmaker, and a board member on CB2. I'm on the
23 parks committee and the zoning committee. But I
24 speak as a community member. I'm testifying in
25 opposition to the Haven Green development that will

2 destroy our beloved Elizabeth Street Garden. I'd
3 like to correct a critical misconception. The city
4 is not building housing on every available city-owned
5 site. Here are several nearby examples. The city is
6 not building housing in Union Square. It's building
7 a tech center, office space. The city did not build
8 housing at 19 East Houston Street. It sold the site
9 for private office space. In the East Village the
10 city allowed a Deblasio campaign fund raiser and an
11 New York City EDC board member to demolish five walk-
12 up tenements with hundreds of units of affordable
13 housing, with hundreds of units of affordable
14 housing, for the 285-room Moxie Hotel. On the Lower
15 East Side the city lifted the Rivington House deed
16 restriction and allowed a private sale, ignoring the
17 mayor's staff recommendation to use the site for
18 affordable housing. And in 2015 the New York City
19 EDC issued an RFP to develop to develop 137 Center
20 street to provide funding for Downtown Community
21 Television Center Inc., a local nonprofit media arts
22 center, not for affordable housing. And I say this
23 as a filmmaker, that I thought this was a terrible
24 choice. This RFP still remains outstanding and the
25 site also remains another viable alternative for

2 affordable housing. I urge you to vote no on the
3 proposed development and pursue a win-win
4 alternative. Build up to five times as much senior
5 housing at an alternative city-owned site and save
6 Elizabeth Street Garden forever. [applause]

7 SERGEANT AT ARMS: Keep down the level of
8 applause, please.

9 JOSEPH REEVER: My name is Joseph Reever.
10 I'm the executive director of Elizabeth Street
11 Garden. Thank you so much for hearing us today. I
12 want to start off by saying it's not a vacant lot,
13 and I'm saying that to Margaret Chin over there.
14 It's a community garden and it's a park and it's a
15 center for our neighborhood and it's an outdoor
16 museum. Elizabeth Street Garden is all of these
17 things and more, and it's all managed and contributed
18 to by the people of our community. This isn't a
19 matter of open space, not just a matter of open
20 space. It's a matter of protecting and preserving an
21 iconic and heavily used place. If we're really to
22 achieve low-income housing, then we should achieve
23 five times the amount at the alternative 388 Hudson
24 site, or any of the other sites that have been listed
25 here, where Susan also mentioned. The build on both

2 in everything we can mentality doesn't make sense,
3 especially while luxury towers, like the Extell
4 Tower, are going up and remaining empty. Any
5 process, any form of governance that leads to this
6 sort of orchestrated division is clearly not in the
7 best interest of the people. If a community such as
8 hours can garner thousands of supporters of all
9 different ages and backgrounds, show up time and time
10 again over the course of six years and still be
11 unjustly discredited, wrongly labeled, and ignored,
12 then how is anyone to believe that our city agencies
13 and these processes are actually working for the
14 people of the city and not the interests of
15 developers or pay-to-play politics. After all these
16 years of outcry, Council Member Margaret Chin still
17 has not visited the garden. Perhaps this is the only
18 way she is able to refer to the space as vacant land.
19 The city planning report states the proposed
20 development will improve vacant, underutilized, city-
21 owned site that lacks consistent public access. The
22 HPD environmental assessment does everything it can
23 do to avoid addressing the value of the Elizabeth
24 Street Garden and so do the developers. Many of the
25 people making these decisions on this matter have

2 never come to the garden. It's one thing to read
3 about the garden, but it's another thing to entirely
4 experience the garden in person, and before you make
5 this decision on this matter I urge you, and because
6 it will affect thousands of people, I urge you and I
7 formally ask you as individuals to come to the
8 garden, visit the garden, and meet the community.
9 Meet them face-to-face and learn why we are all here
10 today and what we're working so hard to protect. So
11 I urge you to vote no against this development. I
12 urge the subcommittee to take a hard look at...

13 CHAIRPERSON ADAMS: Please wrap up.

14 JOSEPH REEVER: ...a hard look at the
15 stakes and everything that is at stake here with
16 Elizabeth Street Garden.

17 CHAIRPERSON ADAMS: Thank you.

18 JOSEPH REEVER: Because there is no other
19 place like it in New York.

20 CHAIRPERSON ADAMS: Thank you.

21 JOSEPH REEVER: Thank you.

22 CHAIRPERSON ADAMS: Thanks very much.

23 The next panelist, please. Please proceed.

24 MICHELLE CAMPO: Hi. Michelle Campo, a
25 member of Bowery Block Association, Bowery Lyons of

2 Neighborhoods, and Neighborhoods United. I wanted to
3 just add to what I've written by saying that I've
4 heard the deed restrictions in perpetuity mentioned
5 several times with this building and as we know in
6 New York City that's an elusive concept. I'm a
7 native New Yorker and 40-year resident of Bowery near
8 Spring Street, a mere two blocks from Elizabeth
9 Street Garden. I have been witness to many changes
10 in my Little Italy neighborhood over the years, both
11 positive and negative. I remember the empty lot
12 behind 21 Spring Street on Elizabeth Street. For
13 years the city disregarded this city-owned rubble-
14 strewn lot. Of course the area was not desirable
15 then. Then several decades ago a man rented this
16 lot, cleaned it up, planted trees and bushes and
17 flowers, did a lot of hard work. True, this was done
18 for a commercial venture of architectural artifacts
19 and not open to the public very often, but it was an
20 improvement for the neighborhood. When an
21 undisclosed deed was made in CB3 concerning the Essex
22 Crossing Development, this land in CB2 was offered up
23 without any notification or discussion to Community
24 Board 2. Now the garden, this beautiful, interactive
25 garden opened to and enjoyed by the community is

2 facing destruction. I suppose we all made it too
3 enticing. This is not an elitist space. It is a
4 truly democratic delight for all. I'm a dedicated
5 housing advocate. I have been a supporter of Habitat
6 for Humanity for many years. I work on housing
7 issues with local residents. Yet there is something
8 about this development which feels not quite right,
9 including the fact that there is another location not
10 far away with zoning which would afford for a larger
11 structure and thus more apartments and more space for
12 residents. Is the sticking point the fact that it is
13 in another council district? Green space is sorely
14 needed in this neighborhood for good health, clean
15 air, education of children, serenity of persons of
16 all ages, among many other factors. I know of no
17 elderly neighborhood resident living in a walk-up who
18 would give up this garden for one of its apartments,
19 one of their apartments. Please do not...

20 CHAIRPERSON ADAMS: Please wrap up.

21 MICHELLE CAMPO: ... destroy our lovely
22 garden.

23 CHAIRPERSON ADAMS: Thank you so much.

24 KATE KOBIACHI: My name is Kate Kobiachi.
25 I've lived on Elizabeth Street for 42 years. And

2 like Michelle, I have see the many changes in our
3 neighborhood. Some welcome, some not. I also have
4 been an advocate for affordable housing and rent
5 control. However, I find this project disingenuous
6 for a group of people who so sorely need places to
7 live and have options to have a larger space. Who
8 the developers and people in government who
9 supposedly represent this community think they are
10 fooling? Affordable housing is in vogue to promote a
11 quick OK. But it is the chairing of affordable
12 housing and perpetuity is a mockery to this
13 particular site. That said, Elizabeth Street Garden
14 is an oasis, not only because of its physical beauty,
15 but it also the essence of what community should be.
16 For conversations by young and old, from all walks of
17 life, exchange histories and futures, an oasis not
18 just for the neighborhood, but thousands of tourists
19 who as well desperately try to find bits and pieces
20 of real New York, which still survive in the midst of
21 the shopping mall that much of the city has become.
22 The garden and this neighborhood embodies the spirit
23 of new and old New York. Within a three-block area
24 of the garden one-third of the store fronts are
25 continually empty. These spaces are not viable

2 except for tax write-offs, but not for a functioning
3 community. This proposed development would only add
4 to the glut. This kind of greed is not sustainable,
5 but the garden is an oasis that does sustain life.
6 Do not let it be destroyed.

7 CHAIRPERSON ADAMS: Thank you so much for
8 your testimony today, panel. You may be excused. We
9 are going to call the next panel at this time.

10 [pause] OK, we're going to call up Tito Delgado,
11 Stephanie Sosa, Lisa Genowski. [pause] I would like
12 to acknowledge that we have been joined by Council
13 Member Barron and Council Member Miller. [pause]

14 TITO DELGADO: [recording starts in mid
15 sentence] and I am a former site tenant of the urban
16 renewal area. My family and 2000 families were, 2000
17 families were pushed out of that site on the Lower
18 East Side and for 50 years we fought to try to get
19 back. For 50 years we had empty lots there. There
20 was tremendous opposition to any kind of lower income
21 or affordable housing there and very powerful forces,
22 elected officials, fought against any affordability.
23 Why do I bring that up? The reason I say this is
24 that I'm very familiar what NIMBY looks like. I've
25 been fighting it all my life, and this is not right.

2 You know, you talk about, ah, a garden like if it was
3 a home. It's not. You know, I love parks. I spend
4 time in parks. I don't want to sleep in a park,
5 though, and this is your choice. I mean, I think
6 there's a real compromise here. We can have both.
7 But I don't want, well, I do understand why there's
8 so much opposition and unfortunately it's not very
9 pretty. Thank you.

10 STEPHANIE SOSA: Good afternoon. Thank
11 you Chair Adams and members of the Landmarks, Public
12 Siting, and Maritime Uses Subcommittee for the
13 opportunity to testify today. My name is Stephanie
14 Sosa and I am the senior associate for housing
15 development policy at the Association for
16 Neighborhood and Housing Development, also known as
17 ANHD. ANHD's mission is to advance equitable
18 flourishing neighborhoods for all New Yorkers. As a
19 coalition of 100 community-based affordable housing
20 and equitable economic development organizations in
21 New York City, we work at the intersection of
22 organizing policy advocacy and capacity building.
23 Our extensive network has built has over 100,000
24 units, 120,000 units of affordable housing. ANHD
25 supports the development of Haven Green, a mission-

2 driven-led, 123-unit affordable housing project for
3 low-income seniors. I also want to note that
4 RiseBoro is a member of ANHD and it is their mission
5 to maintain affordability to all of their
6 developments. It is also their mission to adhere and
7 believe in ANHD's mission and commitment to
8 affordable housing. The reality is that over 20% of
9 New York City's senior population is in poverty. New
10 Yorkers are over, New Yorkers over the age of 60 are
11 55% more likely to be several rent burdened than
12 residents between the ages of 30 and 50 years of age.
13 The senior population is projected to increase by 40%
14 through 2040 in New York City. The housing crisis
15 will continue to impact larger percentage of
16 populations if the supply of senior housing does not
17 match the demand. I also want to mention that even
18 if affordable housing was developed on other public
19 sites it would not meet the needs of New Yorkers when
20 it comes to affordable housing. It is essential that
21 the city do everything in its power to increase
22 access to affordable housing and alleviate the rent
23 burden on senior citizens.

24 CHAIRPERSON ADAMS: We need you to wrap
25 up.

2 STEPHANIE SOSA: Community Board 2 has
3 not developed much affordable housing in comparison
4 to other New York City neighborhoods, blocking low-
5 income residents out of the neighborhood. Haven
6 Green will allow for low-income seniors to call
7 Little Italy their home, thus lowering their risk of
8 facing severe rent burden or even homelessness.
9 Thank you.

10 CHAIRPERSON ADAMS: Thank you. At this
11 time if there is anyone in the balcony we will
12 encourage you to please come down into chambers on
13 the first floor, join us. If anyone is in the
14 balcony please come down to the first floor chambers
15 and join us here. Thank you. We're now joined by
16 SAGE and the architect partner. You may proceed.

17 GRAYSON JORDAN: Good afternoon, council
18 members. My name is Grayson Jordan. I am an
19 architect with Paul Constricto Architects in the
20 Lower East Side. My firm worked with the Haven Green
21 team to create a participatory design for the open
22 space of this project. I'm here to describe that
23 process as well as express my strong support for the
24 project. Participatory design seeks to engage all
25 stakeholders in the design process. This approach

3 encourages input from voices beyond the client and
4 the design team, inviting end users, neighbors, and
5 other stakeholders to imagine and shape the future of
6 the site. Beginning in the winter of 2018 our team
7 initiated an outreach process to identify and engage
8 local and citywide stakeholders. The team engaged in
9 a broad public outreach campaign, inviting nearly 900
10 local and citywide organizations to participate in
11 designing the open space of Haven Green. The
12 outreach included email, neighborhood flyer
13 campaigns, and word of mouth. In a series of four
14 public meetings we provided a range of activities to
15 solicit input. We collected a statistical baseline
16 using a design survey, which was available both
17 online and in public meetings. We used preference
18 boards to understand what types of plants, seating,
19 design features, and activities were preferred for
20 the site. We asked participants to share personal
21 stories about the existing space or another
22 meaningful outdoor space. Finally, we engaged in
23 design [inaudible] where participants were able to
24 share specific and concrete design ideas. Through
25 this process our participants provided meaningful
insight, spirited engagement, and hundreds of unique

2 ideas. Our team carefully recorded, organized, and
3 analyzed the public input, creating a participatory
4 design report that outlines the data collected, and
5 that's the report that you have in your hand,
6 including ideas and thoughts that recurred throughout
7 the process, providing a guiding vision and
8 inspiration for the design of the Haven Green public
9 space. Haven Green seeks a difficult but essential
10 balance, providing urgently needed affordable housing
11 and publicly accessible open space. On the Haven
12 Green project I have worked with the dedicated team
13 that is committed to achieving both of these goals on
14 this site. I hope that the council will share my
15 support for this project. Thank you.

16 CHAIRPERSON ADAMS: I just have a quick
17 question for you. I'm glad that you brought the
18 material, you spoke about participation. Can you
19 give us a rough estimate of how many participants
20 were involved in this process?

21 GRAYSON JORDAN: Yeah, so the, in the
22 meetings themselves, across the four meetings, there
23 was maybe 120 participants, um, and I think roughly
24 150 survey participants.

25 CHAIRPERSON ADAMS: Thank you.

2 DAVID VINCENT: Good afternoon. My name
3 is David Vincent. I'm the chief program officer with
4 SAGE. SAGE was founded in 1978. It is the country's
5 first and largest organization dedicated to improving
6 the lives of LGBT older people. LGBT older New
7 Yorkers need and deserve affordable, welcoming
8 housing. That's why SAGE is excited to be involved
9 in the Haven Green project as one of the on-site
10 social service providers. At this development SAGE
11 will be providing case management services to LGBT
12 elders who reside in the building and offer program
13 to LGBT older people and other community members who
14 live in the neighborhood. Service-enriched LGBT-
15 friendly housing is crucial for our city's LGBT
16 elders. Aging alone can be wrought with challenges,
17 including social isolation and diminished income.
18 For LGBT older people, however, many of whom who have
19 experienced discrimination throughout their lives as
20 a direct result of their sexual orientation or gender
21 identity the deck is stacked against them. This
22 uneven playing field has long-lasting effects on
23 their financial security. More than four out of 10
24 LGBT Americans over the age of 65 cite financial
25 problems as a major concern. 51% of LGBT older

2 people report that they are extremely concerned about
3 not having enough money to live on compared to 36% of
4 straight couples. Further, 30% are concerned about
5 housing stability. LGBT people face profound
6 challenges in accessing welcoming housing. A 2014
7 10-state investigation conducted by the Equal Rights
8 Center and SAGE found that 48% of same-sex older
9 couple testers seeking housing in senior living
10 facilities across the country experienced
11 discrimination. The data from this study combined
12 with anecdotal reports by SAGE's constituents in New
13 York City shows that pervasive challenges continue.
14 LGBT-friendly housing is crucial to enable our eldest
15 to age in their communities to avoid isolation and
16 receive culturally competent care. That is why SAGE
17 supports the development of affordable LGBT-affirming
18 elder housing at Haven Green. Thank you.

19 CHAIRPERSON ADAMS: Thank you. Were
20 there questions? No, no questions? OK. Thank you
21 very much for your testimony today. We do appreciate
22 it. All right, we'd like to call up Jean Wilke,
23 Robert Pierpont, Ben Shepherd, Ruth Fluvok, and
24 Patrick Christiano. Are they here? [pause] Yeah,
25 were the other three? Lisa Fairstein? Christie

2 Avron? Dylan Goodrich? Louis Semper Teguy? Kristin
3 Shea? Allison Skye? Still looking for a fifth
4 panelist. Krista Grauer? Hamilton Reagan? Carrie
5 Thor? Ryan Keenan? Hannah and Gabriel Burn?
6 Katalan Balog? Lisa Keenan? Adena Schwartz? Sean
7 Sweeney? Renee Green? I feel like I'm taking
8 attendance in ninth grade. [laughter]

9 UNIDENTIFIED: Renee is here.

10 CHAIRPERSON ADAMS: Renee's here? Denise
11 Simon? Do we have a form? What's your name? Come
12 on up. Jesus Decat? No problem. You may begin.

13 JEANINE KILEY: Thank you. I'm Jeanine
14 Kiley, president of Friends of Elizabeth Street
15 Garden. I'm a park and education advocate. I spent
16 all day yesterday here at the public hearing on
17 school diversity. But today I speak in opposition to
18 the Haven Green development. We are here because our
19 grassroots initiative uncovered a secret back room
20 deal. Meanwhile, the city ignores a win-win
21 solution. The effort to save the garden started from
22 a grassroots initiative by local activists to get
23 more public park space. It was only then that we
24 uncovered a secret back room deal that our council
25 member negotiated as part of a rezoning in another

3 community, a non-binding, behind-the-scenes deal with
4 zero public review, zero public discussion, and zero
5 transparency. The site has not been promised for
6 housing for decades. That is simply false. Since
7 then the community has held seven hearings, passed
8 five resolutions, and supported an alternative site
9 where up to five times as much housing can be built.
10 But the city ignored our community and a win-win
11 compromise. The council member has called for
12 greater transparency against other back room deals on
13 Rivington House, the Two Bridges Mega Towers, the
14 Chinatown Jail, and many other projects. But there
15 was no transparency on this deal. I've shared a
16 detailed presentation. You have the slides. You can
17 access at bit.ly/saveesg. The garden site is held in
18 trust for educational purposes since 1822. The city
19 actually committed to a new school and housing and
20 the promised affordable housing was built in 1981.
21 The development will destroy the garden and leave
22 behind a tiny open space, and, most important,
23 affordable housing is allocated by age, income, and
24 household size, not sexual preference, but with 50%
25 preference for CB2 residents the win-win will benefit
five times as many of Council Member Chin's

3 constituents. Support transparency and a win-win
4 solution. Please vote no. Thank you.

5 CHAIRPERSON ADAMS: Thank you.

6 MS. ELSTROM: So do you know what I have
7 here in my hand, um, is a rubber stamp, and we've
8 been told oh, don't bother with the City Council,
9 they just use the rubber stamp. They'll never vote
10 against the council person out of deference. So I
11 show this rubber stamp as a symbol of what is wrong
12 with this process and how else to explain how we got
13 here today, when a giveaway of public land that has
14 been since the 1800s is sold to a developer for a
15 dollar, decided during a secret back room deal with
16 Sheldon Silver without so much as a courtesy call to
17 our community board. I call it a rubber stamp.
18 After the residents held hearing after hearing, where
19 hundreds of people turned out to show their support
20 for the garden, rubber stamp. When literally
21 thousands of letters have been written in support of
22 this stunning outdoor community center that many call
23 the soul of our neighborhood, rubber stamp. The
24 borough president came to our harvest festival, saw
25 people coming together and declared that this space
should never be destroyed, but then out comes the

3 rubber stamp. So our grassroots coalition went
4 further. We realized how deep this housing crisis
5 was and we pleaded with our electeds to help us find
6 an alternative so that green space and housing would
7 not be pitted together, against each other, tearing
8 our community apart, and they did. The leaders of
9 our community board found a piece of land that could
10 house up to five times as many seniors and they
11 passed a resolution to allow that swamp and what do
12 we get? A rubber stamp. Did our council member even
13 bother to visit Elizabeth Street Garden to see why
14 this community has never given up? Did she sit down
15 with us to work on a solution, forge coalitions and
16 find a win-win compromise, actually do the hard work
17 of a leader and harness the energy that is in that
18 room? She could save this garden and in return demand
19 that we unite our efforts talk making more housing.
20 But no, she did not. She is simply relying on this
21 rubber stamp. But I have faith. I have faith that
22 you know better, that you will put an end to this
23 cynical process that robs people of their voice.
24 Please vote against the destruction of our precious
25 green space and put away this dreaded rubber stamp,
and in doing so you will have a community who is

2 ready to get to work. Put away the rubber stamp.
3 Because we are ready to participate. [applause]

4 CHAIRPERSON ADAMS: Thank you, Ms.
5 Elstrom. You may proceed.

6 LISA FAIRSTEIN MATA: Hi, my name is Lisa
7 Fairstein Mata. I am a member of the community and I
8 am here adding my voice in opposition to the
9 proposal known as Haven Green, which will destroy
10 Elizabeth Street Garden, the only open green space in
11 our densely urban neighborhood, without providing
12 anywhere near enough truly affordable supportive
13 housing for New York's needy senior citizens. I
14 thank the committee for considering the implications
15 of this misguided and deceptive plan. I want to draw
16 your attention to two issues that are most troubling.
17 First, despite the rhetoric of the real estate
18 companies and the Department of Housing Preservation
19 and Development the Haven Green proposal will not
20 help the most vulnerable elderly New Yorkers. As
21 council members will know from experiences with HPD
22 so-called affordable housing in East New York and
23 elsewhere, what HPD counts as affordable housing is
24 not actually affordable in the real world. According
25 to their own perspectives in Comptroller Stringer's

2 2017 Aging with Dignity report only 32 of the small
3 studio apartments at Haven Green will be affordable
4 to any New York City senior citizen who is reliant on
5 Social Security and disability payments, which
6 average \$1500 a month. To put this in context, these
7 32 affordable studios occupy about as much of Haven
8 Green as do the proposed offices for Habitat for
9 Humanity. Even more worrying is the fact that HPD is
10 supporting this destructive Haven Green plan while at
11 the same time the neighborhood's largest and most
12 successful, genuinely affordable housing project, the
13 adjacent Section 8 apartment at Lira right next door
14 is being allowed to slip away into the private
15 market. Because of HPD's inattention, these 150
16 spacious two-bedroom apartments will be lost in the
17 next few years. Other testimony will have told you
18 about alternative sites for affordable housing. The
19 alternative site at the existing Lira complex could
20 be preserved and adapted to provide more than 300
21 senior-friendly studio apartments, 10 times the
22 housing promised by Haven Green, while preserving and
23 protecting Elizabeth Street Garden in its entirety.
24 I share the concerns of the thousands of New Yorkers
25 who support Elizabeth Street Garden. I urge you to

2 reject this Haven Green proposal. Tell HPD to do its
3 job and preserve truly affordable supportive housing
4 for our needy citizens and save Elizabeth Street
5 Garden as a public civic space for New Yorkers of all
6 incomes and ages, from the elderly to the very soon-
7 to-be-born. Thank you.

8 CONTA LIMBAR: Thank you. I'm Conta
9 Limbar and I'm also a long-time community member and
10 I prepared remarks. It's here, two pages, but I
11 decided that I'm just going to make a very short
12 point here, is that I think that the purpose of this
13 meeting is to engage in a rationale debate over this
14 plan and I haven't seen that there has been a real
15 rationale debate here. So the only point of
16 contention, as far as I can see here, is why not
17 pursue a solution that makes possible both the
18 housing and the garden. So what's put forward here
19 that, is that in the context of city planning it's
20 not rationale to formulate the choices between
21 destroying the garden or having affordable housing.
22 But none of the supporters of the development in any
23 way engaged this point. There hasn't been any
24 argument for why not, why not pursuing that plan, and
25 of course, you know, there are arguments for

2 affordable housing. Nobody here, none of the
3 participants of this meeting want to, you know, we
4 don't need to have any further arguments. We are all
5 very aware that there is a housing crisis and we're
6 all very aware of the value of that. But the point
7 that we are discussing here is not that, whether we
8 are aware of the housing crisis. The point we are
9 discussing here, why not pursue a solution that makes
10 both possible. And just reiterating how housing is
11 important is not a response to this point. So that
12 was all that I wanted to say. Thank you.

13 AZIZ DEHKAN: My name is Aziz Dehkan.
14 I'm a city resident and the executive director of the
15 New York City Community Garden Coalition. We
16 represent, we advocate for the over 600 community
17 gardens in New York City. I'm going to be 67 next
18 week. So I guess I qualify as a senior. Many of the
19 membership of the New York City Community Garden
20 Coalition are people who can and will want affordable
21 housing. So let's not make this a different, let's
22 not make this the argument about who wants affordable
23 housing more. Everybody needs affordable housing if
24 you're going to live in New York City. You know,
25 what worries me is that this committee and this

2 council is going to follow in the footsteps of Rudy
3 Guiliani. Rudy Guilani created the false dichotomy
4 of open space versus affordable housing. That false
5 dichotomy, that false language continues today.

6 Lots, not just this one, but lots throughout the city
7 get sold for a dollar, to developers who claim
8 affordable housing units. If the city really was
9 interested in affordable housing they would take
10 Hudson Yards and make that affordable housing.

11 [applause]

12 SERGEANT AT ARMS: Quiet down please,
13 quiet down please.

14 AZIZ DEHKAN: If the city was really was
15 really only...

16 CHAIRPERSON ADAMS: It's only two minutes
17 on the clock, folks. You're taking up his time.

18 AZIZ DEHKAN: If the city was really
19 interested in affordable housing they would look at
20 the current units that are available to HPD and turn
21 those into affordable housing. So let's not make
22 this the false dichotomy of Rudy Guilani. Does
23 anybody here want to follow Rudy Guilani? I don't.
24 So here's what I propose, is that we stop talking
25 about this particular lot and start talking about all

2 the open space in New York City. Talk about what
3 racial, environmental, and social justice looks like,
4 and it looks like everybody in this room, it looks
5 like the council, and it looks like we need to join
6 together and make this city a better city, a
7 resilient city, and a sustainable city. Thank you.

8 CHAIRPERSON ADAMS: Thank you very much,
9 and I'm sure everyone in this room wishes you a very,
10 very happy birthday. Thank you for being here today.
11 Thank you panelists. Thank you. OK, we're going to
12 call up the next panelists. Again, I feel like I'm a
13 high school teacher reading the Delaney card, so
14 we're going to go for it. Valerio Orcelli? Ah.
15 Celestine Jones? John Scott? Christopher Good? And
16 Didi Dirko, or D'Aurico. [pause] Andrea Cianfrani?
17 [pause] There is room for Jim Forra, if you're here,
18 Jim Foret. [pause] You may begin.

19 VALERIO ORSELLIL: Thank you. Madam
20 Chair, members of the City Council, members of the
21 public here, my name is Valerio Orsellil. I am
22 speaking as a founding member of the Cooper Square
23 Mutual Housing Association and Cooper Square
24 Community Land Trust, a nonprofit cooperative project
25 on the Lower East Side of Manhattan, and I'm also a

3 former resident of Little Italy when it still was
4 Little Italy and affordable. And I'm here to support
5 Habitat for Humanity and their partners in the Haven
6 Green project. Without a doubt you will hear today
7 impassioned speeches in support of the garden of
8 Elizabeth Street detailing the lack of green space in
9 the neighborhood. While communities surely need
10 green space, the availability of affordable housing
11 for seniors must take precedence. In the project
12 [inaudible] involved with, Francis Golden Apartments
13 on Delancey Street, over 93,000 seniors applied for
14 100 apartments. Cooper Square provided affordable
15 housing for many people. The housing is so
16 affordable nobody moves out and we're developing into
17 a naturally occurring retirement community. They
18 have new apartments, our seniors, but our apartments
19 are walk-ups and therefore they're practically
20 prisoners of their apartments because they can't go
21 up and down five or six flights of stairs. We need
22 elevators, like in the new building. While there is
23 a lack of open space in Little Italy, there are a
24 number of other green spaces nearby - Elizabeth
25 Street Garden on Houston Street, Washington Square
Park, two blocks away they have available to them

2 300,000 square feet of open space, the Sara Roosevelt
3 Park on Chrystie Street. CB2 should advocate with
4 the New York City Parks Department to set aside
5 20,000 square feet within the park to relocate the
6 sculptures on loan from the gallery owner next door
7 and replicate Elizabeth Street Garden. Since 2014
8 only 93 new affordable housing units have been
9 developed in all of CB2. The area is 72% white. The
10 median home value is 2 million dollars. If this
11 trend continues unabated Little Italy will truly
12 become an upper middle class white ghetto. For these
13 reasons I urge you to vote in support of [inaudible]
14 for Haven Green. Thank you.

15 CHAIRPERSON ADAMS: Thank you.

16 JOHN SCOTT: Hello, my name is John Scott
17 and I've been fighting for affordable housing for 40
18 years. I'm a past president of the Independence
19 Plaza Tenants' Associate, Association. I'm currently
20 the chair of the senior committee on tenant
21 association. I have had the pleasure to work with
22 the seniors since I have retired. And one of the
23 things that we have to do, and as leaders, as
24 yourselves, is that we have to recognize that our
25 seniors have given a lot to our society and what we

2 are doing is we are forgetting them, and we
3 understand about, um, gardens. I was a fighter for
4 the Washington Market Park. I was one of the
5 original people that was on that board. But what we
6 have now is seniors need housing, and we know that
7 this is a space that can be used and they need these
8 kind of services. I happen to know somebody that I'm
9 working with the senior center that lived in Little
10 Italy. She raised kids there. But what happened is
11 now she is senior she cannot stay in a walk-up, so
12 she had to leave and go into a family that couldn't
13 really accept her but had to because she couldn't
14 walk those stairs. She lived in that community. She
15 was pushed out of that community. This will bring
16 her back into the community. I have been lucky. I
17 have raised two daughters in affordable housing in
18 Mitchell Lama, but what happened with Mitchell Lama?
19 They are pushing out our people because it expired.
20 And so I was lucky. And if I was not in this
21 affordable housing I couldn't live here. But I have
22 been a person that made a lot of difference in my
23 community, I have been a leader. I have been built
24 this community with other people and what I ask is
25 yes, gardens are important, but our seniors are much

3 more important. Please, do the leadership thing.
4 Vote for senior housing.

5 DIDI D'AURICO: Thank you. My name is
6 Didi D'Aurico. I'm a senior and I'm disabled. I'm a
7 client with, um, well, the visiting neighbors, who
8 help me a great deal, where I met Christopher Good
9 here, who really lives up to his name, because if it
10 wasn't for him I probably wouldn't be able to go my
11 MRIs and I do have a tumor at the end of my spine,
12 that's why I'm sitting here, and he helps me a great
13 deal. But I feel sorry for a lot of my friends, who
14 can't get out and can't go up and down stairs. I'm
15 lucky. I have an elevator apartment. I love
16 flowers. I paint them, I'm an artist. But I love
17 people more, and if I have to distinguish between a
18 garden and where a person has to be a prisoner in
19 their own home, and this goes beyond color, creed, or
20 anything because we're all human beings and you never
21 know in life how you're going to turn out to be,
22 because I never thought of this happening to me. So
23 we have to really look as we age as what is happening
24 there and take care and respect our fellow human
25 beings, and I hope there are more people around in
this earth like my dear friend here, Christopher, who

2 gives his time and energy just to take me to a
3 doctor. Thank you.

4 CHAIRPERSON ADAMS: Thank you very much.

5 ANDRIA GIANFRANI: Good afternoon, Madam
6 Chair, members of the committee, thank you for the
7 opportunity to testimony today. I'm Andrea Gianfrani
8 from Live On New York. We represent 100 nonprofits
9 that provide community-based services to older adults
10 throughout the city. We strongly support this
11 application for Haven Green. Live On believes that a
12 fair city, in a fair city for all ages and that is
13 because having a future and contributing to the
14 resilience of our communities does not have an age
15 cut-off. And let us be clear, we are all aging and
16 this is about all of us and how we age as a city.
17 Aging brings momentum, but it also brings challenges.
18 We commissioned a study several years ago, finding
19 200,000 seniors on wait lists for affordable housing
20 and equally as disturbing as that is the average time
21 is seven to 10 years, and we know that that is going
22 up. Also, many seniors are rent burdened, paying
23 over half their income in rent, making difficult
24 choices every day on what to spend their fixed income
25 on. The number question that many legislators get in

2 their offices, senior center staff get, and we get,
3 and community-based organizations, is help find
4 affordable housing, whether that to be today or in
5 the future, for themselves or for their loved ones.
6 That is why we commend the administration for making
7 senior housing a priority in the housing plan and we
8 commend Council Member Chin and her leadership, as
9 well as the City Council for really looking closely
10 at the issues of affordable housing when making very
11 important community decisions. We support this
12 project and the Haven Green team because they're
13 comprised of mission-driven organizations and they
14 know that housing is more than bricks and mortar.
15 They know that these housing, and it's more than just
16 a building. These are community-focused
17 organizations that are building services and supports
18 for the entire community. This project and many of
19 the affordable senior housing projects built by
20 nonprofits and community-focused organizations as
21 part of development teams follow this model and look
22 at this through this lens and it's something that we,
23 we really support, is making New York a better place
24 to age. I'd like to close with this. Live On New
25 York has been working for the past year on a study of

2 affordable senior housing buildings and we've talked
3 to seniors who live there. Many of them for decades
4 and some that are in new buildings. We asked them a
5 lot of questions about the great things about living
6 there, but the one question that disturbs us and kind
7 of keeps us up at night is the question of where
8 would you be if you did not have this home. They all
9 have the same answer, and that is I don't know. And
10 that is really troubling and it's something that we
11 can look at and start addressing with projects like
12 Haven Green, and we hope that this will provide that
13 answer to 123 new homes for individuals in New York.
14 Thank you.

15 CHAIRPERSON ADAMS: Thank you.

16 UNIDENTIFIED: Hi. Um, I've had the good
17 fortune to have both lived and worked in the
18 neighborhood since 1977. Um, being a long-time
19 resident does not give me special privileges. But it
20 rather obligates me to share with newly arriving and
21 certainly for the less fortunate. We are now one of
22 the wealthiest communities in this country. We can
23 work together and we can do better. I've designed
24 and installed green roofs and gardens throughout our
25 city. The *New York Times* recently reprinted an

3 Oliver Sacks essay that beautifully illustrates the
4 importance of a garden. My love for gardens,
5 however, is not inconsistent with my support for
6 Haven Green. Those that oppose this housing say that
7 it should just be built somewhere else. The reality
8 is that there are many more possible locations for
9 gardens than there are for housing. Unlike housing,
10 a garden can be adapted to many different spaces.
11 Just as a derelict rail line was transformed into the
12 High Line, Elizabeth Street itself, not the current
13 garden, but the street itself, could have a beautiful
14 garden laid over it. This is not all farfetched.
15 Similar to the High Line, a garden can be created in
16 shallow soil and without breaking the pavement.
17 Political will is more difficult. But just this week
18 Scott Stringer put forward a proposal he calls
19 pavement playgrounds. Why not pavements to gardens,
20 starting with Elizabeth Street? Our borough
21 president supports Haven Green, but she wants it to
22 include 30% more open space. Instead, we should be
23 asking if Haven Green provides 30% more apartments.
24 An extra floor or two would have zero downside yet
25 provide more homes. Many of the people I assist are
essentially trapped on the upper floors of old walk-

2 up buildings. Nobody wants me to carry them down the
3 stairs. I do, but they don't want it. Let's not
4 think small. Let's not pit gardens against housing.
5 Let's take back our streets for better use than
6 storing and moving cars. Let's build housing on
7 every available lot. Most importantly, let's
8 consider those in need before we serve ourselves.
9 Thank you.

10 CHAIRPERSON ADAMS: Thank you.

11 JOHN FORET: My name is John Foret.

12 I'm 78 years old. [voice in background shouts out]
13 Could you quiet down please? Could you stop the
14 clock until that, could you stop the clock please?

15 CHAIRPERSON ADAMS: Please continue, Mr.
16 Foret.

17 John FORET: Thank you. My name is John
18 Foret. I'm 78 years old. I live at 227 Waverly
19 Place in a sixth-floor walk-up. I came to the
20 Village in 1961. I moved into my current apartment
21 in April of 1969. I am SCRIE protected, which will
22 tell you about my income. I've been a cultural
23 worker and a community organizer all my life. I have
24 dedicated most of my political work to providing a
25 safe space for LGT people. We are in a dangerous

2 particular political moment now that poor people and
3 LGT people of all the diversity my community
4 represents are under siege by an administration which
5 is cruel. I don't want to think that my neighbors in
6 CB2 are also cruel. I look at you, those of you who
7 have been attending the garden versus the seniors
8 housing meetings that we've been having at Community
9 Board 2, et cetera, and I don't want to have a fight
10 with you on that level. But I have to tell you,
11 particularly the City Council person who represents
12 me, who happens to be the speaker of the City
13 Council, stopped playing politics, forget the
14 checkbooks of those rich people that live there and
15 the middle class people that support them. If I lose
16 my eviction case of three years I will be homeless.
17 There is no place that I can live in my community.
18 And I want to say to [inaudible] Bergman, who's
19 testified earlier, who said that all the seniors care
20 about is an elevator. No. I also want to live in a
21 community that I have lived in for over 70 years now.
22 I want to be able to talk to my neighbors who are
23 still alive and to the young people that are here,
24 and I think that all of you should really go home and
25 think very hard about why on either side why we are

2 fighting with each other when we're talking about
3 human lives.

4 CHAIRPERSON ADAMS: Thank you very much.
5 I thank you all for being here today. Thank you for
6 your time. [pause] Next we'll call Norman Segal,
7 Reverend D. Donna Shaper, Shepper. Have you signed
8 in?

9 SIGGY RAYBEL: Yes.

10 CHAIRPERSON ADAMS: What's your name?

11 SIGGY RAYBEL: Cindy [inaudible]

12 CHAIRPERSON ADAMS: What's your last
13 name?

14 SIGGY RAYBEL: Raybel.

15 CHAIRPERSON ADAMS: Cindy Rabel, OK. You
16 can come on up. Kirsten Theodos? Charles Birnbaum?

17 UNIDENTIFIED: Charles Birnbaum is not
18 available.

19 CHAIRPERSON ADAMS: OK, then we'll call
20 Kate Fletcher. [pause] Melanie Maccio. Mr. Segal,
21 you may begin.

22 NORMAN SEGAL: This subcommittee should
23 not, not approve the Haven Green project. The city
24 has failed to comply with its obligations to CEQR.
25 The EAS is inadequate and the negative declaration

3 issued by HPD is unfounded, inappropriate, and
4 procedurally defective. Pursuant to CEQR, HPD must
5 review the EAS and take a hard look at and thoroughly
6 analyze relevant areas of environmental concern. If
7 the destruction and development of the garden may
8 include the potential, potential, for at least one,
9 one significant adverse environment impact then by
10 law an EIS must be prepared and simply it was not
11 done here. Manhattan Community Board 2, who's
12 testified, is the government body closest to the
13 issues in this matter. Since 2013 they have
14 consistently expressed support for the permanent
15 prevention of the garden. You heard them speak here
16 this morning, talking this afternoon about the
17 quality of life, health, and well-being. We need to
18 listen to Community Board 2. If HPD and the city
19 ignore and disregard the sage advice of Community
20 Board 2 today it sets a horrible precedent tomorrow
21 the city and agencies like HPD can ignore and
22 disregard a community board in your district. Let's
23 not allow that to happen. Community boards should
24 count. The Elizabeth Street Garden and as people
25 have said before is not a vacant land, as HPD has
characterized it. I think they intentionally and by

2 design demean the garden and its status by calling it
3 a vacant lot. To the contrary it is sui generis,
4 it's unique. It's well used, beautifully landscaped,
5 publicly available open space. Furthermore, as Joe
6 Reeve said, you should go to the garden. When you
7 go to the garden you see something different than
8 abstract, especially since right now, if my eyes are
9 correct, the only member of the subcommittee is the
10 chair. One out of five are here now. Is this what
11 democracy is about? Absolutely no! You've got to go
12 to the garden before you vote. Thank you very much.
13 [applause]

14 SERGEANT AT ARMS: Sit down, please.

15 KIRSTEN THEODOS: Good afternoon. My
16 name is Kirsten Theodos, and I strongly oppose the
17 Haven Green project. Everyone in the city agrees
18 that New York City is in an affordable housing crisis
19 and while we desperately need to create new
20 affordable apartments for New Yorkers, I ask this
21 question. At the expense of what? The Elizabeth
22 Street Garden is only one example of Mayor de Blasio
23 build, baby, build administration, stealing public
24 assets to be handed over to private developers. In
25 fact, it's already happened to our libraries, kids'

2 playgrounds, and parkland in the Bronx. Should we
3 demolish all of our gardens, libraries, playgrounds,
4 and parkland into oblivion for the sake of, air
5 quotes, affordable housing? The truth is the city
6 refuses to effectively manage the low-income housing
7 it already has, thus establishing the premise that
8 the private sector is the only way to create
9 affordable housing. Another truth is the de Blasio
10 administration is completely controlled by the Real
11 Estate Board of New York, also known as REBNY. Today
12 the *Daily News* reported that de Blasio's deputy
13 mayors, commissioners, and high-ranking aides had at
14 least 358 meetings and talks with both commercial and
15 in-house lobbyists in just 11 months. In-house
16 lobbyists who got meetings with top-seat officials
17 include the president of REBNY, John Banks himself.
18 It's also recently been reported that the de Blasio
19 administration opted to buy 17 buildings with
20 notorious slum lords, Podolsky Brothers, to be
21 converted into affordable housing. And the lawyer who
22 represented them at the portfolio sale is Frank
23 Cerrone, a long-time de Blasio ally and fund raiser.
24 In the case of the Haven Green project, the developer
25 has teamed up with RiseBoro. According to RiseBoro's

2 website one of the board members is Frank Cerrone.

3 So this is just yet another one of

4 De Blasio's many pay-to-play scandals
5 involving city-owned land to be given away to private
6 developers. If the city green lights this project it
7 will be one of the most egregious developer give-
8 aways since Rivington House. So I urge City Council
9 to shut it down.

10 SIGGY RAYBEL: Hi, my name is Sigg
11 Raybel. I live in Greenwich Village. The Reverend
12 Donna Shaper had to leave. She is the senior
13 minister of Judson Memorial Church and she is opposed
14 to the development. This is my statement, not hers.
15 I have lived in my present apartment for close to 40
16 years. I am opposed to the development of this
17 project for two reasons. I heartily support
18 affordable apartment development for both seniors and
19 homeless seniors. But I do not support this proposed
20 development. Over the last two or three years I have
21 attended many of the community board forums and
22 meetings regarding the development. I object to this
23 development because there is a vacant city-owned
24 parcel located at 388 Hudson Street, which would
25 provide far more than 123 tiny single-room occupancy

3 senior living units proposed by Habitat for Humanity
4 and the developers. The community was presented with
5 this plan developed by the three men in the room
6 which is Habitat for Humanity, the city's
7 representatives, and the developer as a done deal.
8 The pitch to the community was that it could develop
9 or design a small portion of the garden that the
10 developers carved out. I have been told that the
11 public will only have access to the privately owned
12 space from 9 to 5. As part of the deal, Habitat will
13 be afforded 11,000 square feet at below-market rent
14 because it is considered a community use
15 organization, when in reality it will be used by
16 Habitat as office space. The Hudson Street parcel
17 was never discussed. Once the plan was presented,
18 community residents and store owners, as well as
19 Community Board 2 and many elected officials joined
20 together to oppose the development and have remained
21 opposed to this development. Even so, the proponents
22 wish to go forward with the plan, notwithstanding
23 the community's objections. This is not what
24 democracy looks like. Thank you.

25 CHAIRPERSON ADAMS: Thank you.

3 UNIDENTIFIED: According to experts
4 consulted by Elizabeth Street Garden there are
5 problems with several aspects of the EAS. First, the
6 EAS indicates a more than 2% decrease in the open
7 space ratio as a result of the proposed project.
8 According to the CEQR technical manual, whereas here
9 an area is extremely lacking in open space, such a
10 decrease indicates that the project may have a
11 significant adverse effect on the environment.
12 Therefore, an environmental impact statement should
13 have been prepared. Second, and perhaps because the
14 EAS fails to acknowledge the value of Elizabeth
15 Street Garden to the community, it does not
16 adequately address the inability of the proposed open
17 space to meet the broad needs of the community, as
18 does Elizabeth Street Garden. Among other concerns,
19 the proposed open space will be in shadow in the
20 morning and at least part of the afternoon for much
21 of the year. Understand the CEQR technical manual, a
22 neighborhood character assessment should have been
23 performed. The destruction of Elizabeth Street
24 Garden may adversely affect neighborhood character in
25 that the garden is a key attraction to the
neighborhood and serves a unique and critical role in

2 the community. The proposed project will destroy an
3 open green space with a number of trees. Such spaces
4 can have a cooling effect and are a valuable
5 resources in efforts to mitigate climate change. A
6 hard look would have assessed the proposed project in
7 relationship to the city's commitment under Executive
8 Order 26 to supporting the goals of the Paris
9 Agreement. The City Council should deny the proposed
10 project. A full environmental impact statement
11 should have been prepared. This would have been
12 clear had there been a hard look at the relevant
13 areas of environmental concern. Thank you.

14 CHAIRPERSON ADAMS: Thank you.

15 MELANIE MACCIO: My name is Melanie
16 Maccio. I'm an architectural historian here in New
17 York City. I have also worked in Los Angeles,
18 Washington D.C., Virginia, and Maryland, and I am
19 here today to talk about the potential historic
20 significance of the Elizabeth Street Garden. While
21 there has been much mention about it as a green space
22 in a neighborhood starving for that, as much of New
23 York City is, there is an additional exceptionalism
24 in the landscape, and that is expression of an
25 outsider artist. An outsider artist is one that is

3 producing work outside of the mainstream art world,
4 sometimes without training. Allen Reever created
5 Elizabeth Street Garden as an artistic expression of
6 his vision for the Little Italy lot. He laid out the
7 garden design in 1991, adding lawn spaces, pathways,
8 and horticultural features, including the still-
9 extant anchoring pear trees. Reever added statuary
10 and architectural elements in response to the site's
11 layouts and with regards to their own spatial
12 relationships. According to the Cultural Landscape
13 Foundation, Reever's curated collection of garden
14 statuary includes columns and gazebos designed by
15 Frederick [inaudible]'s firm for a Long Island estate
16 that has now since been demolished, as well as a
17 stone and granite balustrade designed by French
18 landscape architect, Jacques Rivere. He is most well
19 known for plotting and planning much of downtown
20 Philadelphia's historic district today. The
21 balustrade was removed from a 36-acre Lindwood Hall
22 estate which sat just outside of Philadelphia and was
23 one of the largest estates in that area. The reason
24 why I bring this up is to call out Reever's
25 collection and curation of this art by noted
architects and placing these pieces in inspired

3 expression is a vision of the designer. He is both
4 inspired by this work and inspiring others by this
5 placement. He has also contrasted this with
6 contemporary pieces as well. His curation of the
7 landscape came from his own expression rather than
8 any formal training which makes it potentially
9 significant on a national and regional historic
10 basis.

11 CHAIRPERSON ADAMS: Thank you very much.
12 Thank you all for your time today. We really
13 appreciate your testimony. Thank you. [pause] OK,
14 Jordan Press, Tom Connor, CK Tang, I think, Ben
15 Carlos Tipan, and Michael Madrid. [pause] Ted Glass.
16 [pause] It is off, thank you. [pause] You may begin.

17 JORDAN PRESS: Good afternoon, Chair. My
18 name is Jordan Press. I've been before the Land Use
19 Committee in various capacities before, but today I'm
20 here without anyone asking me to be. I'm here as a
21 New Yorker, a Manhattanite, a YIMBY-ist, and
22 affordable housing advocate. I'm also here as a
23 strong believer in the central tenement of our
24 National Fair Housing Act, known as Affirmatively
25 Furthering Fair Housing, or AFFH. AFFH states that
it is not good enough for governments to simply take

3 enforcement action against those who discriminate
4 against people's housing due to their race, religion,
5 age, and other reasons. Rather, it say we that in
6 order to break historic patterns of inequality that
7 governments must affirmatively work to integrate
8 neighborhoods and provide housing choice across the
9 city. It would be a terrible failure of our land use
10 policy if we were only building affordable housing in
11 neighborhoods with high poverty and high minority
12 populations. This project is a great step in
13 furtherance of AFFH. In my judgment, you only need
14 to speak to one elderly person who has spent their
15 entire life working and taking care of others who now
16 faces housing instability to know that your vote in
17 favor of this project lands you on the right side of
18 history. While I respect everyone's position I
19 lament how contentious this has become. Today should
20 be a day where we congratulate the architect and the
21 development team for putting together an outstanding
22 proposal that balances the needs of outdoor space
23 with housing. We should be extolling the brave and
24 courageous stance of Council Member Chin and her
25 staff for having such moral clarity on this issue.
We should be thanking City Hall and HPD for having

2 the guts and vision to not back down, even when it
3 was not always popular. As to the other so-called
4 alternative lot that has been discussed on the
5 opposite end of this community district, we should
6 develop affordable housing there, too, and for the
7 same reasons that I laid out above. Thank you.

8 CHAIRPERSON ADAMS: Thank you.

9 TOM CONNOR: Hello. Hi, my name is Tom
10 Connor. I'm 88 years old. I've been desperate about
11 this housing situation and it's getting worse. I
12 want to thank Margaret Chin for her leadership. She
13 is outstanding. She has been extremely helpful to
14 senior citizens in many different ways, but the
15 housing issue is crucial. I am also a member of
16 Community Board 2, although I am not speaking for
17 them as I am in the minority, but I don't want you to
18 get the wrong impression. The people that spoke from
19 Community Board 2, they were the majority, but there
20 were others that don't agree with them. I'm one of
21 them. Now, it seems to me that the people that are
22 fighting against the public senior housing, these
23 strike me as people that feel entitled. They want
24 what they want. They talked about getting 8000
25 letters in. How do you think they did that? They

2 hired a professional staff. They've hired an
3 expensive lawyer. They've hired all kind of public
4 relations. How are the homeless going to compete
5 with these rich people? They're trying to gentrify
6 that area. There's no social justice if people have
7 to sleep on the streets and the other people can loll
8 in a garden and enjoy themselves, which is nice if
9 they can do it, but not at the expense of putting
10 people on the street. I have lived a long time and I
11 recall when I was a teenager people would be evicted
12 and what would happen, a city marshall would come to
13 the apartment building and the city marshall would
14 empty all of their property and throw it on the
15 street, whether it was raining or not raining, and
16 their property was ruined. Just imagine a 90-year-
17 old person losing their apartment with all their
18 memories, all of the things that they enjoy in life.

19 CHAIRPERSON ADAMS: Thank you.

20 TOM CONNOR: I think that it is a horror
21 story that we're hearing from the people that are
22 fighting this project. I don't trust them.

23 CHAIRPERSON ADAMS: Thank you for your
24 testimony.

2 TOM CONNOR: And I don't trust their
3 motives.

4 CHAIRPERSON ADAMS: Thank you very much,
5 thank you.

6 SIKAY TAN: Hello, my name is Sikay Tan.

7 I've been a resident in the Little Italy neighborhood
8 for over 27 years. I recognize most of the people in
9 the [inaudible] and I have been an advocate for
10 quality of life for our community as well. But
11 that's just it. Who are the people in our community?

12 At the very beginning of this debate, Mary Schivolo,
13 an 80-year-old woman, came to me, an Italian woman,
14 and said I want senior housing. I want to live in a
15 building with elevators. So actually talking to her
16 changed my mind. My very own neighbor, who was a 94-
17 year-old gay veteran, was confined to his apartment.

18 He couldn't walk down stairs. If there were senior
19 housings with elevator he could have gone downstairs
20 in a wheelchair and enjoy a little bit of sunshine.

21 Not to mention the increasing aging Chinese, Italian,
22 [inaudible] population who came to this area and
23 built a community before it was trendy. They laid
24 the foundation for what is so appealing for the new
25 residents today. So when we talk about quality of

2 life for our community, I think about them. They are
3 also a part of our community and they need senior
4 housing now. They also deserve an opportunity to
5 thrive. Thank you.

6 CHAIRPERSON ADAMS: Thank you. [pause]
7 Please proceed, you're not on the wrong panel.

8 JODY MARK: Ah, OK. My name is Jody
9 Mark, and I'm here as a 47-year resident of the South
10 Village, now known as SoHo, and I, um, was also the
11 tenant leader in my building, which was HPD owned,
12 which was sold to a developer for a dollar, and it
13 took us years to fight to protect our homes, our
14 rights, and the affordability of our apartments, and
15 we didn't get the elevator. I am here. I am also
16 your demographic, Margaret Chin. I am your
17 demographic. I am a low-income senior. I am a gay
18 New Yorker, and yet I am opposed to this project of
19 the Haven-not-so-Green project, and I'm in support of
20 the Elizabeth Street Garden. The property that will
21 be destroyed is a well-loved community asset and it's
22 wrapped, and this project is wrapped in so many catch
23 phrases and works and hooks as possible for the
24 purpose of clouding the lack of vision and the
25 failure of the city to adequately provide housing for

2 all New Yorkers. We have heard about the
3 vulnerability of the elderly and the homeless over
4 and over again today. But the Elizabeth Street
5 Garden is not pushing seniors out of their
6 apartments. In fact, many frequent visitors are
7 seniors. We hear about homeless people, but the
8 Elizabeth Street Park is not making people homeless.
9 It is a respite for all. This project is a perfect
10 example of how the city creates unnecessary conflicts
11 between legitimate needs that could easily coexist.
12 This is an artificial choice between housing and open
13 space. Is there a need for housing that will be
14 affordable? Of course. Is there a need for senior
15 housing and housing for the homeless? Yes, without
16 question. And should housing be LGBTQ friendly?
17 Yes, but that by law should be all buildings. We
18 don't need a designated building. So I ask you to
19 not destroy this garden and instead take a look at
20 the reality that we have a boom in buildings in this
21 city. We have more apartments for the wealthy every,
22 every day more apartments go up. And yet none are
23 reserved as affordable housing.

24 CHAIRPERSON ADAMS: Thank you.

25 JODY MARK: That's the problem.

2 CHAIRPERSON ADAMS: Thank you very much.

3 JODY MARK: Fix that and you'll have
4 housing for everybody.

5 CHAIRPERSON ADAMS: Thank you very much
6 for your testimony today, thank you.

7 BEN CARLOS TIPAN: Good afternoon. My
8 name is Ben Carlos Tipan and I'm here representing
9 Open New York, an all-volunteer activist group which
10 advocates for more housing of all types, particularly
11 in high-opportunity neighborhoods. It's appalling
12 that this 100% affordable project geared towards
13 seniors at risk of homelessness in one of the city's
14 richest neighborhoods is controversial at all,
15 particularly given that there is a seven-acre park,
16 public park, two blocks away from this private-event
17 space masquerading as a public community garden, that
18 I just heard one of the garden supporters refer to as
19 a garbage park. You know what I think is garbage?
20 That the garden supporters have chosen to spent
21 countless hours and hundreds of thousands of dollars
22 on lawyers and lobbyists instead of using those
23 resources and their time to improve Sara D. Roosevelt
24 Park, which is suffering from decades of
25 disinvestment, mostly because the people who use it

2 are less privileged than the supporters of Elizabeth
3 Street Garden. That is garbage. The garden
4 supporters accuse this project of dividing the
5 community. It didn't have to be this way. But given
6 their selfish behavior this claim of division may be
7 the only thing that they're right about. This
8 project pits members of the community who have
9 empathy for our seniors and our less-fortunate
10 neighborhoods against those who don't. While I'm
11 sure many of the garden supporters sincerely believe
12 in their hearts that they support affordable housing
13 and seniors, their actions say otherwise, as they
14 repeatedly express the depressingly familiar refrain
15 of I support affordable housing, just not in my back
16 yard. So I ask this committee to approve this
17 project in short order for all the reasons that
18 others have cited. Once it's been approved, the only
19 thing that will stand in the way of seniors occupying
20 these homes will be the shameful lawsuits that have
21 been filed against it. Aside from the crucial
22 housing that will be constructed, the only silver
23 lining to the shameful process has been the fact that
24 the opposition is wasting so much of their time and
25 money. I just hope that we don't lose any seniors

2 who can't afford to wait until the opposition is done
3 with their tantrum. Thank you.

4 CHAIRPERSON ADAMS: Thank you. Sir, what
5 is your name? Sorry.

6 TED CLASS: Ted Class.

7 CHAIRPERSON ADAMS: OK. Thank you.

8 TED CLASS: You called me last, yeah,
9 right? Um, I'm in support of this development, ah,
10 I've lived on Sara D. Roosevelt Park on Forsyth
11 Street for 35-40 years. I've seen a lot of the
12 changes. Mostly a Dominican neighborhood when I
13 moved in there, ah, I've seen the kids grow up and
14 I've seen their parents age. I think this argument
15 is somehow out of proportion. I just don't
16 understand why a garden is more important than
17 somewhere for a low-income person to live. I just
18 don't get it. And this alternative on Hudson Street
19 is, who knows, how long would that take? This
20 already, the Elizabeth Street Garden fighting this
21 has probably delayed this development for a
22 considerable number of months, if not years. So I
23 just, build them both. It's a false choice. Build
24 them both.

2 CHAIRPERSON ADAMS: Thank you. Thank you
3 everyone for your time today. [pause] Michael Green,
4 is it Green, Friends of Elizabeth Street Garden?
5 Michael Green, or Gruel, is that it? Thank you.
6 David Eisenbach. I think we had Aziz Dekhan already.
7 We had. Nina Taylor. Richard Emerson. Eliot Masay?
8 Masa. Arthur Derris. Lawrence Hon. John Campo.
9 Liz York. OK, you may begin.

10 MICHAEL GRUEN: Am I on? Yes. What a
11 big difference. My name is Michael Gruen. I am the
12 attorney for Friends of Elizabeth Street Garden, and
13 wearing another hat I'm president of the City Club of
14 New York and a very staunch advocate of parks and
15 open space. The subject of this project obviously
16 concerns two very worth social goals, housing for
17 low-income persons and providing essential open space
18 for all. I agree with people who have gone before
19 and say one should not have to make a choice between
20 those two. One should not have to suggest that we,
21 we tear down Central Park or that we use the
22 Metropolitan Museum for housing. All of these have
23 to be done, both types of development. The problem
24 here is that the council is being asked to make a
25 decision on the basis of a woeful lack of essential

2 information. Worse than that, much of the
3 information it has is appalling misleading, and a,
4 put it differently, the ULURP and CEQR have been
5 developed in order to provide vehicles for
6 enlightenment of the legislative process for, in the
7 case of CEQR, for the council and others to be able
8 to consider right from the beginning of the
9 development process what the impacts on the
10 environment are going to be as a result of the
11 project. And unfortunately how this has devolved is
12 that the available information, or the available
13 tools, are being used advocates in order to confuse
14 the issues and support a result rather than to
15 consider what the environmental impacts really are.
16 I hope that you'll read the full copy of my text,
17 which I've made available to you. Thank you.

18 CHAIRPERSON ADAMS: Thank you.

19 RICHARD EMERSON: OK, my name is Richard
20 Emerson. I'm sorry, OK, that's better. Richard
21 Emerson, I've been frequenting the [inaudible] or the
22 area before it's called that since '84, primarily
23 back then for CBGBs, now long gone. And I'm a
24 property owner in [inaudible] as well. My
25 background, I'm now an academic. I write on

2 corporate ethics, corruption, ah, and also on urban
3 planning, a fellow at Stanford Law School. The, um,
4 and I've been following this with interest because
5 I've been, ah, involved as a trustee or with the
6 trustees of the National Trust for Historic
7 Preservation, and this really is, as everybody says,
8 a false dichotomy. The garden is quite special. I
9 object to what's happening, um, and I do so both from
10 the process as well as the financial situation. I
11 was blessed. I ended up being an early executive at
12 the Blackstone Group when it got founded. We're one
13 of the largest private equity funds in real estate,
14 and I was also a senior vice president at Microsoft.
15 I ran corporate development strategy and was on the
16 executive committee. But I watched with dismay
17 actions like this with, ah, Margaret Chin, for
18 example, over 135 Bowery where promises were made to
19 the community and a very important 1817 building was
20 torn down, which the National Trust actually wanted
21 to protect as well, over the auspices of affordable
22 office space. Of course, the building, none of those
23 were ever implemented. The building was flipped
24 within a year. It wasn't landmarked. A large profit
25 was made. I've tried to meet Margaret several times

2 over the last five years and have not been able to.
3 I'm dismayed that she probably has the largest
4 percentage of donations from real estate of any of
5 the councilmen, 12.5%, and there's two types of
6 corruption. There's the overt corruption, like her
7 patron, Silver, and then there's the more corrosive
8 ones where real estate sort of goes in. I could go
9 through a lot of these documents and find loopholes.
10 Money finds a way to beat these. In 10 years this
11 won't even make a dent in terms of affordable
12 housing. In fact, probably won't even exist in that
13 format anymore. So I just, um, I'm here just because
14 I believe in process and ethics and I'm really
15 dismayed by what I've seen. Thank you.

16 ELIOT MAISEL: My name is Eliot Maisel.
17 I'm a partner in the firm Brill and Maisel. I'm here
18 representing Allen Reeve, who is the creator and
19 developer of the Elizabeth Street Gardens through an
20 entity Elizabeth Street Inc., and is also the owner
21 of the adjacent historic firehouse. One of the
22 advantages of going late is that a lot of the things
23 that I think you should hear you've already heard.
24 There have been some very eloquent speeches.
25 Unfortunately, many of them have been quite generic

3 and have been anecdotal. One of the things about
4 real estate that is generally known is that it is not
5 generic. Real estate sites are specific and that's
6 why there are zoning boards of appeals and that's why
7 there are variances and special permits, because it's
8 not generic. This housing project has been
9 generically talked about as providing senior housing.
10 Senior housing in the abstract, and we've heard many
11 very, ah, heart-wrenching speeches about people who
12 are lacking housing. But there are flaws in this
13 project that are very serious, including some that
14 have been mentioned already about the community
15 space. A substantial portion of this project is
16 really just offices. They call it a community
17 facility. But it's offices for Habitat for Humanity.
18 Mr. Reeve, who has the firehouse adjacent to the
19 garden, is willing to dedicate a substantial portion
20 of the ground floor of that building as indoor
21 community space to complement the use of the garden,
22 if the garden is preserved. Speaking of generics,
23 the garden itself was misleadingly described as a
24 vacant lot. That's part of the obfuscation of what's
25 going on here. A back room deal was made because
inadequate low-income housing, affordable housing,

2 was providing in the 2-million-square-foot Sporer
3 Development and an adjacent community board, and
4 therefore this site was traded off. But it was
5 concealed. It was called 21 Spring Street. It's not
6 21 Spring Street, which is already the LIRA
7 affordable housing. So it wasn't even mentioned that
8 the garden would be destroyed. Furthermore, this
9 garden has been described by the community, by the,
10 um, the cultural landscape facility, foundation, and
11 by Melanie Maccio, who spoke very eloquently here
12 before, as outsider art, as something that's really
13 quite unique. In tribute to that uniqueness and in
14 order to protect it we are in the process of filing a
15 VARA claim under the federal copyright statute to
16 protect this as outsider art in the tradition of the
17 Five Points, ah, in order to preserve a unique
18 historic and cultural asset that the EAS did not even
19 address in any way.

20 ARTHUR DERRIS: Hello, my name is Arthur
21 Derris. I'm just a classical guitar teacher, and I
22 teach that because I think we reach deeper parts of
23 our humanity through beauty and that's why I'm here.
24 Happy May, everyone. For those that don't know, May
25 is Mental Health Awareness Month. I begin with this

2 because the issue of green space is really one of
3 public mental health. There have been numerous
4 studies that correlate a [inaudible] factor nature
5 exposure and mental wellness. A 2015 study published
6 by Stanford University states this. Urbanization is
7 associated with increased levels of mental illness,
8 but it's not clear why. Through a controlled
9 experiment we investigated whether nature experience
10 would influence the frequency of rumination. What is
11 rumination? Rumination is repetitive thought focused
12 on negative aspects of the self, a known risk factor
13 for mental illness. Participants who went on a 90-
14 minute walk through a natural environment reported
15 lower levels of rumination and showed reduced neural
16 activity in an area of the brain linked to risk for
17 mental illness, compared to those who walked through
18 an urban environment. Now, I'm aware Mayor de Blasio
19 is in favor of removing Elizabeth Street Garden from
20 the [inaudible] neighborhood. I'm also aware that
21 his daughter, Chaira, struggled with drug addiction
22 to cope with anxiety and depression. I'm aware de
23 Blasio's wife responded to this by, ah, creating
24 Thrive NYC, which is a so-called initiative for
25 mental health care in New York City. The initiative,

2 according to the website, focused on public awareness
3 and early treatment of mental illness. To all those
4 who are in favor of development, ESG is early
5 treatment of mental illness. It is unreasonable to
6 lower the quality of life to raise quantity of life.
7 Let ESG remain. Please vote no. Thank you.

8 ELIZABETH YUARK: Hello, my name is
9 Elizabeth Yuark. I'm a constituent of Margaret
10 Chin's. Also, I'm a CR club member, Save our
11 Seaport, Children First, NYPIRG, and 350.org. The
12 housing crisis has no age limit. I've had to move as
13 a New York City resident 18 times because of
14 increasing rent. My living situation is tenuous.
15 But all of our lives are tenuous. Our community is
16 earth. Everyone of us benefits from trees. This
17 development is an environmental disaster. This
18 short-sighted plan gives a few temporary apartments
19 to a few elderly at the expense of future
20 generations, while developers profit throughout the
21 whole destruction. Build where there are no trees.
22 When green space is gone we all lose. Our planet is
23 in a crisis. We don't have time for new trees to
24 grow. Unless we reduce carbon emissions in just
25 eight years all of the coral reefs will die, from a

2 2% centigrade rise in the earth's temperature. Think
3 about it. It's happening now. Think about future
4 generations. Save our green spaces and put buildings
5 on concrete. Unless we drastically change our
6 collective home, our Planet Earth will never recover.

7 CHAIRPERSON ADAMS: Thank you all for
8 your testimony today. Thanks very much.

9 UNIDENTIFIED: I call the next panel.
10 Steve Herrick, Bobby Sachman, Allison, I'm not sure,
11 Cedar maybe, Leyland Thomas, Lauren Thomas, I'm
12 sorry, Maria Escadio, Rodney Washington, Eric Diaz,
13 John Shabel, Ken A., Mark Greenberg. We can take it
14 or if you want to read it on his behalf that's fine.
15 And Sayeff Lashaw. Whoever is ready you may begin.

16 STEVE HERRICK: OK, good afternoon. I'm
17 Steve Herrick, executive director of the Cooper
18 Square Committee. I'm testifying to express our
19 strong support for the ULURP for the Haven Green
20 senior affordable housing project on Elizabeth
21 Street. The project partners have created a site
22 plan that balances the dual purpose of developing 123
23 housing units for seniors, including homeless
24 seniors, while preserving some 6700 square feet of
25 publicly accessible open space. They've designed an

3 inclusive project that will set aside up to 30% of
4 the units to LGBT seniors, who have very few gay-
5 friendly senior housing options, and will receive
6 supportive services from SAGE. The building will be
7 environmentally green. They have invited the
8 community to participate in a series of design
9 charettes to determine how the open space will be
10 used. The Cooper Square Committee has a track record
11 of sponsoring 600 low, ah, development of 600 low-
12 income housing units and we also have supported open
13 space at numerous sites. However, while the loss of
14 13,000 square feet of open space, ah, in the Little
15 Italy community is regrettable, Sara Roosevelt Park
16 is two blocks east of this site. It's nearly eight
17 acres and the Sara Roosevelt Park Coalition offers
18 community gardening opportunities to local residents.
19 No one is denying the Community Board 2 and Little
20 Italy are underserved by open space, but the lack of
21 affordable housing is a much more severe crisis.
22 Some opportunities create more open space exist in
23 [inaudible] Little Italy, particularly on a 12,000
24 square feet site owned by DEP at 142 Grand Street,
25 six blocks from this site. Meanwhile, opportunities
to create a substantial amount of senior housing are

2 nonexistent. There is simply no other city-owned
3 properties in Little Italy that can accommodate, ah,
4 this type of housing. The garden advocates keep
5 proposing locating senior housing in a different site
6 at 388 Hudson Street, in a totally different
7 neighborhood above the water tunnels. They claim it
8 can hold some 500 housing units or more, which is not
9 true. Zoning allows for at most 200 units at that
10 site, and engineers have not determined whether it is
11 even possible to build there at all given the
12 underground infrastructure. Of course, if you can we
13 support that, but it's an additional site, not an
14 alternative one. It's unfortunate two neighborhood
15 needs are in direct conflict but Cooper Square
16 Committee supports the development of senior housing
17 at this site.

18 UNIDENTIFIED: Thank you.

19 MARK GREENBERG: My name is Mark
20 Greenberg. I'm the executive director of the
21 Interfaith Assembly on Homelessness and Housing and
22 I'm here to offer testimony in support of the Haven
23 Green project, and I want to commend Habitat for
24 Humanity and Council Member Chin and RiseBoro
25 Community Partners for their great work in bringing

3 this to us. Since its founding in 1985 the
4 Interfaith Assembly has advocated for public policies
5 that address New York City's crisis of homelessness
6 and the shortage of affordable housing, and for over
7 two decades we've been pleased to count Habitat for
8 Humanity as a strong ally in our efforts, which
9 collectively have helped to create and preserve many
10 tens of thousands of homes from some of our most
11 vulnerable New Yorkers. When we first learned about
12 the Haven Green project we were understandably
13 sensitive to the loss of Elizabeth Street Garden.
14 Green spaces are crucial to healthy communities.
15 However, after further consideration we've come to
16 the conclusion that the creation of 123 truly
17 affordable units of permanently affordable senior
18 housing, including 37 for people who have been
19 homeless, plus the inclusion of over 8000 square feet
20 of publicly accessible garden and green space,
21 flexible community activity space, and on-site
22 community services make this project a significant
23 net gain for its neighborhood and our city. With
24 over 63,000 men, women, and children sleeping in New
25 York City shelters, including over 5000 seniors, New
York City cannot afford to pass up any opportunity to

3 develop affordable housing for our people in need.
4 Additionally, the inclusion of publicly accessible
5 green open space and a project that utilizes state-
6 of-the art energy-efficient design can provide a
7 prototype that all city-based housing projects should
8 look to replicate. The loss of a community garden is
9 regrettable and the frustration of the neighborhoods
10 who celebrated community in the Elizabeth Street
11 Garden is understandable. It is our hope that the
12 community members who built and celebrated community
13 in the garden will welcome their new neighborhoods
14 with open arms and continue to invest their energy
15 into a neighborhood that will now include new homes
16 for 123 seniors who will be afforded the blessed
17 opportunity to live out their twilight years in
18 safety and security. Thank you.

19 JOHN SHABEL: Thank you. My name is John
20 Shabel. I've lived in this neighborhood for 40
21 years, which makes me a relative newcomer. Um, there
22 was talk before about the history of the space on
23 Elizabeth Street and there was a public school. I
24 know someone in the neighborhood who went to that
25 school and would love to live in this project, and
let's also remember that this neighborhood was a

2 neighborhood built for immigrants. I've known
3 several seniors in the neighborhood who spent the
4 last years of their lives without leaving their
5 apartments because they couldn't handle the stairs,
6 which is kind of a unique problem to this city in
7 terms of the rest of the country, because it's, New
8 York is the densest city in the United States. It's
9 very disturbing to see these two public needs pitted
10 against each other, but the outcome is I don't think
11 can remain the way they are. It's been suggested
12 here in previous testimony that the park can move
13 into the street. That's the kind of thinking that
14 this city needs to go forward. Thank you.

15 ERIC DIAZ: Hello, my name is Eric Diaz.
16 I'm in favor of the Haven Green project. I'm the
17 executive director of Vision Urbana Inc., a
18 community-founded nonprofit organization providing
19 programs and services for seniors which include a
20 nork senior program that offers holistic services to
21 seniors living vertically and horizontally on
22 Delancey Street, as well as a weekly food pantry
23 service that offers food security for hundreds of
24 seniors every week on Essex Street. I have been
25 joined today with seniors from our nork program who

2 are passionately supportive of the Haven Green
3 development. I represent a community and population
4 that needs opportunities. Opportunities to age in
5 New York City in brand new affordable housing.
6 Because sorry to say their current housing within
7 NYCHA and walk-ups are no longer acceptable living
8 conditions for seniors. I represent a population
9 that deserves their latter years to be better than
10 their former and that is why I am here fighting for
11 that opportunity along with, ah, this panel and many
12 others. I personally look forward to holding
13 accountable and working with the CBO Habitat for
14 Humanity responsible for providing services to
15 residents with cultural sensitivity in multiple
16 languages, such as Spanish, Cantonese, and Mandarin.
17 Once more, I'm in favor of Haven Green and my name is
18 Eric Diaz. On behalf of Vision Urban and our nork
19 program. I have the testimony of Rodney Washington.
20 Should I read it really quickly?

21 UNIDENTIFIED: Well, we'll take it, put it
22 on the record. Thank you.

23 SAYED FASHA: Hi, my name is Sayed Fasha
24 and I'm a CBG resident. Um, the, by the city's own
25 census projections the senior population from 2010 to

2 2040 is going to increase by 40%. That's 400,000
3 additional seniors living in New York City. Um, so
4 as other people have stated and I want to echo, it's
5 not about alternative sites, it's about additional
6 sites. Um, and as a former homeless LGBTQ youth who
7 now has a rent stabilized apartment, I truly
8 understand how important it is that we provide as
9 much affordable housing as possible in the city and I
10 implore all of my damn neighbors to look beyond their
11 experience and look beyond privilege and understand
12 what a dire need housing is to so many people in this
13 city. Because if you've experienced that I don't
14 really understand how we can sit here and be
15 discussing, um, having a full garden as opposed to a
16 reduced-sized garden when we're talking about housing
17 123 people. Um, and also in terms of there not being
18 any accountable green space, Sara Roosevelt Park is
19 over half a mile long and it is two blocks away. Um,
20 so I just, I don't want to take up time because I
21 know we've all been here a long time, um, but I very,
22 very strongly support the Haven Green project and I
23 encourage all of my neighbors to take the perspective
24 of other people that live in the city and extend a

2 welcome, ah, extend a welcome to our new neighbors.

3 Thank you.

4 UNIDENTIFIED: Thank you. We'll call the
5 next panel.

6 UNIDENTIFIED: David Malkins. Professor
7 John Metropis. Ella Barnes. Kate Fletcher. Madaly
8 Regis. Ingrid Weingard. And Heather Shaw. Maya Van
9 Norr. Ronny Wolf. Michael Green. Tamara Alvarez.
10 Carol Ashley. Sebastian Gavy. Barbara Ramsey.
11 Julia Van. Jovan, Julia. Thomas Bausta. Katherine
12 Ugate. Barbara Horn. Yvonne Brooks. Elizabeth, no,
13 I'm sorry, Stacy Kaufman. There you go. That's
14 four. Jody Mark. OK. Thanks Jody. Steven Clark.
15 Tessa Grundon. Sharon Wright. Gordon Ramsey. Grace
16 Lee. Ed Morris. Damn. That's five, cinco. [pause]

17 UNIDENTIFIED: Thank you, you may begin.

18 MAGDALY REGIS: Thank you. My name is
19 Magdaly Regis. I'm from the New York City Community
20 Garden Coalition and I'm here in support of Elizabeth
21 Street Garden. Every community garden is special and
22 unique, reflecting the labor of love and hard work of
23 the people who created it, and as a community garden
24 advocate I have visited hundreds of gardens, not just
25 in New York, but around the world. And Elizabeth

3 Street Garden stands as one of our most unique and
4 stunning public green space. And not just in New
5 York, but anywhere. And in a neighborhood where
6 parks are so scarce the garden has filled that gap,
7 allowing those who reside there and work there nearby
8 a necessary respite from the stress and density of
9 urban life. And we need to do all we can to stop its
10 destruction. *111 Places in New York That You Must*
11 *Not Miss*, I'm brandishing this book. Discover
12 unexpected treasures and hidden places you never
13 imagined you would find in New York. This is at page
14 78, the gardens featured, and this is not the only
15 publication that mentions Elizabeth Street Garden.
16 It's been in dozens of guide books, blogs, and
17 websites, both national and international, as a place
18 to visit in New York, and that is because so many
19 has, have recognized its value. And any city in the
20 US or in the world would be envious to have this
21 garden, if all of its trees and plants and
22 sculptures, birds, lawns, butterflies, could easily
23 be moved and auctioned off to the highest bidder like
24 an invaluable piece of art that it is and transported
25 elsewhere cities around the world would be fighting
to have it. New York is crying out for more green

2 space. Sure, we need affordable housing. But not at
3 the expense of destroying a beloved and extraordinary
4 space that has been treasured by thousands. New York
5 City has Central Park. Imagine if it were destroyed
6 what kind of city we would be. Well for Elizabeth
7 Street Garden community residents it's their Central
8 Park and destroying it is an act of neighborhood
9 violence. I urge the City Council to vote no to
10 Haven Green development and preserve the garden in
11 its entirety.

12 CHAIRPERSON ADAMS: Thank you.

13 STACY KAUFMAN: Hi, my name is Stacy
14 Kaufman. I'm a constituent of Margaret Chin's. I'm
15 a senior, gay, and disabled, and I just want to tell
16 you why I'm here, and that's because one day about
17 two years ago my friend Jill was visiting from
18 northern California, and we were walking around the
19 neighborhood. I was just showing her around New
20 York. We were walking around the neighborhood and
21 all of a sudden we walked down the street and there
22 was this oasis, just appeared, it was like magical,
23 it was like really a magical place, and that's why I
24 took friends there. It's such a special place and it
25 was like shocking to me that Councilwoman Quinn, ah,

2 Chin, that you haven't even been there. It's in
3 your, it it's in your area and that you haven't been
4 there. I urge you, Chairwoman Adams, to go there and
5 just walk down the street and see, all of a sudden it
6 appears like an oasis. It is so incredibly special,
7 it's so unique, that please, I beg you, people say
8 that you're going to be a rubber stamp. I beg you,
9 you don't, you seem so wonderful and so attentive, I
10 don't want to see you or the other members of this
11 committee do that. I really want to see that you
12 stand up. I know the way it usually works is that
13 you rubber stamp the council person whose area it is,
14 but in this case, I mean, see for yourself and see
15 how it feels. I mean, the people who are the
16 proponents of the development, it seems to me for the
17 most part they're all paid people. We're here with
18 our hearts. The people who are proponents are all
19 people who are going to have a financial interest in
20 the development and what I'd also like to say is that
21 we're, ah, they seem to say that we are people who
22 are against affordable housing, against seniors, and
23 now a new thing, deeply affordable housing. How
24 could anyone be against deeply affordable housing.
25 So I urge you to go visit it yourself and see what

2 this is about and why people are, why people are so
3 distressed about this.

4 BARBARA HORN: My name is Barbara Horn.

5 I'm a gardener, a garden lover, I'm also a steward of
6 the Alberts Garden on East 2nd Street. And I'm going
7 to speak anecdotally and generically, but I still
8 believe that the personal is political. It's
9 remarkable to me, someone who has lived in the nearby
10 East Village for 40 years and I'm now a senior that
11 this is the best that the city I love can do. To
12 destroy an oasis, that word that we've used so
13 frequently, one with such a special vista, open
14 spaces, historic and artistic importance, why would
15 my city, our city, chop up and destroy this green
16 meeting place of peace, tranquility, a place where we
17 can educate and celebrate and have community spirit
18 for thousands and thousands of people, many seniors.
19 There are other choices. This garden once destroyed
20 is irreplaceable. The intact unique garden grew
21 gradually with hands and hearts and hard work. Can't
22 our city come up with plans that don't destroy? How
23 about dedicating one floor on every high rise to
24 affordable housing? How unwise, shall I say
25 irresponsible, to capture a garden, a garden, to

2 solve affordable housing? As someone who seeks out
3 gardens and parks daily in the city I love, hourly, I
4 ask you to take a minute to think about what you're
5 doing and in a New York nano second you will not take
6 down this garden. Thank you.

7 ED MORRIS: Hi, I'm Ed Morris. I'm a
8 philosopher of nature and I'd like to open with a few
9 dirty words. Hudson Yards. Essex Crossing. Extell
10 Towers. There are gobs of space there. But no, one
11 of the speakers said he works with homeless on Essex
12 Street. Well, towering above Essex Street is Essex
13 Crossing, 22 and plus stories high. Why doesn't the
14 city show compassion for the 700,000 on the waiting
15 list? And why should it specific gender speciality
16 as the entrance permit for this group? That's wrong.
17 The whole city is crying. We've had two senior gay
18 mayors, Koch and Blumenthal, Blumberg, but, ah,
19 there's many, many people suffering and the, ah,
20 700,000 deficit should be open to all. And, um, yes,
21 you know, Hudson Street is space. But Essex Street
22 is a lot more. Hudson Yards is a lot more. Extell
23 Towers is a tower. So I say that the people who
24 would bulldoze the earth have already bulldozed their
25 own earth, their own anima, their own feminine, their

3 own soul, and I ask them to find their own earth
4 first and then discover Mother Earth. There are four
5 full-term trees in the Elizabeth Street Garden.
6 These act as a sponge. We are in an ecological
7 crisis. Mayor de Blasio was weeping tears because
8 the Brazilian president who is bulldozing the Amazon
9 may show up in New York. But he bulldozes his own
10 Amazon. He bulldozes the Mandella Garden, the
11 Pleasantville Garden in East Harlem, and he bulldozes
12 ours. But, as one old lady from Chinatown told me,
13 she said this is my garden and I'm going to be
14 padlocked to the fence if they want to come.
15 Remember you and we are the city, not Margaret Chin
16 and her mentor, Sheldon Silver. Thank you.

17 CHAIRPERSON ADAMS: Thank you. Thank you
18 for your testimony.

19 UNIDENTIFIED: I'm speaking on behalf of
20 President David Malkins from the Bowery Alliance of
21 Neighbors. The Bowery Alliance of Neighbors is a
22 nonprofit grassroots organization working to protect
23 residents, small businesses, um, the neighborhood,
24 and the historic character of the Bowery. Dear
25 Speaker Johnson and City Council Members, we strongly
opposite this ill-advised development plan which

3 seeks to bulldoze one of the community's most popular
4 and enchanting open green spaces. Proponents of the
5 development have followed a nasty and divisive
6 strategy of portraying this as an either-or
7 situation, wherein you can have only, only have a
8 garden or affordable housing. Why can't we have
9 both, affordable housing and garden? We urge the
10 council members to follow the very reasonable
11 proposal made by Community Board 2, build affordable
12 housing in one of the alternative sites, such as
13 proposed before. Lost in all of this is the fact
14 that the very large building adjunct to the Elizabeth
15 Street Garden south side, Section 8 affordable
16 housing, the residents of which will lose their
17 lovely views and easy access to the garden if this
18 development goes through. This situation reminds of
19 the progressive era's slogan bread and roses. In
20 this current situation the community supports the
21 basic essentials, the bread of affordable housing,
22 but also wants the roses, the beautiful things such
23 as this enchanting garden green space. The Elizabeth
24 Street Garden is one of the Little Italy area's few
25 open green spaces. A jewel in this community, it
brings joy to residents and tourists and contributes

2 to the allure, value, and economic vitality of the
3 community. Thank you to the many elected officials
4 who have supported the garden's preservation. We
5 urge the community council members to reject this
6 development plan and instead support CB2's smart and
7 reasonable alternative plan to have the affordable
8 housing project built at an alternative site, build
9 affordable housing but do not destroy this beautiful
10 green garden space. Give us bread, but also give us
11 roses. And I personally want to note that I was
12 homeless and, um, I have been, I'm part of the LGBTQ
13 community and I don't think there's like an either-or
14 necessary, and I host a weekly Meet-Up group of
15 almost 300 members at the garden for over two years
16 with members who are 82 years old and also kids, and
17 there's like twice the amount of numbers, of members,
18 of like the survey has of the, um, Habitat for
19 Humanity. So I think there's strong support, there
20 are thousands of people who volunteered to help them
21 and there's no paid people who do the, we all love
22 the garden and the community. Thank you.

23 CHAIRPERSON ADAMS: Thank you very much.
24 Thank you all for your passion on the issue today and
25 for being here. Really appreciate it. Thank you.

2 All right, we're winding down. We're going to do it
3 this way. Is there anyone in the room who has signed
4 up to speak and has not yet spoken? What's your
5 name? Allison Smith? Come on up. What's your name
6 sir? Thomas O'Neill. Anyone else? I'm going to
7 repeat one more time. Are there any more members of
8 the public who wish to testify on these items today?
9 OK. You may begin.

10 ALLISON SMITH: Hi, I'm Allison Smith. I
11 represent University Settlement. I also represent
12 about 80 community members I couldn't be here through
13 a petition that I brought. Um, with over 200,000
14 low-income seniors on affordable housing wait lists
15 for an average of seven years the Haven Green project
16 is a compromise that allows New York City to
17 prioritize our most vulnerable neighbors and open
18 green space. The elder population is growing more
19 rapidly than other segments of the city's residents,
20 rising over 26% in the last ten years. Currently
21 over 200,000 low-income seniors are on waiting lists
22 for senior housing. 5000 of those seniors waiting
23 are in our local community. University Settlement's
24 Housing Protection program, Project Home, sees this
25 crisis firsthand. Over 750 neighbors with housing

2 crises come to us each year, including over 105
3 households over the year, near the proposed Haven
4 Green site, and over 60% of those are seniors.
5 Projects like Haven Green are an important part of
6 the solution to this crisis. The Haven Green project
7 is a compromise to the greater good and preserves
8 8000 square feet of open and public space. It's
9 important to note that there's also a large public
10 park two blocks away with active neighbors and
11 invested organizations like ours, who welcome more
12 volunteers. The incredible energy of the Elizabeth
13 Street Garden supporters would be invaluable in
14 volunteering and continuing to improve our community.
15 We recognize the feeling of loss that the gardeners
16 will have as the garden changes significantly. And
17 we hope that they and you on the council also share
18 the deep loss of those neighbors who lost their
19 apartments on Elizabeth Street when we could not save
20 them from landlord harassment, rising rents, and lack
21 of physical accessibility as they grew older. These
22 apartments and the 123 new neighbors of Haven Green
23 will house will bring an incredible benefit to the
24 community. We don't dispute the need for green

2 space, but even higher on the priority list is safe
3 affordable housing.

4 TOM O'NEILL: Hello, my name is Tom
5 O'Neill. I was born and raised in New York City, son
6 of immigrants, shopped in Orchard Street during the
7 1970s, attended NYU in the 1980s. I support low-
8 income housing, but I do not support the Haven Green
9 development project. I support the preservation of
10 the Elizabeth Street Garden. I often relax in the
11 garden during the year, particularly in the spring,
12 summer, and fall. I live on Green Street off Grand.
13 There are very few relaxing places left in the
14 neighborhood where you can be at peace. As I said, I
15 went to NYU in the '80s in SoHo. It was a very
16 different place back then. At that time you had
17 about 30 million annual visitors to New York City, in
18 comparison to over 60 million today. As you know,
19 many of these visitors find their way down to SoHo.
20 In addition, the population of the city was 7 million
21 in around 1990. It's now 8-1/2 million people. So
22 crowding is an issue. In addition, most of the
23 vacant lots in the city, ah, downtown are now gone.
24 There were a couple dozen when I moved into the
25 neighborhood 15 years ago. The Hudson Square

2 neighborhood used to be a quiet refuge place for me,
3 but even that has been developed at a rapid place.

4 In summary, SoHo residents need Elizabeth Street
5 Garden. Many SoHo residents are frustrated with the
6 crowds and overdevelopment in the neighborhood. I'd

7 like to make a few other points. There's something
8 wrong with the city where some of our elected

9 officials are receiving campaign dollars from

10 national real estate developers like Toll Brothers.

11 Shame on you. The city should be run by

12 administrators who are more, who are not influenced

13 by these outside influences. There's something wrong

14 with the city which allows dozens of luxury towers to

15 be built with unoccupied apartments owned by limited

16 liability corporations while low income housing

17 crisis persists. [applause] There is something

18 wrong with a city which allows retail stores to

19 remain vacant without a vacancy tax. A vacancy tax

20 would encourage businesses that actually serve

21 residents of the neighborhood, like delis, bodegas,

22 coffee shops, et cetera. And there is something

23 wrong with a city that is destroying open spaces like

24 the Elizabeth Street Garden. I would encourage the

25 government officials here to look at the words of

2 Lincoln above me. A government of the people, by
3 people, for the people.

4 CHAIRPERSON ADAMS: Thank you.

5 TOM O'NEILL: We've expressed much
6 support for the garden. You should listen to what
7 the people are saying over the past six years.

8 CHAIRPERSON ADAMS: Thank you for your
9 testimony. Thank you very much. Thank you for being
10 here today. Seeing no additional members of the
11 public wishing to testify on this manner, the public
12 hearing on Preconsidered LU Haven Green Senior
13 Housing is now closed, and that concludes today's
14 hearing. I would like to thank the members of the
15 public, my colleagues, able counsel, land use staff,
16 and our great security team for your attendance here
17 today. This meeting is hereby adjourned. [gavel]

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C E R T I F I C A T E

World Wide Dictation certifies that the foregoing transcript is a true and accurate record of the proceedings. We further certify that there is no relation to any of the parties to this action by blood or marriage, and that there is interest in the outcome of this matter.



Date June 12, 2019