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August 29, 2014

Community Planning Board 11 Manhattan  
Mathew Washington, Chairperson  
1664 Park Avenue- Ground floor  
NY, NY 1029

Re: East River Plaza Residential Development Expansion Proposal Objection

Dear esteemed members and friends of Community Planning Board 11-

This has been a most interesting summer for Spanish Harlem and I welcome the members reconvening at CB11 to invest some additional time protecting the public's interest on the Forest City Ratner/ Blumenfield Development Group proposed expansion plans for their mega commercial complex along El Barrio's East River above 116<sup>th</sup> Street. These outside interests are banking to turn East Harlem into a luxurious compound that will certainly displace our current low and moderate income household neighbors.

Enclosed is the preliminary submission second page made to the City Planning Commission in April 10, 2014 that clearly states that these developers are requesting seven (7) amendments to four zoning changes that may allow the construction of three exceptionally tall 50 story towers. This official document clearly states that the project is not "As of Right" as they have announced in their general meetings at Hunter Social Work School of July 9<sup>th</sup>, 2014 and subsequent informal gatherings between property owners (July 28, 2014) and gardeners (August 17, 2014) - all meetings that I have attended. In each session the term "As of Right" has been mentioned. Why do they declare their desires "As of Right"?

They continue to deceive the public by promoting their idea that they already have the right to disrupt the sky exposure plane without the mandatory setback to build upwards to 50 stories high. They continue to deceive not having the required property lot size setbacks to build more than four stories, and they also continue to deceive about having the required parking spaces available for the 1,200 proposed residential units. The additional 1.1 million square foot residential space they propose will command top dollar rents affecting the immediate area of East Harlem by increasing and reestablishing the area market rents used as a baseline for all apartments in Spanish Harlem. This will push our fixed income seniors and poor households out to where?

However, they require CB 11 approval to circumvent the strict zoning requirements to build their desire. Specifically they need: 1.) zoning map amendment to extend C4-4 district to adjacent lots to be incorporated for them to 2.) Amend the text of ZR section 74-743(a) (4) to make special permit provisions in CB11 to allow 3.) Special permit pursuant to modify the open space ratio requirement to permit widening 4.) A modification to applicable yard, court and height setback requirements allowing these three 50 story towers by changing 5.) The

city map to modify the Public Assess Easement area of the East 118<sup>th</sup> Street complex entry vestibule area for the proposed 4,000 new people that will be coming in and out of this luxurious residential planned urban development. Lastly, 6.) Required parking regulatory changes thru provisions are also being requested for the city building requirement for the additional automobile these residents own, exacerbating high emission levels of poisonous exhausts to our asthmatic children and elders. One of the largest concentration in the City of New York. Not to mention the entire North and South street parking that their project will require on E 118<sup>th</sup> Street in order to comply with widen street access to their project east of Pleasant Avenue. So effectively they now request approval to circumvent the required 50% parking on site requirement for 600 automobiles, by submitting that the available commercial parking garage that they own on E 116<sup>th</sup> Street can be used instead. Instead? The E 116<sup>th</sup> St parking garage is a requirement by special permit for their commercial enterprise that was mandated by the NY City Planning Commission back in 1999- for which they have received \$ 65 million dollars in public monies low interest financing to be able to build their commercial footprint in the first place- a footprint that receives a 92% discount in their annual commercial real estate tax.

Ladies and gentleman of El Barrio, of Community Board 11 and of the City of New York- I am confused by the immensity of the Tiago Holdings, Blumenfeld Development Group and the Forest City Ratner triumvirate's absolute gall to submit this expansion proposal to a low density portion of Pleasant Avenue that will surely be overwhelmed by the residential towers requesting all these special considerations. What are they willing to provide the East Harlem community? Absolutely nothing it seems but a death sentence to Spanish Harlem by the exclusionary displacement this project will create by increasing the market rent levels 100% and more. Their March 17<sup>th</sup>, 2009 agreement with CB11- Board Chair Robert Rodriguez, LaShawn Henry and Derrick Taitt has basically gone unsatisfied. Who is answerable to that important element that was attached to their primary special consideration approval from CB 11? How can we give these developers any additional special considerations while our earlier concerns have all gone unattended? Kindly have a special CB11 team investigate that element with current residents by setting up a special committee with community residents.

BDG has announced that they are amenable to providing 250 apts. to city defined households earning less than \$85,000 annually. Heck, the \$65 million they received earlier from Federal, State and City public Enterprise Zone funds provided for their required parking as part of their complicated low interest finance loans could have created 650 low income housing units back in 1999. Who are they kidding? And more importantly- kindly report any portion if any of their proposal that is "As of Right".

I call for the immediate reassessment of this expansion proposal to the community with the concerns that are shared by the neighbors, families and friends of El Barrio until a sufficient response is received from the Tiago Holdings, Blumenfeld Development Group and the Forest City Ratner team. Is that too much to ask? Certainly not, considering the due diligence we are entrusted with on behalf of the residents of CB11.

Yours truly,

Roger Hernandez,  
Citywide Affordable Housing Advocate

cc: Land Use Committee CB11  
NYC Councilmember Melissa Mark Viverito, Spanish Harlem  
NYS Assembly member Robert Rodriguez, Spanish Harlem  
Mayor Bill DiBlasio, City of New York

Honorable Keith Wright, NYC Council Housing Committee Chairperson  
NYS Senator Jose Serrano  
El Barrio Unite  
NERVE, Inc.  
Picture the Homeless  
Real Affordability for All Coalition  
Adam Wolf  
Edith Hsu- Chen  
Beverly Tallavera  
Edwin Marshall  
East Harlem Preservation