

**OVERSIGHT HEARING
STATUS of YANKEE STADIUM REPLACEMENT PARKS
250 BROADWAY ~ 16th FLOOR HEARING ROOM
WEDNESDAY, APRIL 29, 2009 ~ 1:00 P. M.**

**TESTIMONY OF
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“Respondents contend there is no irreparable harm, because the loss of the parkland is only temporary, there will be a net gain of 2.14 acres of unencumbered parkland...”
(Judge Herman Cahn's decision, p 17, August 15, 2006)

Good afternoon! I am Joyce Hogi, a resident of 1020 Grand Concourse, Bronx, NY for 30+ years. Thank you for holding these hearings and thank you for inviting me to offer my testimony. I can't help but wonder if this is now too little, too late; indeed, what is now to be gained after the loss of unprotected, public parkland? If I sound angry and cynical it's because, well, I am angry and cynical!

While trying to teach our children the lessons of government and citizenship we've struggled to explain to them why our elected officials can't seem to address the issues that confront us, but rather bow to the desires of mega developers and private interests that do not address the needs of the community. The NY Yankees for years had wanted to get their grubby hands on our public parks and our City officials could not, would not, demand of that organization some mitigation for the needs of the community. The school in which I work has its baseball teams practicing in the cafeteria and playing their "home games" on the opponents' fields. The track team runs in the street. Students just beginning high school when this project was proposed are graduating this year and chances are they will be out of college before the replacement parks to this community is finally realized! Now there is no oversight, save these hearings that Council Member Foster holds periodically. And guess what? We have no bargaining chip left! It has been given away!

You want to know the "Status of Yankee Stadium Replacement Parks"? We don't have any parks! That's the status! I am here today to speak for residents who could not be here; either because they are working, disheartened or so beaten down by the treatment they are receiving that they have pretty much given up; that they have said, "we can't beat the system". We were horrified when we learned that every one of our elected officials ~ from the City Council up to the Senate had voted to give away our valuable, historic public parkland to the New York Yankees for the building of their new stadium without a single public hearing and over the course of just eight days! One assemblywoman even proclaimed, "There's no community opposition". No one questioned:

- "What will the community do?"
- "How will this affect a community that is already under parked?"
- "What about the health risks to a constituency that is already suffering unduly from limited access to fresh air and parkland?"
- "What about maintenance funds for the existing parks"?

It is well documented that:

- We were locked out of hearings or if admitted, had our cards “shuffled” so that the minimum number of residents could speak.
- No consideration of our input was taken and when members of the Community Board #4 voted against the plan ~ because they were listening and hearing the concerns of the community ~ they were summarily dismissed from the Board. The Bronx Boro Pres said he wanted people who would “advance his vision”. Meanwhile, new appointees to the board were reluctant to make any independent decisions lest they offended then Boro Pres Adolfo Carrión, Jr. The board is now at its most dysfunctional since its inception. There are 50 slots on the board and there are only 19 or 20 members. Quorums are routinely not met.

The community formed a grassroots organization, “SaveOurParks” and took the City and the Yankees to court to protect our public parks. We lost the case (**August 15, 2006**) based on the assertion from lawyers for each side who assured the court that interim replacement parks would be in place before construction began. The Yankees’ organization seized Macombs Dam Park at midnight Sunday evening **August 13, 2006, 2 days before the judge's ruling!** They then trucked in “high quality mulch” and fed the trees their “last supper” for the groundbreaking ceremony. The next day the trees were cut down! After weeks of community outrage, the DPR painted “walking & fitness paths” and stenciled arrows on the sidewalks around an existing park. Construction on an interim park would not begin until weeks later (**opened May, 2007**) and was so poorly constructed that the artificial turf was ripped up a few weeks later to be replaced.

There have been numerous articles, interviews and documentation on this issue. Simply put, the community has come up on the very “short end of the stick” and ***no one is standing up for us, save Council Member Foster***. I joined the parks committee of Community Board 4 to try and work within the system to make sure the community was getting what was promised. There have already been numerous delays and changes to the designs of some of the parks.

Two of the sites for replacement parks are still being used for parking for games.

- ***In March 2008*** we were told the pocket parks would be put out for bid; however, the space would be used for parking during the summer of 2008.
- ***In May 2008*** we were told that construction would begin in late May or early June and would be completed by Spring 2009. However, DPR had just made contact with the owner of the adjoining property and were told that there was a concrete slab under the asphalt.
- ***In June 2008*** we were told construction would begin in July and until then the sites would still be used for parking.
- ***In September 2008*** we were told the sites were still being used for parking. The lowest bidder was disqualified because of objectionable labor practices. The 2nd lowest bidder came in too high for the budget so DPR decided to separate the contracts ~ one for each site. Even though the bid for the skate park had been sent out, the playground was now in redesign and there was not a date for this bid to be sent out. The skate park construction is now scheduled for Spring 2009 and is to be completed by Fall 2009. The playground construction is scheduled to begin Summer 2009 to be completed by Spring 2010; however now the playground was to be made smaller to lower the cost.
- ***In October 2008*** we were told the skate park would be put out for bid. The playground bids will happen later; however both parks will be completed by Fall of 2009 or sooner.
- ***In February 2009*** we were told because of the “large gas tank surprise” to DPR, remediation for both sites is expected to begin in June 2009 and completed by August 2009. The playground design has been put out for bid. Construction is expected to begin on both sites in September 2009.

Does this confuse you? Well, join the club! DPR insists that they're on schedule. Well sure, when you keep changing the schedule...

The City continues to proclaim that the community is getting more parkland than we lost. In actuality, 12.5 acres already existed as either mapped parkland and in one case, a schoolyard. This is a shell game the City uses and when called on it, the figures are changed. The City was using:

- A new playground and ball field at PS 29 and called it part of the “Yankee Stadium replacement parks”. It is over a mile away from the affected community (a different community board).
- Additionally, an unused field at West Bronx Recreation Center has been turned into a ball field; again over a mile away and not easily accessed. This has also been billed as a “Yankee Stadium replacement park”, but was never mentioned in project documents. Geoffrey Croft of NYC Park Advocates continuously pressed this issue of the counting of the replacement park acreage. DPR has quietly removed that association from its website.
- All of the presentations of the replacement parkland include Mullaly Parks North and South, as there have been some renovations done. However, I cannot stress strongly enough that these parks are not and should never be considered replacement parkland!!
- I will leave it to someone else to provide details of the remaining replacement parks.

YANKEE STADIUM REPLACEMENT PARKLAND

Parks taken for Yankee Stadium:

- Macombs Dam (northern portion) 11.2 acre track, soccer field, ball field
- Macombs Dam (southern portion) 7.33 acre ball fields, basketball & handball courts
- Macombs Dam (southeast portion) 2.89 acre asphalt ball field / parking
- John Mullaly (southern portion) 3.89 acre tennis & handball courts

Total 25.31 acres

Replacement parks:

- Park on top of garage 'A' ~ 7.33 acre track, soccer, basketball & handball / playground
- Ruppert Plaza ~ 1.13 acre landscaped, pedestrian concrete walkway (a walkway is considered parkland!)
- Heritage Field 8.9 acres ~ 3 ball fields
- Passive park# 1 ~ 157th St 0.44 acre skate park
- Passive park# 2 ~ 157th St 0.24 acre playground
- Tennis concession ~ Harlem River 5.11 tennis courts / waterfront park

Total 23.15 acres

Taken from:

“Broken Promises: The City's Replacement Park Scheme For The New Yankee Stadium Project”;

...NYC Park Advocates