

Visions Clash at Meeting on Environmental Review for East Harlem Rezoning

By Abigail Savitch-Lew | December 16, 2016



Adi Talwar

Protesters at a December 15, 2016 hearing on the scope of the environmental review to be done ahead of a proposed East Harlem rezoning.

The city's rezoning proposal for East Harlem has become a fiercely debated topic among residents, and so it was no surprise that a diversity of conflicting viewpoints emerged at a hearing held Thursday night on the plan's draft scope of work.

That document details the proposed rezoning and outlines what will be analyzed in a forthcoming Environmental Impact Statement (EIS), which the city must complete before beginning the public review process that leads to an approval, or disapproval, of a land use change.

The Department of City Planning says its rezoning plan for East Harlem closely mirrors the East Harlem Neighborhood Plan produced by Speaker of City Council Melissa Mark-Viverito and a steering committee of East Harlem neighborhood organizations released last February, and takes into account other residents' concerns about affordability. But some residents, including people affiliated with the Speaker's planning effort and others who aren't, have already protested that the city's plan would create widespread displacement.

At the hearing, about a dozen members of Mark-Viverito's steering committee called on the city to make its plan more closely resemble their own. **See video from the meeting [here](#).**

About another dozen people affiliated with Community Voices Heard, also a member of the steering committee, voiced their organization's supplementary demands. They called for \$200 million to address NYCHA maintenance issues and that the city ensure 30 percent of the total housing generated by a rezoning be affordable to families making less than \$23,000. They also want 40 percent of housing on public land made affordable to that income bracket. In contrast, the speaker's plan called for 50 percent of the total housing to be rent-restricted and 20 percent of those restricted units to be affordable to families earning below in that income bracket—or 10 percent of total units.

One CVH member, however, said that as an individual she thought CVH should be demanding more. And six other speakers—backed by an additional 16 or 17 protesting residents—said they rejected a rezoning altogether, saying it would lead to displacement. They called on the city to instead focus funds on preserving existing affordable housing.

Of course, one can't really evaluate community sentiment based on who showed up for a meeting—especially on such a cold night. Some might argue that those who know about the rezoning proposal at all are biased to show more support for it because they were participants in the East Harlem Neighborhood Planning process.

And not everyone, of course, fit neatly into these categories. There were also labor union members calling for good jobs and local hiring, a block association voicing its support for the “economic vitality” a rezoning would bring, and a local developer who preferred the broader rezoning parameters in the East Harlem Neighborhood Plan, which extended all the way down to 96th street in the Upper East Side. He said that extending the rezoning parameters farther south would create more opportunities for development and further racial integration by requiring affordable housing in an upper-income area—an argument that the steering committee, as well as advocates at Pratt and the Urban Justice Center, are making as well.

Here are a few more of our major takeaways from last night.

Displacement numbers clarified

The city's draft scope refers to two types of displacement: “direct displacement,” caused by redevelopment or demolition of an existing building, and “secondary displacement” caused by rising rents.

In November, New York YIMBY and others reported that, according to the draft scope, the East Harlem rezoning plan was projected to directly displace more than 500 people, the threshold for a required detailed analysis of direct displacement under the laws governing the environmental

review process. None of the other proposed de Blasio rezonings have met that threshold, though critics say the city's methods underestimate the number of residents who could be displaced by demolitions. The draft scope indicated the city would also undertake a study of secondary displacement.

At the hearing, however, a consultant to the city clarified that the scope had contained an error that is now corrected, and that direct displacement would be less than 500 residents, and not require a detailed analysis. When an audience member asked how many residents were projected to be directly displaced, a DCP staff person said that all questions could be answered by DCP staff in the hallway—an answer that irritated another audience member, who said that information should be answered publicly.

In fact, as is usually the case during the environmental review process, that information will first be disclosed in the forthcoming EIS.

Steering committee accepts some changes, rejects others

Speaking on behalf of the East Harlem Neighborhood Plan steering committee, Jameson Mitchell of Civitas outlined the body's formal response to the city's rezoning plan. In particular, the steering committee took issue with the larger increase in density proposed by DCP for 3rd and Park Avenues.

“The steering committee will not consider greater density absent other commitments and a clear preservation strategy as well as additional resources to be made available for more and deeper levels of affordability on East Harlem's publicly owned sites” as well as resources to relocate those directly

displaced by redevelopment, he said. He added, however, that the steering committee was willing to accept greater densities than it had originally proposed for the transit-hubs by the 125th Street Metro North station and along 116th Street, so long as development was “equitable” and included changes to the subway layout on 116th Street.

The steering committee also asked for a variety of measures aimed at ensuring the city’s EIS adequately accounted for the potential for displacement, and requested the city consider whether there are more development opportunities on public land for 100 percent affordable housing. It also called on the city to ensure local hiring, and engage with NYCHA residents on the city’s proposal to rezone NYCHA’s bordering streets to encourage commercial activity. Other individuals affiliated with the steering committee called on the city to incorporate other portions of the East Harlem Neighborhood Plan, including their recommendations on schools, day care and small businesses.

Mark-Viverito testified in support of the steering committee’s conclusions and praised the work that residents and organizations had invested into the East Harlem Neighborhood Plan. “It is important for the community to see reasonable progress on the advancement of a broad set of commitments,” she advised DCP.

Rezoning seen as discriminatory to Black, Latino, poor residents

Others spoke out against a rezoning altogether, saying that they had already witnessed how Bloomberg-era rezonings—from the 2003 rezoning of East Harlem to the 2005 rezoning of Williamsburg—had been followed by massive displacement of low-income people of color. Roger Henderson, the founder

of El Barrio Unite, noted that between 2000 and 2013, East Harlem lost 20 percent of its Black and Latino residents, according to a recent report by the Regional Plan Association. He also argued that de Blasio's new mandatory inclusionary housing program would not mitigate displacement because most of the below-market units were still not affordable to East Harlem residents.

According to data provided by the Association for Neighborhood and Housing Development (ANHD) about 52 percent of East Harlem residents make less than 40 percent of the Area Median Income or about \$33,000 for a family of three, the lowest income tier served by the mayor's mandatory inclusionary housing program. City officials, however, say that the program requires a "baseline" of affordability, but that deeper affordability can be achieved with subsidies, though it is unclear how much city subsidy will be directed to East Harlem.

As some of the appeals became impassioned, DCP could be seen struggling to strike a balance between maintaining their rules for conducting meetings and demonstrating receptivity to constituents' feedback. When resident Pilar DeJesus's condemnation of a rezoning exceeded the time limit, for instance, DCP cut sound from her mike, eliciting boos from the audience.

DCP took a different approach at the end of the evening. After waiting several minutes before determining the last resident who had signed up to speak was not present, DCP closed the hearing at 8:05 pm. Just as DCP's staff were beginning to descend the stage, about twenty members of the tenant-lead organization Movement for Justice in El Barrio arrived to testify, carrying children and infants and still bundled up

against the cold. DCP agreed to reconvene the hearing, and the agency's staff returned to the stage.

“We are unconditionally against the mayor’s rezoning plan,” said Ruben F., a member of the organization, through a translator. “We also don’t want trees or parks in exchange for his luxury housing plan...You say that it’s a, quote, ‘affordable’ housing plan but we know it’s not, because the great majority of the units will be designated for rich people.”

The group also lambasted DCP for rejecting their ten-point plan, which another member of the group said recommends independent oversight of the Department of Housing, Preservation, and Development (HPD), an improvement of HPD’s operations to ensure housing violations are responded to immediately, and other reforms. DCP recently wrote the group explaining that HPD is already ramping up its code enforcement efforts and is addressing the group’s concerns with existing programs, a spokesperson told City Limits.

But the group got the last word at the hearing, and they were still chanting “El Barrio United Will Never Be Defeated” in Spanish as the rest of the audience left for home.

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The draft scope of work can be viewed [here](#), and written comments on the scope can be e-mailed to eastharlem@planning.nyc.gov or mailed to Environmental Assessment and Review Division, Department of City Planning, Attn: Robert Dobruskin, 120 Broadway 31st Floor, New York, NY 10271 until Wednesday, January 4th at 5 pm.