

In Community Gardens, a New Weed?

Michael Tortorello



Community garden advocates at a rally on Tuesday on the plaza of City Hall. William Alatrisme

The trouble started with an R.F.Q: a “request for qualifications” in the bloodless shorthand of city government. But that’s not quite right. The shot that started the latest skirmish in New York’s never-ending garden wars wasn’t an R.F.Q., but an *addendum* to an R.F.Q.

Community gardeners will tell you it was Addendum No. 1, specifically, that roused more than 150 of them to rally Tuesday morning on the plaza of City Hall. (Lucky for the politicians,

gardeners save their barricades for bunny-proof fencing.)

About that R.F.Q.: On Dec. 12 of last year, the New York City Department of Housing Preservation and Development (H.P.D.) invited developers to submit their credentials to build affordable infill housing on publicly owned lots. Some were designated for small rental projects with 15 to 30 units. Others were slated for multifamily homes or condos and co-ops with up to 14 units.

The movie version of this procedural drama could use a sex scene about now.

Addendum No. 1, released on Jan. 14, identified the 181 vacant lots the agency would consider developing in clusters, most of them in Harlem, and the Brooklyn neighborhoods of Bedford-Stuyvesant, Brownsville and East New York.



“What I’m praying is going to happen is once the mayor sees the need of these gardens, they will be taken off the list,” said Brenda Duchene, who organizes two community gardens in Brownsville. Richard Perry/The New York Times

The H.P.D. lots appeared vacant on city planning maps, at least. A surveyor wouldn't see buildings on them. In actuality, 20 of the potential building sites contain gardens, places with names like Electric Ladybug Garden, Tranquility Farm and Isabahlia.

Organizers in these gardens had signed interim-use agreements brokered by GreenThumb, the city's community-garden support program. While the lots lay empty, residents could put them to neighborhood use: raise vegetables and fruit trees, schedule youth and senior activities, run composting programs and farmers' markets. A few of the targeted gardens just started planting last summer; others have been growing in their neighborhoods for some 30 years.

Eric Bederman, the press secretary for H.P.D., said in a press statement: "We recognize the value temporary gardens add to our neighborhood, which is why there's a process for groups to use H.P.D. lots until we're ready to build affordable housing."

Now, the department asserted, gardeners may have to abide by the "interim" part of their agreements. On demand, they would need to vacate their gardens and make way for new housing.

This is not the first time — or the 100th time, probably — that community gardens have faced the risk of losing their land. GreenThumb counts more than 600 community gardens, and almost all of them started out as vacant city lots. In the beginning, these green spaces generally had few official protections. But then no one else wanted them. It was the community gardens, Ms. McPherson said, that made the city's land worth developing.

The New York City Community Garden Coalition grew out of a thwarted garden sell-off in the late 1990s. In that hullabaloo, Mayor

Rudolph W. Giuliani proposed to auction 115 gardens to the highest bidder, with a mind to cashier the rest.

In the latest wrestling match, Mayor Bill de Blasio won't play the part of the heel. (A hashtag that sprouted from the protest is #dontberudy.)

"I'm a big supporter of our more than 600 community gardens," Mayor de Blasio said. "They contribute to our neighborhoods' fabric and livability. Only 17 sites will even be considered for affordable housing, and we'll take a hard look at whether communities are best served by these gardens staying as they are. We'll make those decisions in partnership with each community."

Aziz Dehkan, the coalition's executive director, seemed to recognize the new landscape. "The mayor has been working to try to make more affordable housing throughout the city, and it's certainly something we absolutely agree on," Mr. Dehkan said. "The membership of New York City Community Garden Coalition: Most of them would qualify for affordable housing."

The problem, he said, involved the site selection and notification. "I have no understanding of how H.P.D. picked them," he said. (The department acknowledged something of a communications breakdown.)

Ena K. McPherson, a community-garden leader in Bed-Stuy, voiced the hopes of the other tillers. "We want our garden to be taken off the list and negotiate an agreement with the city," she said. "We want to be conveyed to Parks Department." GreenThumb gardens that are part of the parks inventory (some 300 gardens) are shielded from development.

What about the license she and the other gardeners sign each year, agreeing to leave H.P.D.'s land without grievance? "Nobody reads the contract," Ms. McPherson said. "It's just paperwork." If you did, she added, you would "realize you just signed your life away."

-

Sandy Nurse, who runs the composting program BK Rot in Bushwick, is at a loss to explain why her community space, El Garden, fell onto the H.P.D. list. "It's not really clear," Ms. Nurse said. "We have not had direct communication. The way we found out about this threat was from Paula Segal from 596 Acres."

So did everyone else, it would seem. The nonprofit that Ms. Segal founded, 596 Acres, maps open city land and advocates for community uses. "We've been preparing for this eventuality," Ms. Segal said. She first spotted the infill housing initiative in a policy footnote last fall and started alerting gardeners about what might be coming.

After Ms. Segal read the list of targeted lots, "We went through our database by block and lot number," she said. It took her a week.

By her count, Housing Preservation and Development holds a total of 1,137 lots in its jurisdiction. Community gardeners are using 99 of these lots — less than 10 percent of the total — in 46 gardens. (Some gardens occupy more than one lot.) The department, using slightly different numbers, counts 50 "interim gardens" on its unbuilt lots, with 20 of them on the developers' list.

Ultimately, Ms. Segal asked, why did H.P.D. choose to list 17 (or 20) community gardens instead of the 750-plus lots with no

gardens at all?

Mr. Dehkan said, “We don’t think H.P.D. did any due diligence on any of the lots they’re trying to build on.”

The department would counter that the city is not sitting on an endless supply of usable empty land. Development and predevelopment plans have already claimed many of the bigger and better H.P.D. lots in its seemingly vast inventory.

The agency maintains that it didn’t randomly cull a list of parcels; rather, it designed a development plan to fit a collection of misfit lots. For acronym and initialism collectors, the new proposals go by the name NIHOP (New Infill Homeownership Opportunities Program) and NCP (Neighborhood Construction Program).

Mr. Bederman, the agency’s press secretary, explained: “These two programs were created to efficiently use smaller, more challenging sites to build housing that is 100 percent affordable in neighborhoods across the city where families from low- to middle-income are being priced out and displaced.”

Shai Lauros, director of community development for Cypress Hills Local Development Corporation, recently got a look at the lot list. Her Brooklyn nonprofit hopes to build through the infill initiative. “They’re the leftover sites,” Ms. Lauros said. “They’re the ones that are harder to develop. That’s why they’re still here.”

Put another way, the city will be selling the lots to developers for \$1.

A developer would need to plow a lot of money into these sites. And the rental income that can be harvested is limited by the low density and the affordability guidelines. The best protection for the

interim gardens may be that the city won't be able to fill the financing gap.

Operating a community garden may not be cheap as dirt, but it's pretty close.

Before the Feb. 19 deadline, Cypress Hills will be submitting an R.F.Q. to build in the East New York clusters. "In East New York, there is a severe need for affordable housing," Ms. Lauros said.

Nonetheless, she added, "We would significantly prefer to not build on a site with a garden." As it happens, Cypress Hills helps support a number of community gardens, four of which sit on H.P.D. land.

"When the R.F.Q. came out," Ms. Lauros said, "the first thought I had was, I hope that's not our community garden."

•

What we may have here is a failure to communicate. And it's not just the folks with the dirt under their nails who feel like they were left out.

Antonio Reynoso, a city councilman representing Bushwick, said, "I didn't get any consultation, actually, which is part of the problem."

Mr. Reynoso is chairman of the sanitation committee, where he advocates for waste-diversion and composting programs. El Garden and BK Rot operate just such a composting program at 120 Jefferson Street, which falls in his district. Paid youth workers collect about two tons of food waste a month from participating homeowners and haul it to the garden by bike.

“Sanitation cares greatly about these sites and H.P.D. obviously doesn’t,” Mr. Reynoso said.

The gardens have unearthed a posse of supporters on the City Council. Robert Cornegy, who serves Bed-Stuy, could lose five gardens in his district. Mr. Cornegy spoke at the City Hall rally to a cheerful crowd of gardeners, which included a couple of sunflower costumes and at least one human carrot.

“I asked that H.P.D. share the objective criteria used to determine which vacant lots were appropriate,” he said (and then released in published remarks.) “Shockingly, they have shared *no* criteria.” (Emphasis his.)

•

Mr. Reynoso sent the mayor and the sanitation commissioner a letter objecting to the possible garden redevelopment. Mostly, he sees H.P.D.’s listing of the community garden lots not as a malicious act but as an administrative oversight. “It’s a number that doesn’t mean much: It’s 17 sites,” he said. “I don’t know why they would want to go to war with community gardens. I don’t see them doing that.”

Brenda Duchene is another subscriber to the blunder hypothesis. This is an act of good will given that two of the gardens she organizes, in Brownsville, could be leveled for new housing.

“What I’m praying is going to happen is once the mayor sees the need of these gardens, they will be taken off the list,” Ms. Duchene said. “I have confidence in him that he wants what we want. He just needs to be brought up to point on what’s going on.”

For her part, Ms. Duchene practically lives in her gardens: Isabahlia and the Green Valley Garden. When she first tried to establish a market in 2011, “We couldn’t get any farmer that wanted to come into Brownsville and supply the residents with fresh fruits and vegetables,” she said.

The solution? “Everything we sell we grow ourselves.” This cornucopia includes 90 pounds of honey and orchard fruits like apples, cherries, peaches and plums. In the fall, a greenhouse continues to grow eggplant, okra and chard.

Ms. Duchene’s sales figures, perhaps \$250 a week in the high season, can appear underwhelming. This is because Ms. Duchene caps the prices at \$1.50 a pound for anything and everything. A bowl of cherry tomatoes costs \$2.

Her neighbors don’t have a lot of cash to spend on food, even when they know it’s organic. “If you come into the neighborhood and you say you’re helping them, you’ve got to literally help them,” Ms. Duchene said.

H.P.D. has its own way to help residents free up money for their food bill, countered Mr. Bederman, the department’s press secretary. Build new housing to lower their rent. That’s what the lots are for.

However righteous the department’s cause, H.P.D. seems to understand that displacing gardeners like Ms. Duchene would be a public relations headache. The work crews roll in with big machines and destroy a treasured green space. And then three years pass before a smiling family moves into a new affordable home.

For now, gardener organizers like John McBride have laminated

and hung children's drawings on the gates of the Electric Ladybug Garden, on 111th Street in Harlem. They've crafted a Change.org petition and beseeched their community planning board for support. Mr. McBride and his neighbors only secured a GreenThumb license a year ago in February, but it's already going to be difficult for H.P.D. to take back the site.

Understanding this dynamic, the New York City Community Garden Coalition expected that a compromise would be struck. Representatives from GreenThumb and H.P.D. met on Jan. 30. And daily conversations have continued about an agreement that would preserve some or all of the 20 gardens.

In an email, Nancy Kohn, executive director of GreenThumb, said, "This process is just beginning, and it's impossible to say if any of the H.P.D. lots containing gardens will be developed." She characterized the collaboration between the city agencies as "incredibly successful." Lots can still be removed — or added — to the H.P.D. list. And not every site will receive feasible building proposals.

Ms. Kohn emphasized that, should it prove necessary, GreenThumb will help gardeners relocate to other open lots in their neighborhood, which could then become preserved. (This is a right under GreenThumb regulations.)

Mr. Dehkan, the community-garden advocate, countered, "If you're going to offer us another lot, why not build on that one?"

Ms. Duchene would prefer not to move. The 20-year-old fruit trees won't relocate under any terms. "We have had the soil tested: We know that it's good," she said. And let's say she were willing to start over. Would neighborhood seniors march 10 blocks away to a bare

piece of dirt?

In a sense, Isabahlia is dedicated to this older generation.

“Isabahlia was my mom, and it was named in memory of her,” Ms. Duchene said. She was the “single mother of eight children,” who transplanted her family from Aruba to New York.

“You’d go to my mom’s house and she always had a big plate of food,” Ms. Duchene said. “She fed the whole neighborhood. She was that kind of woman.”

Alternately, you could say that Isabahlia sounds like the kind of woman who could use some affordable housing.