INSTRUCTIONS
1. Return this completed form with any attachments to the Calendar Information Office, City Planning Commission, Room 2E at the above address.
2. Send one copy with any attachments to the applicant's representatives as indicated on the Notice of Certification.

APPLICATION
237 MAPLE STREET – 170316 PCK

In the matter of the application submitted by the New York City Department of Parks and Recreation (NYC Parks), pursuant to Section 197-c of the New York City Charter, seeking the acquisition and site selection of a 6,000 square-foot property located in the Prospect-Lefferts Gardens neighborhood of Brooklyn Community District 9 (CD 9). Such actions would facilitate the continued use of this property as a passive open space and community garden.

BROOKLYN COMMUNITY DISTRICT NO. 9
BOROUGH OF BROOKLYN

RECOMMENDATION

☐ APPROVE
☐ APPROVE WITH MODIFICATIONS/CONDITIONS
☐ DISAPPROVE
☐ DISAPPROVE WITH MODIFICATIONS/CONDITIONS

SEE ATTACHED

[Signature]
BROOKLYN BOROUGH PRESIDENT

May 24, 2017
DATE
RECOMMENDATION FOR: 237 MAPLE STREET – 170316 PCK

The application submitted by the New York City Department of Parks and Recreation (NYC Parks) and co-applicant New York City Department of Citywide Administrative Services (DCAS), pursuant to Section 197-c of the New York City Charter, seeks the acquisition and site selection of a 6,000 square-foot property located in the Prospect-Lefferts Gardens neighborhood of Brooklyn Community District 9 (CD 9). Such actions would facilitate the continued use of this property as a passive open space and community garden.

On May 3, 2017, Brooklyn Borough President Eric L. Adams held a public hearing on this item. There were five speakers in support of this item, all representing the Maple Street Community Garden. Speakers spoke to the positive impact this space has had on bringing their diverse community together as a meeting place, described the communal participation toward composting and gardening, and their hope for expanding educational and recreational programming for neighborhood youth.

The representative for NYC Parks noted that having the property in its jurisdiction would be consistent with City policy to provide city residents with improved access to parkland. This site would bring approximately 3,000 New Yorkers within preferable walking distance to a park property.

In response to Borough President Adams’ inquiry to clarify the effective date of formal community garden status, the representative for NYC Parks stated that while the agency is still working out the details, it is anticipated that acquisition of the property would occur sometime in the spring of 2018, at which point the gardeners could be licensed immediately.

In response to Borough President Adams’ inquiry to clarify why, in this particular case, there is not also an application to map the property as a park, the representative stated that the property is site selected in order to allow for continued community garden use. A community garden does not fall under the legal definition for park purpose, and if the property was mapped as a park, the community garden could not continue to operate.

Deputy Borough President Reyna expressed gratitude to the garden organization for its efforts to date and looked forward.

Consideration
CB 9 approved this application without conditions.

The site is located at 237 Maple Street, midblock between Rogers and Nostrand avenues. It had been vacant since the demolition of an unsafe building, which was damaged in a fire and demolished by the New York City Department of Housing Preservation and Development (HPD) in 1997. The lot sat vacant between 1997 and 2013, when neighborhood residents raised funds and worked to transform the lot, by removing debris, into a community space containing a landscaped passive open space with seating, a communal garden, and a composting facility.

The passive open space, enhanced by three trees, including an established willow tree, is generally located in the western portion of the site. The remainder of the lot is used as the communal garden, improved with 12 wooden raised gardening beds used to grow fresh produce; a small one-story storage shed building housing the gardening tools, and the composting section, which is managed through three newly-constructed compost bins.
Upon acquisition of the property by the City, improvements undertaken by NYC Parks would occur based on community consultation with NYC Parks. It would install new fencing, with a gate location determined through the consultation process, signage, as well as make minor improvements to the site’s passive open space area. The sidewalk in front of the lot will be repaired. No additional structures are planned to be built on site.

A portion of the site would be licensed, maintained, and used as a GreenThumb community garden, while another part of the space would be designated and maintained as a public open space for passive recreation. Approximately one-half to one-third of the site will be used for garden purposes; the final dimensions of the garden space will be determined after the acquisition of the property by the City. In cooperation with the NYC Parks Brooklyn borough maintenance staff, the site will be maintained mostly by existing community members invested in the passive open space and garden uses on-site. The hours of the open space will be according to standard parks hours, from 6:00 AM to 30 minutes after sunset.

Borough President Adams acknowledges that Prospect-Lefferts Gardens is underserved in terms of open space per capita. Part or all of approximately a dozen blocks within this neighborhood are farther than a five-minute walk from a small park or playground and a 10-minute walk from a large park or recreation field. Site acquisition of this property for continued use as passive open space and community garden would be in alignment with Mayor Bill de Blasio’s OneNYC: The Plan for a Strong and Just City’s commitment to bring 85 percent of New Yorkers within a walk to a park by 2030.

Borough President Adams believes that formalizing the community garden use in this location is appropriate given its land use make-up consisting of single-family detached and mostly low-rise multi-family residential apartment units with building height of two- to four-stories, as well as mixed-used commercial and residential buildings immediately to the west of the site with a building height of three stories fronting Rogers Avenue. In addition, Borough President Adams believes that community gardens serve as influential community spaces to bring older and newer residents together in common purpose.

Borough President Adams supports the acquisition and site selection action as it would add 6,000 square feet of open space and improve the availability of open space for the residents of this area of Brooklyn. It would bring approximately 3,000 New Yorkers within a five-minute walk to a park and add greatly needed new public open space for community residents. Its acquisition would facilitate the continued use of this passive open space, community garden, and composting operation. The anticipated licensing agreement would enable improvements to the spaces, as well as enhancements of community programming. Should this application ultimately be approved, Borough President Adams has allocated $750,000 of his Fiscal Year 2017 (FY17) Capital Budget to provide the opportunity to acquire this property for such use.

Borough President Adams recognizes that the ownership of the parcel is currently being reviewed by Honorable Mark Partnow of the Kings County Supreme Court, though completion of this process should have no bearing toward the timing of the implementation of site acquisition. At the time the City takes possession, appropriate acquisition funds would be set aside to be received by the party deemed the rightful owner through the court proceedings. A prolonged acquisition process has the potential to negatively impact the community. Therefore, he endorses for the City’s priority to include the earliest possible effective date of the license agreement with the Maple Street Community Garden organization as a means of allowing it to take on its envisioned community programming. Additional priority should include the implementation of the intended improvements envisioned by NYC Parks, which are dependent on City ownership. Prompt acquisition would shelter the taxpayers’ unnecessary cost escalation risk associated with the ongoing real estate
market trends for this section of Brooklyn. Delaying the transfer of the property would otherwise be an added burden to the taxpayers, as the value of land could be based on a date subsequent to the finalization of the associated court proceedings. In addition, prompt acquisition assures the capital budget support for property acquisition from the current elected officials is available, as such funding is not binding on successor elected officials. Therefore, once the site selection process is successfully completed, Borough President Adams urges all involved City agencies to fulfill their role to achieve acquisition of the property in a timely manner.

**Recommendation**
Be it resolved that the Brooklyn borough president, pursuant to sections 197-c of the New York City Charter, recommends that the City Planning Commission (CPC) and the City Council approve this application.

Be it further resolved that following site selection approval, all involved City agencies shall fulfill their role to achieve acquisition of the property in a timely manner.