

**BROOKLYN COMMUNITY BOARD 6  
PARKS/RECREATION/CULTURAL AFFAIRS COMMITTEE  
OCTOBER 2, 2013**

**ATTENDANCE;**

**PRESENT:**

C. CALABRESE	E. CAUSIL-RODRIGUEZ	N. COX
I. DUTTON	J. FRANCIS	J. HEYER
H. HUGHES	G. KELLY	R. REILLY
M. RUIZ	J.O. SMITH	A. SOFILLAS
J. STRABONE		

**ABSENT:**

S. ADELS	N. LALLI	E. LIN
P. MINDLIN	J. REISCHEL	C. RYAN

**GUESTS:**

C. ZINNEL – REP. FOR HON. BRAD LANDER, CITY COUNCIL MEMBER		
T. JOHNSON	S. PERSON	K. KRATZER
N. ROCCO	W. RODRIGUEZ	B. QUADRELLO
G. ROMAN	R. GOMEZ LUNA	J. CITRON
F. ANNARUMA	C. PADOVANO	J. DENTZ
N. MAIORANO	C. MULLIN	E. RAMOS
A. MAIORANO	L. NATOLI	D. NATOLI
P.Z. SEGAL		

**\*\*\* MINUTES \*\*\***

**Presentation and review of a proposal to establish a community garden at 503 President Street (Block 440, Lot 45) between Nevins Street and 3<sup>rd</sup> Avenue).**

Summary: Review of two competing proposals for the use of the lot at 503 President Street:

- 1) HPD proposal to transfer the community garden "A Small Green Patch" (SGP) from 348 Bergen Street to a new location at 503 President Street. There was no representative from HPD at the meeting to explain the transfer process and governing rules.
- 2) President Street Block Association's counter-proposal to register the site at 503 President Street as new community garden under the NYC GreenThumb program.

A Small Green Patch represented by Tami Johnson. President Street Block Association represented by Ivan Rodriguez and Barbara Quadrello. Paula Segal spoke on behalf of 596 Acres, a public open space/garden advocacy group.

Tami Johnson – liaison for A Small Green Patch:

Excerpts from Tami Johnson's reading from a written statement by the participants and members of "A Small Green Patch":

- SGP has always known its lot on Bergen Street would be a temporary space.
- SGP contains plants and a green space and is made up of local organizations and individuals from the community who service, attend, and volunteer at the space.
- Events and Activities at SGP include:
  1. St Lydia's food kitchen
  2. Workshops held by the Textile Arts Center
  3. Feedback Farms
  4. A beekeeper for pollination of flowers
  5. Pot Luck dinners
  6. Live Music
  7. Flowers, Plants and vegetables
  8. Composting
  9. Hosted a 1 million tree giveaway event
  10. Perennial garden

Development funding for the lot being used for SGP was approved in Spring, 2013. Existing GreenThumb garden license allowed for the relocation of the space within a .5 mile radius. 503 President Street was identified as a potential lot for relocation. Residents of the block were engaged by Tami through knocking on doors and two public meetings held at the lot. 22 people attended the meetings.

Residents voiced a mix of support and opposition:

Vocal opponents of the SGP relocation plan expressed evolving concerns with the project. Initially they expressed a desire to leave the land vacant, then they raised concerns about their lack of control over the space, and most recently they have come forward with their own garden proposal.

Many member of SGP are no longer interested in moving to 503 President Street as a result of the block association's opposition.

SGP member would support any group effort to turn 503 President Street into a space that is accessible to all in the community.

### **Questions**

Q: How long has SGP been in their current location?

A: 2 Years

Q: What is the size of the Bergen Street lot?

A: Three lots, each 20 x 100, totaling 60 x 100 = 6,000 sq.ft.

Q: What is the Parks Department role?

A: Parks Department issues a GreenThumb license to those that want to tend to a garden in a now vacant lot. The Parks department acts as a liaison between GreenThumb, the Department of Sanitation, and the HPD (city agency for Housing and Public Development.)

Q: Does SGP have members?

A: Yes, 20-40 members.

Q: Are there any other eligible lots located within the .5 mile radius of SGP?

A: No.

Q: Are you losing all three lots that comprise SGP?

A: Yes

Q: How big is the President Street lot?

A: 20 x 100 feet

Q: Did you state that members of SGP are no longer interested in relocating to President Street location?

A: Feedback farms will not relocate, St. Lydia's will not relocate, the beehive will not relocate. However a small group of members are still interested in building something at a new location.

President Street Block Association represented by Ivan Rodriguez and Barbara Quadrello

Excerpts from President Street Block Association (PSBA) statement:

- PSBA is committed to making positive productive use of the lot located at 503 President Street as a community park.
- Formal Request has been made of HPD for a community sit-down park.
- PSBA has the means, structure, and finances to run and operate this land as a park steward.
- For 25 years numerous attempts have been made by members of the President Street community to determine the true owner of the lot at 503 President Street.
- They have prepared a packet illustrating their proposal for the land to the CB6 Committee.
- Members of the PSBA are architects and landscapers able to help develop the lot.
- The PSBA does not want any vegetable or food growth on the property.
- The PSBA has local support from individuals and neighborhood businesses to develop this lot as a park.

PSBA's concerns with SGP's intentions for the lot are as follows:

- 1) Food growth on the lot
- 2) Privacy
- 3) Security
- 4) Adjacent homeowners' concerns

### Questions

Q: Do you have any documentation of the prior attempts made to secure this site?

A: No. All questions and solicitations for information were done via telephone. Neighbors previously had an attorney investigate ownership of the land, and attempts were made from residents to purchase the land from the city. The city was not able to identify the true owner of the parcel in these attempts.

Q: Did you ever attempt to contact the Parks Department?

A: No

Q: If this lot is designated to the PSBA, what will be the legal outcome?

A: GreenThumb will designate this as an interim park pending the CB6 decision.

Committee Member Glenn Kelly clarified that this lot is zoned for manufacturing, however the HPD is willing to turn over the land to the Parks Department.

A: The PSBA's ultimate goal is to become a part of the GreenThumb program.

Q: Do you expect to manage and maintain the site?

A: The Parks Department will manage park maintenance.

Q: Do you have a budget for this work?

A: No, but we expect to do fundraising

Q: Why was it so difficult to determine the owner of the property when that information is on ACRIS?

A: We were not given any answers by various city agencies and these inquiries went back 25 years, well before ACRIS.

Glenn Kelly: Tami can you give some insight as to how you started up SGP?

Tami: Persistence and it took two years to get the information needed from the city and Jack Hammer. Scott Stringer posted an opinion stating that public land should be turned over to the public, and I used that as leverage to gain support for the community garden project. A private property owner not using his lot gave permission and support for a SGP, and the HPD approved use of the two lots adjacent to the private lot.

Q: How long was the SGP lot empty before SGP?

A: 30 years.

Q: What are your plans for access of the park?

PSBA: Not discussed.

Paula Segal: Public park regulations stipulate 30 hours a week.

Q: To both parties – 1) Are you incorporated, are you a 501C3, do you have bylaws?

PSBA: Not incorporated, not a 501C3. Yes we have by-laws, but we are very new.

Tami: Not incorporated, not a 501C3, no bylaws.

### **Presentation for clarification by Paula Segal, Legal Director of 596 Acres**

- 596 Acres is a community legal access advocacy to systematize neighbor's pursuit of taking care of unused land in their neighborhood.
- From a liability standpoint, public land is basically the same as the city sidewalk. The city is slowly chipping away at its liability by turning these lots into parks.
- You should not incorporate if you plan to steward public land, as this will subject you to liability.
- The Giuliani administration took an inventory of surplus land and found 11,000 surplus lots. 600 of those lots had been turned into community gardens. The administration moved to auction off those garden lots. The Trust for Public Land bought some, as well as other organizations.
- The Attorney General represented the gardeners against the city and won the decision in 2010
- The resulting rules and regulations for using surplus land for public gardens has morphed into what is now known as the GreenThumb program.
- One of the rules of the GreenThumb program stipulates that any garden forced to move from its temporary location will be given the option to relocate to a new available lot within a .5 mile radius.
- Once relocated, the new garden must be given a more permanent status, and be taken over officially by the Parks Department
- The HPD manages many properties - some are too small or difficult to sell off.
- The Parks Department does not want to take on any new properties, due to its own budget constraints but in the case of a relocated GreenThumb property, they cannot say "no".

Q: Tami – what is your vision for the lot at President Street?

Tami: Vision will depend on the result of meetings and opinions of members of SGP. It will not contain a vegetable garden or any food growth as Feedback Farms is not interested in the lot and the lot is not conducive to food growth.

Paula: GreenThumb license is not like a lease. The only indication of stewardship of the land is a Garden Contact and a Volunteer List. It is permission, not a right and it is not given to any one person. If the Garden Contact expires, the permission for the lot is still valid.

Q: Who currently has access to the lot at President Street?

PSBA: The lot is now completely fenced in, but prior to last year there was access through the rear of the lot by neighbors' backyards.

Committee Member Ian Dutton voices concern that the PSBA is using language such as "privacy" in their petition for the lot, rather than language such as "access", indicating their intent to have a private rather than public space.

PSBA: Have spoken to neighbors of the SGP Bergen lot who have complained about rats and about the composting done on site.

Tami: SGP is willing to make the President Street lot an entirely new space, with new bylaws, and new membership.

Norman Cox: I would like to flesh out the requirements for obtaining GreenThumb status

Paula: Bloomberg administration wants to top-down master-plan everything. The City Department of Long Term Planning has put a hold on all new licenses until a new plan is unveiled. Have been waiting for this new plan since October 2012. Some new licenses have however been awarded due to the advocacy work of 596 Acres to push things through. Six new gardens have been approved since May.

Motion was presented by Committee Member Jeff Strabone.

- 1) Committee to recommend that HPD execute the relocation of A Small Green Patch to 503 President Street.
- 2) Committee requests that A Small Green Patch work with the President Street Block Association on a mutually desirable outcome for the lot at 503 President Street.

Motion made in the interest of making more likely the outcome of having a permanent park at 503 President Street. Motion seconded by Ian Dutton

Judi Francis: Recognizes Tami's experience and hard work, but feels that the neighbors closest to the lot should have special consideration in the fate of that lot.

Glenn Kelly: As a 23 year volunteer in Carroll Park, recognizes the difficulty in maintaining a volunteer staff, and believes it would be foolish to ignore the help of SGP.

Ian Dutton: Agrees with Jeff and appreciates Tami's demeanor today.

Christina Calabrese: We are only hearing two sides of a multi-faceted issue.

Amendment made to motion:

- 1) Committee requests that A Small Green Patch and the President's Street Block Association, following their agreement on the plan for the lot at 503 President Street, make a report of that plan to the CB6 Committee.

Motion for Amendment Seconded by Ian Dutton.

John Heyer: Has the committee ever give a space over to another neighborhood?

Judi Francis: I am the longest serving committee member and I've never seen this happen before.

CALL TO QUESTION on the Motion:

**VOTE: 10.....YEAS 3.....NAYS 0.....ABSTENTONS**

**MOTION PASSED**

Judi Francis: MOTION for the Committee to make a recommendation to the Community Board that the park volunteer list must consist of greater than 50% representation by the President Street neighbors.

Jeff Strabone: Committee cannot make a motion to make a recommendation to the board. The motion that was voted on is the recommendation to the board.

Glenn Kelly: The motion already includes the presupposition that the President Street neighbors will be heavily involved in the garden. A number restriction is not feasible, given that the volunteer list can grow large and there are not that many people that live on President Street.

Motion unsupported by the Committee and withdrawn.

Review of last meeting minutes held on March 20, 2013. Ian Dutton moved to approve the minutes and Glenn Kelly seconded the motion. There were no changes or comments.

**VOTE: 4.....YEAS 6..... ABSTENTIONS**

**MOTION FAILED.**

Jeff Strabone: Minutes will have to be reviewed in the next meeting.

Glenn Kelly: Most of the people here tonight are new members and were not at the last meeting.

Jeff Strabone: Were the motions reflected in these minutes presented to the Community Board?

Glenn Kelly: Yes, months ago.

Jeff Strabone: Motion to Vote Again on Approval of the Minutes.

**VOTE: 10.....APPROVE 0.....NAYS 0.....ABSTENTIONS**

**MOTION PASSED**

There being no further business to come before the committee, the meeting was adjourned.

The minutes were submitted by Robert Reilly.