

# CARNEGIE HILL neighbors

**Proposed Construction Project is sponsored by:  
The Department of Education (DOE) and the Education Construction Fund (ECF)  
In Partnership with Avalon Bay, a Private Real Estate Developer**



**ECF/Co-op Tech Project including Tower would be visible from The Triboro/RFK Bridge, as seen here.**

**Location:** Project occupies the whole block from 96th to 97th Street and from Second to First Avenue. The tower and vocational school are on Second Avenue; the two high schools are on First Avenue.

## **Important Points to Include in your Letter to Governor Cuomo:**

**A 700-foot building is too tall and out of context for this residential neighborhood.** Pending approval, the City Planning Commission will rezone the block to enable a tower more than three times what is allowed currently. This will be the tallest building north of 60th Street near Midtown Manhattan!

**ECF's (Education Construction Fund) proposed project hinges on developing Public Parkland (The Marx Brothers Playground).** By alienating this parkland, development rights are generated and transferred to Avalon Bay, making possible the construction of this enormous tower. (ECF, a state agency, assists the City's DOE in school construction, especially involving projects with opportunities for private developers.) ECF states the park will be recreated in the middle of the block after construction. Even then it will be inaccessible for four years, and very likely more. But also, the bill reads that it can be returned to anywhere in Manhattan or be restituted through monetary compensation.

**Seizing public parkland for a 1.1 million sq. ft, private development abuses the Public's Trust.** As far as we know, this is ECF's first case of this kind. Over 250 New York City playgrounds are jointly operated (JOPs) by the Department of Education and the Department of Parks and Recreation. All of these sites, your local public school yard included, are put into jeopardy if this precedent is set. The incentive for the City is that the school construction is at no cost to the City and the residential building will include 30 percent affordable housing.

**ECF and Avalon Bay can modify their proposal and still attain their goals.**

Redevelopment of only one school was originally proposed: Co-op Tech Vocational School. The proposed plan has now ballooned to include two additional high schools and (off-site) a Cultural Center as desired by Melissa Mark-Viverito, City Council Speaker, who is in her final term in office.

Three schools can still be renovated and revitalized by placing two at the proposed site and one at the vacated site after relocation. Mark-Viverito's favored project, the Julia de Burgos Latino Cultural Center, could then be constructed and housed in its own building as was her original wish.

**The neighborhood has already suffered too much negative impact of new construction.**

On the heels of the Second Avenue Subway, this multi-stage project will further strain an already displaced population of retailers, residents, students and commuters, attempting to return to their normal daily routine.

**This project's public approval process has been muddied from the start.**

The ECF has flip-flopped on the burden of proof for the alienable rights of this public land to suit the developer's financial gain under the guise of viability of the project. The latest announcement made from their camp is that the parkland will NOT be returned to the public domain, yet another perversion of the Zoning Resolution.

**This project is extremely flawed, and at the most basic level is a miscarriage of the Zoning Resolution as it stands. The varied design and viable alternatives proposed by those opposed to this plan are thoughtfully constructed and merit Governor Cuomo's consideration.**

**Simply put, there is no room in city government for pet projects which harm the public good.**

**Send this letter to Governor Cuomo to oppose this project and legislation**

**(We cannot state a deadline. But letters should go out the week of July24, as early as possible.)**

**By Speaking Up You:**

**Hold our officials accountable**

**Empower the Public Process.**

**Additional points are welcome**

**Short and simple, one or two points per letter is best.**

**Emailing our local City Officials is also effective**

[Matthew.Rubin@exec.ny.gov](mailto:Matthew.Rubin@exec.ny.gov)

Governor's NYC Office

[Seawright@assembly.ny.gov](mailto:Seawright@assembly.ny.gov)

State Assembly Member Rebecca Seawright

[Carolyn@carolynmaloney.com](mailto:Carolyn@carolynmaloney.com)

U.S. Congress Member Carolyn Maloney

[Liz@lizkrueger.com](mailto:Liz@lizkrueger.com)

State Senator Liz Krueger

**Please call, email or stop in to Carnegie Hill Neighbors if you have questions:**

Carnegie Hill Neighbors  
1326 Madison Avenue, gdn lvl.  
New York, N.Y. 10128

tel: 212-996-5520

cell: 917-361-5981

chn@chneighbor.org

[carnegiehillneighbors.org](http://carnegiehillneighbors.org)

**Thank you!**

July 24, 2017

The Honorable Andrew M. Cuomo  
Governor of New York State  
NYS State Capitol Building  
Albany, NY 12224

Re: The Marx Brothers Playground Alienation Bill, S6721  
(Located in the block between 96th & 97th Street, from 2nd to 1st Avenue)

Dear Governor Cuomo,

I oppose the above bill and request that you veto this legislation because:

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

Email (optional): \_\_\_\_\_

CC: State Assembly Member Rebecca Seawright  
1365 First Avenue, New York, NY 10021  
seawright@assembly.state.ny.us

State Senator Liz Krueger  
211 East 43rd Street, Suite 1201, New York, NY 10017  
liz@lizkrueger.com

Carnegie Hill Neighbors  
1326 Madison Avenue, gdn lvl, New York, NY 10128  
chn@chneighbor.org