



THE ASSEMBLY  
STATE OF NEW YORK  
ALBANY

LINDA B. ROSENTHAL  
Assemblymember 67<sup>th</sup> District

April 23, 2013

Dennis Walcott  
Chancellor  
New York City Department of Education  
52 Chambers Street  
New York, NY 10007

Lorraine Grillo  
President & Chief Executive Officer  
New York City School Construction Authority  
30-30 Thompson Avenue  
Long Island City, NY 11101

Jennifer Maldonado  
Executive Director  
New York City Educational Construction Fund  
30-30 Thompson Avenue, 4th Floor  
Long Island City, NY 11101

Dear Chancellor Walcott, Ms. Grillo and Ms. Maldonado:

I am writing once again regarding the potential demolition and redevelopment of P.S. 199 and/or P.S. 191 in my district in Manhattan.

As you are well aware, I, along with other area elected officials, parents and concerned residents have written to you previously expressing deep concern with the proposed development and with the New York City Department of Education's (DOE) secretive approach to the entire process. After the Request for Expressions of Interest (RFEI) was discovered by a parent—rather than publicly announced by the DOE—the first step should have been the creation of an open and public process so that community concerns could not only be heard, but incorporated into any DOE plans.

The community has expressed alarm at the proposed development plans, and the paucity of details from the DOE about the timeline and the means for public input has increased confusion and trepidation among residents. Parents received just one limited presentation from Jamie Smarr, former Executive Director of the Educational Construction Fund, during his last week on the job and months after the RFEI was discovered with no word even on which developers responded. It has been more than three months since the RFEI was closed, and yet the DOE has so far given no indication of how or whether it will solicit and incorporate community feedback into its decision process. The level and intensity of public outcry after the revelation that the DOE had released the RFEI without informing the public speaks not only to the controversial nature of giving away public land to private developers in an already over-developed

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community, but also to the community's frustration with a DOE that has consistently shown a blatant disregard for public input and public process.

The community deserves clear information now, and I therefore request written answers to the following questions:

1. What is the DOE's anticipated timeline for making a decision on the RFEI and issuing a Request for Proposals?
2. How many developers responded to the RFEI for each of the three sites? Which developers responded to RFEI?
3. Is the DOE considering developing on one of these sites or both of these sites?
4. When will the DOE make a determination on whether to pursue development at these sites?
5. Will the DOE engage parents with an open and public process throughout the development of any plans for the schools, starting with a forum devoted specifically to the RFEI before a decision is made, so that parent and community concerns can be considered before DOE decides whether or not to pursue development?
6. If a site is chosen for development, will the DOE guarantee that the school's temporary relocation site be located within the school's zone or catchment area?
7. Have the developers who responded to the RFEI identified potential relocation sites for the schools? If so, which sites were identified?
8. If a site is chosen for development, will the DOE commit to a binding public process, such as the Uniform Land Use Review Procedure (ULURP), for the entirety of the development, rather than solely the portion of the development which requires a special permit?
9. If a site is chosen for development, will DOE require that any residential development on the site be fully or majority permanent affordable housing, rather than the bare minimum of 20% of apartments as required for City and State financial incentives?

I look forward to your response.

Sincerely,



Linda B. Rosenthal  
Member of Assembly – 67 AD



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Assemblymember 67<sup>th</sup> District

March 5, 2013

Dennis Walcott  
Chancellor  
New York City Department of Education  
52 Chambers Street  
New York, NY 10007

Dear Chancellor Walcott:

I am writing regarding proposed development in my district in Manhattan at P.S. 199 and P.S. 191.

Like many parents and neighbors, I was outraged when I learned that the New York City Department of Education (DOE) began looking for developers to potentially demolish and build on the sites of Manhattan's P.S. 199 and/or P.S. 191 without first consulting the community. Only after a parent found a Request for Expressions of Interest (RFEI) for developers in a November 2012 issue of Crain's did DOE even acknowledge it was considering development.

DOE and the New York City Educational Construction Fund (ECF) not only failed to notify any stakeholders before publishing the RFEI, but then waited nearly three months after its publication to present the potential development to the Parents Associations of the schools and to the Community Education Council (CEC). Countless numbers of constituents have contacted me since learning about the proposed development with serious concerns about the strain that runaway development has already placed on City infrastructure, the impacts of ongoing construction near both schools on neighbors' quality of life and many questions about plans for the displaced students' education. It is unfortunate, although not shocking, that DOE and ECF decided not to solicit input before putting forward a proposal in the RFEI which includes 420-foot tall buildings in all versions of the potential development at either site. These residential towers will only add to the ever-growing demand for school seats even as DOE says it will expand the schools.

By attempting to hide its plans from the community and waiting so long to present the proposed development, the DOE has created an antagonistic process and deceitful atmosphere from the start. While ECF's Executive Director, Jamie Smarr, expressed DOE and ECF's intention to pursue a special permit through the Uniform Land Use Review Procedure (ULURP) if a developer is chosen, there was no commitment to a similar public process if DOE opts to build within what the zoning for the buildings allows. This would essentially mean that the only way for the community to have an opportunity to express its concerns through a public process would be if DOE and ECF decide to obtain a zoning waiver to build a larger building, even though one of the primary concerns of my constituents is the impact of the proposed development, which is only exacerbated the larger it gets.

From the DOE to the New York City Housing Authority, there has been a disturbing trend of putting public land up for grabs by private developers without discerning if this is in the best interest of the community. A presentation to the CEC is a good start, even if it was by someone who left his

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position with ECF the same week, but DOE must commit not only to a public process whether the special permit or the as-of-right scheme is chosen, but also to ensuring that no development will move forward until the concerns of the parents and of the community at large have been addressed. I strongly urge DOE to be far more open and transparent about this process than it has been in the past, and I will vigilantly work to ensure that any final proposal is fully inclusive of community needs. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script that reads "Linda Rosenthal". The signature is written in black ink and is positioned below the word "Sincerely,".

Linda B. Rosenthal  
Member of Assembly – 67 AD