



# The Park Slope Civic Council Civic News

December 2009 Volume LXXII, No. 4 [www.parkslopeciviccouncil.org](http://www.parkslopeciviccouncil.org)

## Reform Efforts Rebuffed, PSCC Joins Atlantic Yards Lawsuit

The Park Slope Civic Council has joined six other Brooklyn civic groups, all members of the BrooklynSpeaks coalition, in filing suit against the Empire State Development Corporation (ESDC) and Forest City Ratner Companies (FCRC), challenging ESDC's Sept. 17 approval of the Atlantic Yards Modified General Project Plan. The suit charges that the ESDC failed to prepare a mandated Supplementary Environmental Impact Statement and has illegally abrogated its responsibilities and powers as a public agency to a private developer.

State Sen. Velmanette Montgomery, Assemblyman Jim Brennan and City Councilwoman Letitia James joined the suit, filed in the New York State Supreme Court on Nov. 19, as did 14 individuals who live close to the site of the proposed \$4.9 billion project.

The suit comes after years of failed attempts to engage the state and the developer in constructive dialog. It also represents a major change of direction for the Civic Council and its sister organizations, which include the Atlantic Avenue Local Development Corporation, the Brooklyn Heights Association, the Boerum Hill Association, the 5th Avenue Committee, the Pratt Area Community Council and the Prospect Heights Neighborhood Development Council.

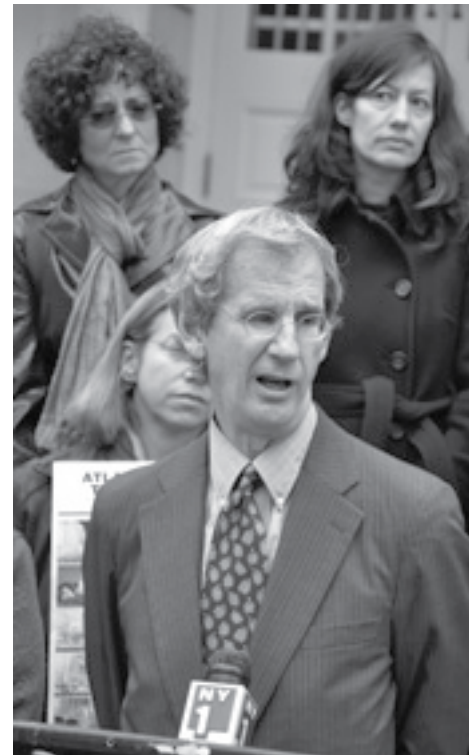
The BrooklynSpeaks coalition was formed in 2006 with the intent of reforming rather

than derailing the Atlantic Yards project, which, as planned, would be one of the largest in New York City history. In particular, the coalition fought for significant and meaningful community involvement in project planning, as mandated by the New York City Charter, arguing that the massive development would have enormous, lasting and potentially negative impact on the surrounding residential neighborhoods. The coalition's efforts were repeatedly rebuffed despite promises to the contrary by ESDC and FCRC. These efforts are described in detail in a supporting affidavit filed with the lawsuit.

PSCC President Ken Freeman said, "It is with a heavy heart that we are forced to admit that, nearly three years later, all our efforts have been in vain. The project has changed significantly for the worse in that time, and our efforts have yielded no concessions.

"The Civic Council has decided to sue to draw attention to the fact that even organizations who tried to work with the developer and the ESDC have been shut out and rejected. Frankly, we have been left with no alternative but to have our day in court in an effort to force improvements to the project."

Assemblyman Brennan, whose office attempted to facilitate communication between BrooklynSpeaks and the state, said he finally concluded that "there has never been any interest in any modification of the project or its governance. The state government,



In a Nov. 19 City Hall press conference, attorney Albert Butzel described the suit filed that morning challenging the state's approval of modified plans for the Atlantic Yards project. PSCC Vice President Lauri Schindler (top left) was among those gathered behind him, along with Prospect Heights Neighborhood Development Council Chair Danae Oratowski (top right) and 5th Avenue Committee Executive Director Michelle de la Uz (partially obscured).

basically acting as the agent of Forest City Ratner, never had any interest in reforming or modifying the project to address any community or public concerns about balancing public good versus private interest.

"With our input, they could have developed a rational project that balanced private and public benefits, but state government has moved lock, stock and barrel with the developer to ignore every rational concern of the local community. We came to the conclusion that there were no options in dealing with the state government other than to sue it. Since it appears that the government and Forest City Ratner are one and the same with respect to this matter, there was no alternative."

Brennan cited the amorphous time frame granted the developer in the Modified General Project Plan and charged that the ESDC is allowing FCRC to "warehouse land in the eminent domain footprint for 20 years or more, while putting off 95 percent of the promised affordable housing in perpetuity."

In a Nov. 19 press conference on the steps of City Hall, attorney Albert Butzel of the Urban Environmental Law Center made similar charges in describing the two aspects of the suit he had filed that morning

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**Melinda Morris** is the co-owner (with her husband, David) of *Lion in the Sun* ([lioninthesunps.com](http://lioninthesunps.com)), a shop on 7<sup>th</sup> Avenue specializing in custom invitations, stationery and fine paper products. Morris is a Civic Council trustee, a member of the executive committee of the Park Slope Chamber of Commerce and one of the creative spirits behind the Buy in Brooklyn campaign ([www.buyinbrooklyn.com](http://www.buyinbrooklyn.com)). We thought she would be a good person to talk to this holiday season about Park Slope's locally owned stores and restaurants.

**Why buy local? What are the advantages to the community? To individual shoppers?**

When you support small, privately owned businesses, you support your neighborhood financially and socially. Local business owners contribute to the local economy through salaries and taxes. Additionally, shop owners often live, shop and pay taxes in the neighborhood where their businesses are located, so they contribute to the local economy in that way, as well.

According to the 3/50 Project, which supports small business, and whose figures are supported by numerous economic studies, "For every \$100 spent in independently owned stores, \$68 returns to the community through taxes, payroll and other expenditures. If you spend that in a national chain, only \$43 stays here. Spend it online and nothing comes home." ([www.the350project.net](http://www.the350project.net))

From a social and community perspective, local shop owners are the ones who really care about maintaining the quality of the neighborhood because we live here, too. We contribute to the schools and local charities and participate in local events in ways the chain stores don't or can't, since everything they do has to go through corporate headquarters.

Also, creative, independently minded businesses add to a neighborhood's character and contribute to its sense of community. Park Slope is a perfect example of the role they play. I love local shops with their personal vision and taste. I am so disappointed when I travel to see how many unique shops with local flavor have been replaced by a homogeneous national corporate culture: "The Malling of America." Everywhere you go, everything is the same. I, for one, don't want to live like that.

**How do things look this year for small shops?**

In my opinion, things are tough out there for everyone, but small shops and restaurants are getting hit especially hard. People have less money and less time, and the lure of big sales and the convenience of the Internet are hard to compete with. It used to be that customers were willing to pay a little more for customer service, but if you can't afford the extra money it's a hard argument to make. It is a struggle to keep up with the overhead of rent, staff and merchandise and still meet the pricing demands of the economy.

None of that is to say that there aren't powerful reasons why people should choose to shop local. The 3/50 Project advocates picking three "brick and mortar" stores and restaurants in your neighborhood that you would miss if they disappeared and try to redirect some part of your regular purchases to them—ideally at least \$50 a month. It's not charity because of the money that comes back to the neighborhood and because small stores really do offer better service



**Mom, Pop and You  
The Win-Win of Buying Local**

and, often, better products at competitive prices. And you're not spending extra money but diverting it from national chains and the Internet to your friends and neighbors.

**Are there things the city could do to make life easier for you and your fellow small-businesspeople? Are there things the city does that make life more difficult?**

Instituting some level of rent stabilization or tax credit for commercial properties would certainly help small businesses stay afloat and encourage new businesses to open.

The two most obvious stresses for small businesses are taxes and rent. This year, New York City raised employment taxes, increased fines and cracked down on every small violation to make up for lost revenue. For example, a law was passed this month to outlaw the use of certain types of security gates to cut down on graffiti. The cost of this upgrade will fall to the business owner. It certainly doesn't make it easier in a tough economy.

**Do you think major retailers and big-box stores get an unfair advantage? The city, for example, gave Forest City Ratner tax breaks and other incentives to build the Atlantic Center and Atlantic Terminal Malls, which are filled with chain stores.**

In my opinion, New York City has encouraged major chains to the detriment of small shop owners, through rents and taxes. The little guys just can't compete. I recognize that we live in a capitalist society and, as a small business owner, I choose to play by those rules. Also, I recognize that many chains started out as small, locally owned stores—look at Starbucks. But when government offers special tax breaks to major developers to build commercial space for national chains, they're the ones who aren't playing by the rules.

**You grew up working in your mother and father's original Lion in the Sun store, in Huntington on Long Island, so you know as well as anyone that running a small business is a hard way to make a living. Are there special satisfactions that come from owning your own business that compensate for the hard work?**

Funny, I wonder about that every day!

I am at heart a community-oriented person. For me, it is being part of the community through my business that is most rewarding. I am in a unique, lucky position in that our business is all about helping people celebrate wonderful milestones in life, big and small, and I love being part of that and being able to help in some way. Our clients are like family. We get to be part of their most joyous occasions, and

See *Buying Local*, page 7

# News & Notes for the Civic Minded

**Where to Recycle What:** PSCC Trustee Candace Woodward compiled this surprisingly comprehensive list, which is still in formation:

**Batteries: J & R Television**, 108 7th Ave.

**CDs/DVDs, VHS/Cassettes and Their Cases: 3R Living**, 276 5th Ave.

**Crayons: 3R Living.**

**Clothing: Wearable Collections**, GreenMarket at Grand Army Plaza, Saturdays 8-4.

**Electronics: Mr. Rubbish Electronics Drop-Off Center**, 88 9th St. (between 2nd Avenue and Smith Street).

**Hand-Held Electronics and Cell Phones: 3R Living.**

**Ink Cartridges: 3R Living.**

**Plastics: Park Slope Food Coop**, 782 Union St. To see which plastics are accepted, go to [www.foodcoop.com](http://www.foodcoop.com).

**Plastic Bags: Key Food**, 130 7th Ave.; **Barnes & Noble**, 267 7th Ave.

**Running Shoes: JackRabbit**, 151 7th Ave.

In addition, the Lower East Side Ecology Center will hold an electronic waste ("e-waste") recycling event on Jan. 17, 10am-4pm, at the 3rd Street entrance to Prospect Park.

**Toys for Tots:** For the 15th year, PSCC is collecting new, unwrapped toys and books for children 10 and under. The toys will be distributed through several neighborhood groups that work with the less fortunate. The boxes stay out until New Years at the following locations: Astoria Federal Savings (both locations); Back to the Land; Citibank; Community Book Store; Little Things; Old First Reformed Church; Orichio Anderson Realty; St. Saviours Church; and Prospect Park YMCA.

## CALENDAR

For details and additional listings, go to [parkslopeciviccouncil.org](http://parkslopeciviccouncil.org).

### PSCC Monthly Meeting

Thursday, Jan. 7, 7pm, New York Methodist Hospital Executive Dining Room

### Mulchfest

January 9 - 10, 10 a.m. - 2 p.m. Bring your holiday tree (stripped of decorations) to Prospect Park, where it will be turned into mulch for healthy ground cover. You can take mulch home with you. Two locations: 3<sup>rd</sup> Street and Prospect Park West and the Park Circle entrance at Prospect Park Southwest and Parkside Avenues.

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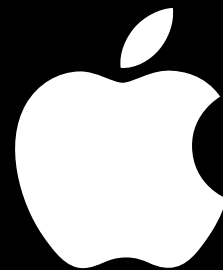
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# Park Slope's 'Mother Hospital of Methodism'

On Dec. 16, 1887, a headline in the *New York Times* touted, "For the Care of the Sick, A New and Splendid Brooklyn Hospital Dedicated." With its opening ceremonies the day before and its admission of its first patient on Dec. 19, the Methodist Episcopal Hospital became the first of 78 Methodist Church-affiliated hospitals, giving it the nickname "Mother Hospital of Methodism."

In its first year, the hospital's house staff of three doctors was supported by two attending surgeons and physicians, two consulting physicians and surgeons, four assistants, and one pathologist, along with a handful of interns. The *Times* gave credit to George I. Seney for the hospital's founding, and noted that the "Methodist Episcopal Hospital in the City of Brooklyn" proposes to call itself "The Methodist General Hospital."

George Ingraham Seney was born in Astoria, Queens, where his father was a leading Methodist clergyman. Seney became a prominent Brooklyn banker. At his death, in 1893, the *Times* reported that he "was well known throughout the country, not only because of his extensive charitable and other gifts, but also for gigantic railroad enterprises." According to the newspaper, recipients of his largesse included Wesleyan University and Emory College, the Long Island (now Brooklyn) Historical Library Fund (\$100,000), the Industrial School for Homeless Children, Brooklyn (\$25,000), the Brooklyn Eye and Ear Infirmary (\$25,000), the Brooklyn Library (\$62,000) and "the Seney Hospital in Brooklyn" (\$500,000).

Though the name Seney Hospital also appears on several post cards from 1905-1911, the hospital never officially took that name. According to the *Brooklyn Eagle*, "Mr. Seney has persistently refused to allow his name connected with the title, and the great gift which he gave was not presented in his honor, but in memory of his father, a clergyman of the Methodist Episcopal Church, and his saintly mother."

Seney, at the least, would have to share credit for the hospital with the Rev. Dr. James Monroe Buckley. Buckley was pastor of the Hanson Place Methodist Church and editor of the Methodist Episcopal periodical the *Christian Advocate*. The idea for the hospital came to Buckley when the organist at his church was badly injured in an accident involving runaway horses. The injured man waited on the street for an hour before being taken to what Buckley described as an "unhomelike institution," where he died from lack of medical care.

Recalling that incident, and noting Brooklyn's growing population, Buckley asked in a January 1881 editorial in the *Christian Advocate*, "Is it not time that somewhere we built a hospital?"

Seney, in response, pledged \$200,000—which would eventually grow to \$500,000—and four lots on 6<sup>th</sup> Street. On May 27, 1881, Buckley and his associates obtained a hospital charter from the State of New York, and they laid the cornerstone for the the main building on Sept. 21. According to *Harper's Weekly*, Seney told the crowd at the hospital's 1887 dedication that "although this new enterprise has

the specific title 'Methodist General Hospital,' it was not the intention of its founder that it should be conducted on a sectarian basis. When he made his generous gift he especially stipulated that it should be a general hospital open to Jew and Gentile, Protestant and Catholic, heathen and infidel, on the same terms."

The new hospital included a central building flanked by east and west pavilions. The three brick buildings were trimmed with light-colored stone and occupied the center of the block bounded by 7<sup>th</sup> and 8<sup>th</sup> Avenues and 6<sup>th</sup> and 7<sup>th</sup> Streets. It fronted on 6<sup>th</sup> Street, and the hospital today keeps its main entrance at 506 6<sup>th</sup> St., though there is nothing left of its original structures .

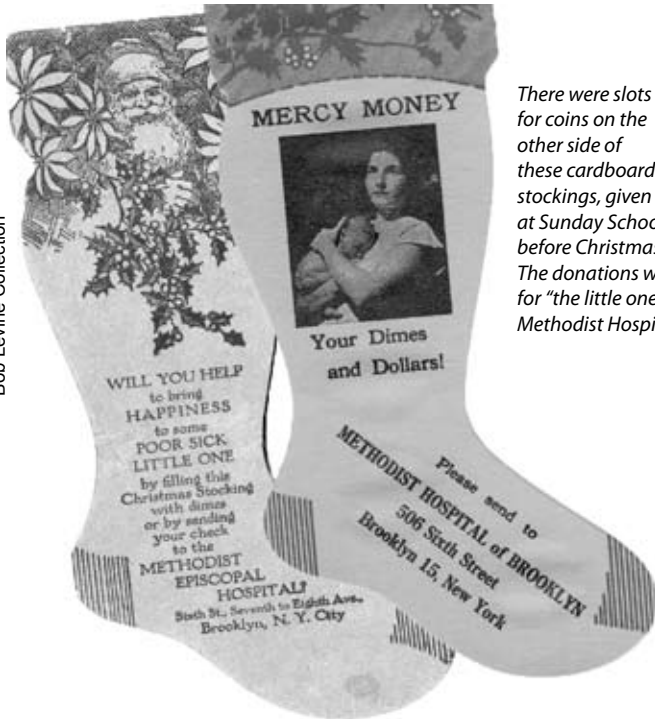
The buildings contained wards, private rooms, a chapel, museum, library and nurses' dormitory. Flues in the central building carried off the "vitiating" air through louvered lanterns in the roof, while an apparatus in the basement conveyed heat and fresh air to the rooms on each floor. Also, according to the *Harper's* article, "While entrance to this hospital will be free to those who look to it for relief and are too poor to pay, all who are able to pay, if it be only a small sum, will be required to do so."

The hospital opened with 70 beds but had room for 200—a level it reached by 1907. The Training School for Nurses opened in 1888 and graduated more than 8,300 nurses before it closed 83 years later. A special Childrens Ward opened in 1889.

The opening of the Brooklyn Bridge in 1883 brought a surge in population to the city of Brooklyn. Rows of brownstones drew new families to the area around the hospital, and the hospital soon saw a growing need for maternity services. The hospital also became the medical provider for the many young girls brought over from countries like Ireland, Sweden and Germany to serve as maids and au pairs for Park Slope homeowners. By the mid-1920s the hospital had grown to 375 beds, and a Maternity Building was added in 1924. The baby boom of the 1950s gave the hospital a new nickname as Brooklyn's "Baby Hospital," still sometimes heard today.



The "Methodist General Hospital" seen from across St. that accompanied an article about the opening of the



*There were slots for coins on the other side of these cardboard stockings, given out at Sunday Schools before Christmas. The donations were for "the little ones in Methodist Hospital."*

Christmas appeals in Brooklyn asked for donations to children, "especially the little ones in Methodist Hospital of Brooklyn." The appeals asked that donors put money into cardboard "stockings," passed out at Sunday schools. The two examples shown here are probably from the 1930s or '40s. In the 1950s, I remember cardboard Santas with small boxes at their base to collect coins for a number of different charitable organizations.

Along with Brooklyn's growth in population came a growth in industry. Grain and goods from the Midwest that came via the Erie Canal and down the Hudson were stored and loaded onto ships at Red Hook's Atlantic and Erie Basins. Industries lined the Gowanus Canal and Brooklyn's waterfront, with workers living close by along the "lower" avenues. In 1888, the hospital's first annual report observed "the great strain which our intense modern life puts upon both body and mind," and "the multiplication of vices always associated with crowded populations," including alcoholism and addiction. The hospital's new horse-drawn ambulance rushed emergency cases from these working class neighborhoods to the hospital.

Just as a motorized ambulance eventually replaced the horse-drawn one, and a "family-centered birthing experience" has replaced the maternity ward, the hospital has grown and modernized over the decades. Change has come in the form of new buildings and numerous renovations and additions to keep the hospital up to date with the needs of the community and to continue its mission as a state-of-the art teaching hospital. Changes have also been seen in the hospital's name, the first coming in 1939 when Episcopal was dropped from its name to mirror the merger of the three American branches of Methodism to create the United Methodist Church.

When two airliners collided in midair on Dec. 16, 1960, and one crashed at 6<sup>th</sup> Avenue and Sterling Place, the sole survivor, an 11-year-old boy, was taken to Method-

ist Hospital. He died the following day. There were soot-covered coins in his pocket that his father gave the hospital, where they are mounted on a plaque commemorating the event. The outpouring of sympathy and donations to the hospital led to the creation of a pediatric intensive care unit. (My May 2008 column offers a more complete account of the crash.)

In the 1990s, the hospital entered into an alliance with the New York Hospital (now the New York-Presbyterian Healthcare System), and its name changed in 1994 to the New York Methodist Hospital. Affiliation with the Weill Cornell Medical College enhanced graduate medical education at the hospital. Even without its Brooklyn name, the hospital has continued to work with the neighborhood to meet its present and future needs. Thanks to the hospital's hospitality, Park Slope Civic Council meetings are held in its Executive Dining Room on the first Thursday of each month, except when noted in the *Civic News*.

*-Bob Levine, Trustee and PSCC Historian*

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*6th Street in a Jan. 7, 1888, drawing of the hospital on Dec. 16, 1887.*



  
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**Lawsuit**, continued from Page 1

on behalf of PSCC and the other plaintiffs.

In approving the modified project plan without preparing a Supplementary Environmental Impact Statement, said Butzel, ESDC “simply refused to look at the fact that this project is going to be delayed for 20 years or more, and that, in the meantime, you’re going to have a barren urban wasteland, lots of parking lots and none of the amenities that were supposed to be a part of the project when it was first approved.

“In addition,” said Butzel, who led the legal fight against the proposed Westway expressway in Manhattan 25 years ago, “this isn’t an ESDC project, it’s a Ratner project. The ESDC turned over the keys to the entire kingdom to Ratner to do whatever he wants. The ESDC is supposed to be a government agency that protects the public interest. Instead, they’ve handed the authority down to a private developer

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who is only interested in his own private interest.”

Butzel charged, for example, that ESDC has ceded control to FCRC over the components and timing of the Atlantic Yards project. “[Ratner] can do whatever he wants on his schedule. He can have anywhere from 336,000 to 1.6 million feet of commercial space, depending on what he decides. I believe those are functions that need to be exercised by government, not by a private developer.”

Butzel was referring to FCRC Chairman and CEO Bruce Ratner, who insisted in a recent interview in *Crain's New York Business* that Atlantic Yards is “not a public project” and that the company is thus exempt from sharing details of its plans with the community. At the same time, ESDC, as project sponsor, has used its public powers to enable FCRC to ignore city land use, planning and zoning laws; intends to use its powers of eminent domain to secure private property for the developer’s use; and would allow FCRC to build over parts of 5<sup>th</sup> Avenue and Pacific Streets.

The net result, argues the Memorandum of Law filed with the lawsuit, is that FCRC is “using ESDC as a government enabler... The private developer has taken on the government’s role. But it has been able to do so because government has delegated that role—delegated it without legislative authorization and in excess of its power to do so.”

Butzel admitted the lawsuit is a long shot, given the record of deference courts have shown ESDC and the lack of specific precedent for the points raised by the plaintiffs, but “you try to show the courts that what you want them to do is either compelled by the law or that it’s consistent with the law. In order to get the court to get that far you have to persuade them it’s a case worth getting involved with, which this clearly is.

“It could well be a New London situation,” he said, citing the U.S. Supreme Court’s approval of eminent domain to demolish a Connecticut neighborhood for private development, which never took place. “It could well be 15 years of empty lots. It could wind up being an arena and nothing more.”

Regardless of the outcome in the courts, Norman Oder argued in the *Atlantic Yards Report* that “the fact of the lawsuit—BrooklynSpeaks’ growing opposition—may be just as important as its contents... [T]he rhetoric of the legal complaint, which charges that the ESDC has capitulated to a private developer, and the details in an accompanying affidavit, suggest that the organization, once following a “mend-it-don’t-end-it” strategy, has been pushed into firm opposition by the intransigence and lack of consideration from the ESDC and developer Forest City Ratner.”

The same point was made by several speakers at the Oct. 1 meeting where Civic Council trustees voted overwhelmingly—with no nays and three abstentions—to join the lawsuit, believed to be the first such step in the organization’s 113-year history. Trustee Michael Cairl captured the trustees’ sentiment: “A lawsuit is the last chance open to us to effect the outcome of this project. All attempts at persuasion have failed.”

—Ezra Goldstein

Go to [brooklynspeaks.net](http://brooklynspeaks.net) to read the lawsuit and accompanying Memorandum of Law and Supporting Affidavit. Attempts by the Civic Council to engage constructively with the developer and the state are documented at: [parkslopeciviccouncil.org/TheAtlanticYardsProject](http://parkslopeciviccouncil.org/TheAtlanticYardsProject).

### Buying Local, continued from Page 2

to me that is such a gift.

Also, I think people have an entrepreneurial spirit that can’t be ignored. They thrive on building something from nothing. I think every business owner—although they may gripe—secretly wouldn’t have it any other way. It is very fulfilling to see people happy or satisfied or provided for because of something you did.

### How do you see the future? What do you think 7th and 5th Avenues will look like in 10 years? 20?

Oh, that is tough. I hate to admit it, but I am worried for the future of all brick and mortar retail, not just in Park Slope. I think Park Slope has been through so many incarnations, and it remains a resilient and constantly evolving neighborhood. That is why we are all so passionate about it! I have faith that, as always, Park Slope will prevail in its unique heart and sense of being a diverse community, and it will continue to do so long after we are all gone.

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### The Park Slope Civic Council

Organized as the South Brooklyn Board of Trade in 1896, PSCC is one of the oldest civic associations in Brooklyn. We identify and address quality-of-life issues important to the community; create and support projects geared to improving and protecting the neighborhood; and assist local non-profit organizations that benefit those living and working in Park Slope. Our many ongoing programs include the Halloween Parade, the Clean Streets campaign, community forums, and a holiday toy drive. Our annual House Tour raises thousands of dollars for neighborhood initiatives. All are welcome to join. To learn more, go to [parkslopeciviccouncil.org](http://parkslopeciviccouncil.org).

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