

Flatbush Avenue Burial Ground Remembrance and Redevelopment

May 22nd 2021 - Public Workshop #2

During the meeting, the attendees raised the following questions through the Zoom CHAT function. The answers are a summary of what was shared through discussion by the City Team. These are in-person responses that are for informational purposes only and are not written in any particular order.

Process Questions (mostly responded to in chat)

Q: How are the community comments on this project going to be incorporated and how will they be made public? Will the community have a chance to comment on the final report?

The recommendations from this workshop and the Task Force will be summarized into a community visioning report and published for public review. This report will also inform the development of the Request for Proposals (RFP) document and later, the evaluation of RFP submissions. Development team submissions will be evaluated, in part, based on whether their proposed plan meets the community goals and priorities conveyed in the community visioning report.

Q: When HPD sent out the RFQ, did you consider a mandatory partnership requirement component that would create capacity building opportunities for M/WBE certified and/or identified companies and community-based organizations that can add on-the-ground community engagement work?

HPD requires that an M/WBE or non-profit partner holds a minimum of 25 percent ownership stake in any affordable housing project awarded for development on public land.

Q: A new banner at the site's corner adds the word "Lenape", which sounds like it might be Native American (Indigenous American) in origin?

That's right, the Bedford-Church site occupies land originally inhabited by Lenape Native Americans. You can learn more about the site's history, including the indigenous populations that were present in the area ahead of Dutch settlement, on the project website here: <https://fabgtaskforce.nyc/site-history>.

Q: Attendees of the first workshop questioned building on the site at all. How are those comments going to be summarized?

We value the varying opinions felt by the public in response to this project, and recognize that some community members do not want to see any building on the site. Those sentiments are just as important to an understanding of this community's priorities and will also be reflected in the community visioning report. HPD is hopeful that through meaningful and continual engagement, the eventual project on this site can serve the many critical goals expressed throughout the public engagement by the Flatbush community. This includes increasing affordable housing opportunities in this neighborhood, providing youth programming, and honoring the site's history through concerted memorialization that takes into account the design and different programmatic elements of the project.

Q: When will the recording of this workshop be posted on the website?

Both workshop recordings are now available at <https://fabgtaskforce.nyc/get-involved>. The direct YouTube link is <https://www.youtube.com/watch?v=zVcCi-hFVag>

Q: Will the public be able to view all of the publicly given input on the project beyond just the workshop Q&A's? Or is it collected and then only visible to the Task Force?

A community visioning report will be drafted to capture the different opinions expressed in the workshops and the feedback shared through the community questionnaire. The report will be publicly available and the city will present the report through a public meeting. The input from these workshops and the Task Force will be used to inform the development of the Request for Proposals (RFP) document and to evaluate how well submissions thoughtfully address the goals and priorities surfaced through the community engagement.

Q: Could we learn more about how the Task Force members were selected?

Task Force membership was determined in coordination with Borough President Eric Adams and Councilmember Eugene. Task Force members are ambassadors to their local constituencies and are encouraged to share feedback based on their work with local stakeholders.

Q: Will community members have the power to go against the Task Force findings if they are unpopular among the full Flatbush community?

The preliminary recommendations offered by the Task Force and the feedback gathered through these workshops and questionnaire are both critical to understanding the best path forward for this project. The community visioning report will represent all feedback heard through the public engagement process, including those voiced by the Task Force in their meetings and the public through the workshops and community questionnaire. Community members are encouraged to engage with the various feedback platforms to ensure that their opinions on the project and its details are documented. Once this initial phase of community engagement is completed, all feedback provided will be reviewed and incorporated into a community visioning report.

Affordable Housing Q&A

Q: Is the City trying to make parks and other green City-owned spaces into affordable housing?

The City develops affordable housing on vacant and underutilized City-owned sites. Public sites that are mapped parkland and open space cannot be developed with housing or other non-park uses. There is currently one public site nearby where development is underway: the Caton Flats development at 800 Flatbush Avenue, which was not a park or open space site.

Q: What about families that only have one source of income? Are they typically eligible for HPD affordable housing opportunities?

Many households only have one source of income. The examples included in the presentation showed different types of households that might qualify for housing opportunities based on unit size and income level including single-income households which are eligible for HPD affordable housing.

Q: What if AMI was determined by the median income of a Community District instead of using the New York Metro area? That seems like it would be more helpful to create affordable housing.

AMI for the New York Metro area is determined by HUD every year. However, this number is used as a reference point by HPD to understand how best to create affordable housing opportunities based on the options available in a neighborhood. So, while AMI is not determined by the median income of a Community District, the median income of an area informs the household incomes served by a new affordable housing project.

Q: What is being done to ensure that a community preference for housing will be included for the future development at this site? Could homeownership for people of color be explored here?

HPD Marketing Guidelines currently provide a 50% preference for people living in the community district where a new affordable housing project is being developed. When referring to funding, HPD is talking about what type of funding sources are available for the construction and operation of a project. This is a combination of federal funds, City funds and other programs that are combined to ensure that the cost of developing the project is properly funded. Depending on the funding sources, other factors may also determine how community preference is applied and what populations are being served by the project.

In terms of homeownership, programming the affordable housing for this type of housing has not been ruled out. HPD's Open Door program facilitates affordable homeownership for households with moderate incomes (at least \$85,920 for a family of three in 2021). However, preference based on race is not used to determine

tenancy. Doing so would be in violation of the Fair Housing Act which prohibits housing discrimination based on race, religion, national origin, gender, disability, and family status.

Q: Do you know which department we could speak to that is in charge of changing the AMI?

For the federally determined AMI levels, HUD would be the best point of contact. The New York Regional Office's main email box for public comment is NY_Webmanager@hud.gov.

Here is the link to their website: https://www.hud.gov/program_offices/field_policy_mgt/localoffices#NY

Q: Recently an affordable housing building for seniors was created on New York Ave. Unfortunately, none of the community residents were able to obtain housing there. Will there be preference for residents of this community?

The most recent senior housing project developed on New York Ave is the Bishop Philius and Helene Nicholas (BPHN) Senior Residence (1488 New York Avenue). Under HPD's current policy a developer must, during initial rent-up of an HPD financed development, give preference for 50% of the units to applicants who, at the time of application, are residents of the Community District in which the site is located. However, certain state or federally funded projects may prohibit community preference from being used.

As for the project being developed on this site, based on HPD's current policy, community preference will be included here as well.

Q: Have Carbon Reductions/Sustainability strategies and design for the impacts of climate change especially on low-income populations and People of Color been incorporated in these early discussions?

HPD has specific requirements beyond Building Code requirements for new construction. The guidelines (HPD Design Guidelines, which include sustainability guidelines, are here:

<https://www1.nyc.gov/assets/hpd/downloads/pdfs/services/hpd-design-guidelines-for-new-construction.pdf>)

provide a snapshot of HPD's requirements and will also be reflected in the request for proposal criteria.

Development team submissions will be reviewed, in part, by its ability to incorporate sustainable design and programming into their proposal. Depending on the site feasibility and development partner, a project may go beyond the HPD design guidelines and propose designs that include more extensive sustainability components and higher performance building design.

Q: Is there a plan in place for more landlords to accept the state "voucher programs" to assist with the homelessness?

The City and the State have increased resources to combat this type of income discrimination through aggressively investigating and prosecuting landlords and brokers who refuse to rent to tenants who pay rent with housing vouchers and other types of housing assistance. The agency is also continues to look for ways to streamline its internal processes to ensure that landlords and tenants have what is required to lease to households using supplementary income.

Q: What is the income for our community in comparison to the AMI you are looking at as the benchmark?

When taking a closer look at the area median incomes and how they compare to the federal AMI, it is important to notice the differences in the data sources. The federal area median income for family of three persons in the New York metro area for 2021 is \$107,400. The median income in 2018 for CD14 was \$55,569 and for CD17 it was \$52,291. The median incomes are sourced from the US Census American Community Survey which is reported on every 3 and 5 years. In looking to program affordable housing opportunities, HPD uses the federal AMI as a reference point for how deeply affordable units must be to meet the need for more opportunity in a neighborhood.

Q: Can AMI be determined by the median income of a community district? AMI stands for area median income area, can medium income be determined by the median income of a community district to create more affordable housing?

AMI is determined by the federal government for the New York City metro area. When determining what type of housing should be created, we are looking at AMI as a reference point to tell us where different populations

in the community fall along the continuum of incomes served by HPD's financing programs. The May 22nd workshop reviews neighborhood income data to spur further conversations on which populations the community feels should be prioritized for creating new affordable housing opportunities.

Q: Has HPD contacted the national burial ground concerning the memorialization process?

HPD has reached out to colleagues who have worked on the Lower Manhattan Burial Ground. Federal support in planning and implementing memorialization programming for this site has not been ruled out and we look forward to learning more about how we can possibly look to the national burial ground as a model for success.

Q: Could there be a mixed-use space developed here? What are some alternative scenarios that could be explored for developing the site?

The purpose of this engagement series is to establish and understand the priorities that will inform how the mix of uses are programmed for the project. In Workshop 1, we discussed how the memorialization should be prioritized and programmed on the site. In Workshop 2, a portion of the breakout room discussion is focused on which non-residential uses, for youth and the greater community, would best meet the need of the neighborhood. In Workshop 3, we'll discuss more about the site plan and physical design tradeoffs that can be considered in developing the site in the future.

Q: Should the funding for this proposed project be placed in programs such as Section 8 to help residents that are being pushed out?

If this development is programmed for rental housing, families that use supplementary income and vouchers to pay for their rent will be eligible for the future development. It is also important to note that all HPD financed new construction rental developments require that at least 15 percent of the units be set aside for families that are homeless and referred by the Dept of Homeless Services (DHS). Many of these families also use voucher assistance to help pay for their rent.

Q: Are there any preliminary metrics for how this is going and are there check points to see how the partnerships are increasing capacity? If not, where is there expected to be a performance report for outcomes?

We anticipate metrics and performance outcomes will be incorporated in the community visioning report that will come out of the end of the initial public engagement series. We continue to work closely with the members of the Task Force to understand the best approach to increasing knowledge and capacity of this project. Community members should also feel welcomed to make suggestions and bring to the project team's attention, any additional opportunities there might be to raise awareness and build capacity of the project's reach.

Q: Please let us know if there are other locations that HPD will use to develop the community.

At this time, there are two other public sites that are being developed by HPD in Community District 17: 2334 Tilden and 395-397 East 94th Street. The site on Tilden Avenue was included in a design competition to find development solutions that will allow for affordable housing on difficult to develop vacant land. Review for that project is ongoing. The site on East 94th Street will be developed as a new affordable homeownership opportunity by Habitat for Humanity which is continuing to finalize preliminary design.

In terms of privately owned sites developed as of right, some may offer affordable units included in its development depending on whether public funds (in this case, state or federal) are used to finance the project or if mandatory inclusionary housing is implemented in the zoning.

Site History Q&A ([asked and answered in Site History Room](#))

Q: What was able to change the recommendation in the previous report from archaeologists that this site not be developed?

The recommendation from the archaeological consultant has been that the site could potentially yield more human remains and that it should either remain undisturbed or be subjected to further archaeological investigation. The project is an opportunity to fully research and learn about the site's history and its importance to the Flatbush community, in addition to creating opportunities for affordable housing and youth programming. Further discussion on the archaeological consultant's recommendation was given in Workshop 1, which is available on the project website.

Q: Is the presentation from Workshop #1 available to us online?

Yes, the presentation from May 5th, which was given by Faline Schneiderman, an archaeologist at Historical Perspectives, Inc. (HPI), is available on the project website.

Q: What if, when constructions begin, remains are found throughout the site? Is there an action plan?

Since there may be additional human remains discovered on the site, steps must be taken to ensure that they will be appropriately identified and protected. Before development of any type can happen on the site, more archaeology will be required and would be overseen by the New York City Landmarks Preservation Commission. Should State or Federal funding be used to develop the site, additional governmental oversight could be expected as well.

The first step in developing the site's future is creating an archaeological fieldwork protocol that will be approved by the Landmarks Preservation Commission. That protocol includes procedures for future testing work at the site, sensitive excavation and sensitive handling of any human remains that might be found and will include recommendations about the notification requirements should anything be found, appropriate ceremonial events, whether DNA analysis and additional studies should be completed, and the location for future reburial which will be informed by the public engagement process and the Task Force Report. If human remains are discovered, all construction work is paused, LPC is notified to enforce the recommendations described above included in the fieldwork protocol, and additional laws and regulations that involve the Office of the Chief Medical Examiner, and the Department of Health are undertaken to determine how to proceed with developing the site.

Q: Why do we have to wait for five years until construction starts before we can start an archeological study on site? Why can't it start earlier?

We need to understand, to the fullest extent possible, what is being proposed and the feasibility of those plans before embarking on archaeological work. Specifically, construction plans need to be finalized to understand what portions of the site will require excavation versus which portions should remain undisturbed.

Q: In terms of the future archaeological study, what are the next steps in the process and how can the public be involved?

The research being conducted by Historical Perspectives (HPI) is concluding this summer and will result in a report that will be shared on the project website and through the NYC Landmarks Preservation Commission's website. This report will include a comprehensive review of HPI's findings. Additionally, HPI is recommending that there be ongoing research because some information was not accessible due to COVID and because there is a possibility that unknown records will become available. We welcome community members to continue the research HPI has started and look forward to working alongside community members in expanding knowledge of the history and what we know about those formerly buried here. If community members find additional information, please continue to reach out to the project team at the project email (FABGRR@hpd.nyc.gov) or through the project website's contact form.

Q: The history presentation makes mention of Phyllis Jacobs, sister of Sarah Hicks and a woman named Eve – two women who are believed to have been buried at the former burial ground. How were they identified? Were their names found through records? Is there anything else that you've learned about them?

Historical Perspectives (HPI) will be detailing the kinds of records and other evidence they evaluated in their report. The references to Eve and Phyllis Jacobs were found in two different published secondary sources that

make mention of the Flatbush African Burial Ground. The reference of Eve is sourced from an 1810 obituary from the *Long Island Star*. The obituary details that she was nearly 110 years when she died and reports that she was "...piously interred in the African burying ground of the village of Flatbush..." The paper also reports that Eve was born in the Village of Flatbush and was enslaved by the Voorhes and Ditmas families, who lived in the area at that time. The second source, referring to Phyllis Jacobs, comes from a book published in 1881 called *Historical Sketch of the Zabriskie Homestead* by Peter Lawrence Schenck. In the book, a formerly enslaved woman named Sara Hicks who once lived in the Zabriskie household, located about a block west of the site, was quoted saying that her twin sister, Phyllis Jacobs, died when they were young and was buried at the African burial ground. In the book she recalled that as a youth, she would walk to the burial ground to place cake and flowers at her sister's grave. Photos of these two sources can be reviewed in the site history presentation given at public workshop #1. As part of their research, HPI posted a public notice on Ancestry.com for relatives of anyone buried at the African burial ground in hopes of identifying lineal descendants. At this time, no one has responded to that public notice, but it will remain active to ensure that if lineal descendants are identified, that they become part of this process.

Q: Has the site use designation been finalized? How has the site history influenced the community engagement process and how the future site use was determined?

The designation that the site will be used for future affordable housing and programming for youth services was determined by Councilmember Mathieu Eugene and the Mayor's Office in October 2020. Along with announcing this designation, the Task Force was formed to explore the best methods for community engagement and offer recommendations based on that engagement, including on how to honor and memorialize the site's history. Since the formal announcement that the site would be developed for these specific uses, the site history has remained an essential component of the community feedback we are gathering and will continue to be a critical in how the City will be looking to develop this site for its future uses.

Q: There are some people who are talking about not having anything built on the grounds. Is that a conversation that's being handled in this group as well?

At this time, the plan determined by Councilmember Mathieu Eugene and the Mayor's Office is to have a project that includes affordable housing and youth services programming. However, we acknowledge that some community members feel differently about this site's future. All feedback received, whether in support of the project as currently proposed or otherwise, is valuable feedback. As we continue engagement, it is our hope that this site can meet as many of this community's priorities and goals as possible.

Q: Was the site originally government property? How was it decided that the land would be under the city's jurisdiction?

The site was originally owned by the Dutch Reformed Church of Flatbush. City ownership of the site is dated back to when the site became a school in the 1800s. When the Flatbush School No.1 was built, that site and its surrounds (later built out as the former PS 90 school building) would have been owned by the Village of Flatbush. As time went on and Brooklyn became part of greater New York City in the late 1890s, that ownership would have been transferred to the City.

Q: Is there any way to get a marker on or near the site now? Why do we have to wait five years?

HPD has had preliminary conversations with other agencies to understand what type of markers or other signage can be placed at or near the site now. However, it is important that we continue to build our knowledge of the African burial ground and the site to ensure that future, more permanent memorialization rings true to the site's full history and significance. Doing so will require additional archaeological study. We are requiring additional site investigation to be part of a future development team's work.

Q: Has there ever been an event to explain what's going on here?

The purpose of the three-workshop series is intended to do just that. Additionally, we have organized discussions with groups interested in the project and have had project staff out in the community on a weekly

basis. We understand many are still unaware of the site's history and the plans for future use, however, we hope that we continue to raise awareness through the workshop series, continued public meetings, and equally important, word of mouth in the neighborhood.