

Flatbush African Burial Ground Remembrance and Redevelopment

Wednesday, June 30th, 2021 - Public Workshop #3

During the meeting, 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.

COMMUNITY ENGAGEMENT

Why is HPD's outreach/workshop process for outreach to solicit community input starting with a City plan to issue an RFP for a building rather than starting with outreach to learn what the community wants as the starting point in an RFP?

As the agency charged with creating affordable housing in the City, our approach is informed by a mission to meet that goal. The goal to create new affordable housing as part of this project has been determined by Council Member Mathieu Eugene and Mayor Bill de Blasio.

How were the task force members chosen for this when most people walking by the site and living near the site don't know it exists? Precisely what was the purpose of this task force?

In October 2020, Council Member Mathieu Eugene and Mayor Bill de Blasio announced the creation of the community-led Task Force and development of the site for affordable housing with a space for youth educational and vocational programming. The Task Force is chaired by Borough President Eric Adams and Council Member Eugene, with staff dedicated to this effort. Task Force members represent a diversity of sectors from the area including community development, schools, business improvement districts, and cultural organizations. Task Force members have been critical ambassadors to their local constituencies and the community-at-large in helping engage diverse communities and spread the word about public engagement. The Task Force works together with the larger public to outline the priorities and goals that inform aspects of the future project, memorialization, and proper treatment of human remains, if discovered in the future.

Please describe the role that Co-Chairs Eric Adams and Mathieu Eugene have played thus far with Task force members.

The Co-Chairing entities established the Task Force and participate in guiding engagement and assisting with additional outreach for the project.

Your website says there will be a mid-2021 report on the Task Force and community engagement workshop feedback. Will that be open for public commentary? When will that come out?

The City will summarize the priorities and insights gathered through community engagement through two [Public Report Back](#) events: online on September 9, 2021 and in-person on September 11, 2021, both of which will be held prior to the report being released. The public report back event is organized for the community to review, reflect, and provide comments on the feedback we have collected thus far.

What's the Community Board (CB) involvement been so far?

HPD has presented the project overview at CB14 and CB17 public meetings. The Task Force also includes representatives from each Community Board who have been involved throughout the process. As Task Force members, they have assisted the City team in conducting outreach on the project and coordinating additional opportunities to invite more community members to participate in giving feedback.

How many people have shown up on average to the public workshops, and which community districts are they from?

Between 50 and 100 people have attended each of these workshops, with some members attending multiple workshops. We do not know the breakdown of attendance by Community District.

Are the recommendations or anything we suggest in the workshop today binding?

The City will summarize the priorities and goals articulated through the public feedback into a public report, which will be included as part of the Request for Proposals (RFP). These recommendations are not binding. The City will incorporate the goals and priorities into the evaluation criteria of the RFP. The City will prioritize proposals that incorporate community priorities and goals. The project details – including but not limited to the different types of uses, site design, memorialization – do not become binding until the project goes through a public review process (Uniform Land Use Review Procedure or ULURP), which we anticipate beginning in 2023 at the earliest.

Please explain in more detail the following work assigned to employees to provide information to the Task Force and community:

- a. **NYC Economic Development Corporation "archaeological and descendant research"** NYCEDC administered the contract between the City and Historical Perspectives, Inc. to conduct archaeological research about the site, including identifying or providing recommendations for further descendant community research.
- b. **NYC Landmarks Preservation Commission "archaeological technical expertise"** The Landmarks Preservation Commission is advising and ensuring that the development process will consider and address the potential impacts of a proposed project on what may remain at the site. They have also provided insight on how other communities and the City have worked on past projects with potential archaeological impacts.
- c. **Historical Perspectives, Inc. "archaeological services"** HPI conducted archaeological research about the site and its history. HPI's archaeology and descendant community research report - [Archaeological Topic Intensive Study to Identify the Descendant Community for the 2286 Church Avenue Site](#) was completed in July 2021.
- d. **TYTHEdesign "community engagement services"** TYTHEdesign is contracted by the City to facilitate the initial phase of public engagement and to draft the community visioning report that will summarize the feedback and findings.

If we have our own proposal, with whom should we file it? With whom did HPD file their proposal?

HPD has not filed a proposal. Project proposals by private or nonprofit development teams are submitted to HPD for competitive review based on criteria outlined in the Request for Proposals document, including criteria that reflects the feedback today. Agency reviewers with backgrounds in design, planning and finance then determine which proposal is the strongest based on the criteria in the RFP. From there, HPD will work with the designated team to finalize the project details and usher the project through the ULURP process. The City will be accepting submissions once the RFP document is released.

Will the RFP be issued before or after the report comment period? When is the RFP going out?

The RFP will be issued after the public report back. We anticipate the RFP will be issued in Fall 2021.

Who will be voting on whether this project moves forward in future stage?

This project will be subject to the Uniform Land Use Review Procedure (ULURP), which involves review by the local Community Board and the Borough President, and binding votes by the City Planning Commission and City Council. Approval under ULURP is required for the transfer of land from the City to a Developer.

SITE SELECTION

Why doesn't the city purchase other property in the area to construct housing and a youth center and respect this site for a memorial?

While the City does occasionally look at acquiring sites for affordable housing, it's very challenging for several reasons because acquiring land requires negotiation of an acquisition price. The acquisition price for vacant or underdeveloped land in an area like Flatbush makes it difficult to create a cost-effective affordable housing project that meets the needs of the community. Therefore, HPD tries to leverage land already owned by the City to maximize the benefits to the community, whether through deeper affordability or the inclusion of other uses such as publicly accessible community facilities and open spaces.

At last week's HPD session, speakers stated that the City doesn't own much land so has few options other than to use this site. Have Task Force members been told how many sites the City owns in Brooklyn and Citywide that could be used for building affordable housing? Have Task Force members been told other City-owned Brooklyn sites being considered?

To address the affordable housing crisis facing the city, HPD continues to look at all underutilized City-owned parcels that could be developed as new affordable housing. Additionally, when developing new housing in a neighborhood, we evaluate the Community District's existing conditions and needs. Other than the Bedford-Church site, there are no other City-owned sites in Community Districts 14 or 17 that can offer the opportunity to develop 100% affordable housing.

Why wasn't affordable housing built on other nearby lots, e.g., Flatbush Avenue @Caton Avenue, Ocean Avenue @Tennis Court?

The Caton Flats project on 800 Flatbush Avenue on the corner of Caton Avenue does include affordable housing units as well as a new home for the Flatbush-Caton Market. Those interested in these units can apply through [housing connect](#). Tennis Court on Ocean Avenue is not owned by the City. HPD cannot require private property owners to provide affordable housing in new buildings unless they are participating in one of the City's or NY State's financing programs.

SITE HISTORY

Who were the owners of the property? Is there any documentation of who owns the property from when it was a farm?

To the best of our knowledge, we cannot confirm the 2286 Church Ave site was used for farming. At an unknown time as early as the 17th century, the Flatbush African Burial Ground was established on land owned by the Reformed Protestant Dutch Church of Flatbush (RPDCF). The RPDCF property surrounding and including the burial ground was gradually reduced in size as sections were given away, paved over for roads, or sold off. One portion, which included much of today's 2286 Church Avenue site and a part of the Flatbush African Burial Ground as mapped in 1855, was deeded to the Town of Flatbush for Village School No. 1 in the 1840s. Historians reported that human remains were found in 1842 when the basement of the school was excavated in what is now Church Avenue and were reportedly removed and reburied on land owned by the Flatbush Reformed Church near Holy Cross Cemetery. The 2286 Church Avenue site has remained under government ownership since that time. The Village of Flatbush became a part of Brooklyn in 1894 and later the City of New York in 1898.

How was HPI selected to lead the research? Were other scholars contacted?

Historical Perspectives, Inc's (HPI) research into the history of the site began in 1998 through the New York City School Construction Authority. As part of this work, HPI conducted a Stage 1A Archaeological Assessment in 2000, which includes historical research, and a Stage 1B Archaeological Investigation in 2001, during which archaeological testing found a small number of disarticulated human remains on the site. More recently, under the direction of Council Member Eugene and Mayor de Blasio, EDC procured HPI through a competitive process to complete a Community Engagement Plan outlining steps to identify the descendant community of the enslaved and freed Africans of early Flatbush, and an Unanticipated Discoveries Plan to address the handling of human remains should they be found on the site in any future development. HPI continued their research, as part of the most recent phase of work, to identify the descendant community and inform the public of the past and current research efforts and known history of the site. HPI has consulted with various scholars to support their research of the burial grounds. These communications are indicated in Appendix A-5 of the [Archaeological Topic Intensive Study to Identify the Descendant Community for the 2286 Church Avenue Site](#).

Is there any other documentation showing that the city was aware of this site being a burial ground?

When the Reformed Protestant Dutch Church of Flatbush deeded a portion of their land to the Town of Flatbush for Village School No. 1 in 1842, it is not known if the cemetery was visually evident, had headstones present, or was demarcated by fencing. Historians reported that human remains were found in 1842 when the basement of the

school was excavated in what is now Church Avenue and were reportedly removed and reburied on land owned by the Flatbush Reformed Church near Holy Cross Cemetery. News articles from 1875, 1890 and 1904 about the discovery of human remains during other excavations make reference to the burial ground. The 2020 discovery of a map of the area from 1855, from The Center for Brooklyn History's archives, established for the first time the known geographic extents of the African burial ground.

ARCHAEOLOGY

Have archaeologists or the City processed or excavated the entire site? Will the entire site be archaeologically investigated prior to commencing construction for this project to ensure that you will not build on sacred ground or human remains?

At the time of the 2001 archaeological investigation, the former PS 90 school was still standing, so excavation occurred on the remainder of the site. No further onsite investigations have been conducted since the 2001 findings. Additional archaeological study will be required by the City for any future disturbance of the site. The development team selected through the RFP will be required to work with an archaeological consultant and monitor to ensure compliance with the archaeological study and requirements. All work related to this scope will be reviewed by the Landmarks Preservation Commission archaeology staff.

The 2001 archaeological report recommended avoidance of any further subsurface disturbance. Did the New York State Office of Parks, Recreation, and Historic Preservation (NYS OPRHP) accept the finalized Stage 1B report from 2001 and approve subsurface disturbance? Based on the findings, why did the OPRHP approve surface disturbance?

To the best of our knowledge, the New York State Office of Parks, Recreation, and Historic Preservation did accept the finalized 2001 Stage 1B report. However, the project proposed by SCA and analyzed in these reports did not proceed. Therefore, no further archaeology was conducted. At this time, we cannot speak to what the NYS OPRHP findings or reasoning for its findings were in 2001.

Since the human teeth and bones were found on the last day of the field testing in Trench 4, there might have been a need to extend the testing and dig additional trenches near Trench 4. Has that been explored?

Archaeology is often a multi-step process. The purpose of the initial field testing was to determine if the site is archaeologically sensitive. Different types of tests were conducted throughout the site, with locations detailed in the 2001 Stage 1B Archaeological Investigation. The resulting report determined the site is archaeologically sensitive, and the potential impact of any future work on what may remain at the site will need to be addressed at the time of the project.

Were studies conducted prior to demolition to determine the cause of the structural damage?

The building had been vacant for years and was in poor condition at the time of designation. The damage included holes in the roof and various compromised walls which allowed water to enter the building, thereby deteriorating various structural components. The DOB Forensic Engineering Unit made site visits before demolition.

HUMAN REMAINS

There were several archaeological findings to date. Are there other human remains on the site that we should be trying to preserve?

It is possible that there are additional human remains on the site. Any development on this site will include archaeology that will be reviewed by the Landmarks Preservation Commission archaeology staff. More information on such guidelines and requirements can be found in LPC's [Guidelines for Archaeological Work in NYC](#).

Where were the discovered remains reinterred at the Flatbush Dutch Reformed Church? And why were the bones of a person of African descent returned to a church that supported colonization and enslavement?

Descendent churches are often consulted about the reinterment of remains from burial grounds that were once part of their traditions. However, it is important that the descendant community be part of the decision-making process which is why the Task Force and community are being consulted to consider an appropriate reinterment plan.

Is there any documentation of any community involvement or engagement in the findings of the remains in 2001?

To the best of our knowledge, the New York City School Construction Authority did not engage in outreach at that time.

BURIAL GROUND+CEMETERY/LANDMARK

Are there any policies or regulations with regards to building on top of a cemetery?

In general, there is no city or state law that prohibits development on cemeteries that have not been preserved. However, an archaeological study will be required for future development and potential impacts of development will be carefully considered and addressed on this City-owned site.

What is the policy or what was the procedure back then (referring to the 1800s or early 1900s), when a developer finds a burial ground? Was there any sort of protocols back then, like what we have right now?

In the 1800s and early 1900s there wasn't a policy or procedure. Archaeology work completed in the City has documented that historically multiple approaches were taken.

Is there any process in place to ensure that the building will not be placed on land where remains were discovered?

As part of the community engagement workshops, we held discussions about site planning and the relationship between the open space and the memorial. To facilitate those conversations, we presented illustrations indicating where previous human remains were found and the location of the historic burial ground based on the documentary evidence discovered thus far. Through the workshops and engagement, we heard it was a priority for the community to not locate a building where remains were discovered. We will include this priority in the community visioning report which will be attached to the RFP.

In December 2020, the US Senate unanimously passed [the African American Burial Grounds Study Act](#) to create an African American Burial Grounds Network stop the multiple, commonly occurring desecration of African American burial grounds and cemeteries. How has this pending legislation, which is still before the House of Representatives, impacted your decision to move forward with the development of the Flatbush African Burial Ground site?

The City is aware of this pending legislation and believes that the project adheres to its spirit. In particular, this project is an opportunity to shed light on the history of African Americans in Flatbush and the destruction, obliteration and desecration of the Flatbush African Burial Ground, which has been repeatedly disturbed through the development of the street grid and abutting properties. This project provides an opportunity to address the needs of the current population while finally honoring a group whose forced and unacknowledged labor made this neighborhood, this City, and this Nation possible. Looking toward a future for the site is not an effort to forget or bury this past; it is an effort to highlight it, learn from it and finally give it the recognition it deserves. We are encouraged by recent legislation that takes a similar interest in finally recognizing this history and will work to leverage any existing legislation or future legislation enacted towards those ends.

How can we expect that a new building on a burial ground will remedy a systemic issue and right the wrongs of historic erasure?

The question of how to honor the history and right the wrongs of historic erasure is central to the shared goal of memorializing and honoring the site's history, while also providing affordable housing and programming for youth. This project has worked to advance additional research into the burial ground and spur conversations in the community about the history of enslaved and formerly enslaved Africans of early Flatbush and its relationship to modern Flatbush. The Flatbush African Burial Ground has been repeatedly disturbed through the development of the street grid and abutting properties, which is part of systemic issue of erasure. As part of the community engagement workshop, we discussed the relationship between the location of a new building and locations where

historic remains were found and the approximate 1855 boundaries of the burial ground (see Figure 3 of the 2021 Archaeological Intensive Study or slide 19 of Workshop 3 Presentation).

Since the foundation of the former circa 1878 school is still on the site, what evidence did the City use to determine the suitability to build a multi-story mixed use building?

The presence of foundations from previous structures is not uncommon in Brooklyn or in other parts of the City. The selected development team will further evaluate any challenges presented by the existing foundation.

How do we pursue landmark preservation and historical landmarking?

To nominate the property to the State and/or National Register of Historic Places, please visit the New York State Office of Historic Preservation (SHPO) website to review the nomination form and process. <https://parks.ny.gov/shpo/national-register/>. For information on the New York City Landmark Preservation Commission designation process please visit, <https://www1.nyc.gov/site/lpc/designations/designations.page>

Someone told me that several Caribbean organizations were gifted or promised parts of this site under the Caribbean-American Chamber of Commerce as part of a cultural institution. Can you share any documentation or information about this and explain why this didn't happen?

In the mid-2000s, the Caribbean American Chamber of Commerce and Industry, Inc. (CACCI) proposed to renovate the then-standing school building for use as a trade center. The project was abandoned, likely due to the degraded building condition and high cost to renovate. Subsequently, CACCI will be opening up a new permanent headquarters at Caton Flats – the affordable housing and Flatbush Caribbean Market building anticipated to open this fall - with space for small business development, trainings, and flexible community space.

MEMORIAL

What can be done to honor the site solely as a memorial and monument?

One of the goals of the community engagement process is to shed light on the history of enslaved and formerly enslaved Africans who were once buried in the Flatbush African Burial Ground, a burial ground which has been obliterated and disturbed repeatedly for more than a century through development of the street grid and abutting buildings. The feedback we gather from the community engagement now and throughout the project, including from the descendant community, will also inform how the site plan and design can work towards memorializing this important history.

When will we see the renderings for potential landscaping of an open space park or an open museum space?

RFP submissions will include preliminary site plans and outdoor or indoor concepts for memorialization. Upon being selected, a development team will present their proposal, including any preliminary design schematics. However, the development team selected through the RFP will be required to continue engagement efforts and refine the design to ensure that as the plan comes together, it reflects the priorities expressed through engagement. This includes working with the descendant community, the City, and the larger community to design open space or other components that serve to memorialize the important history of enslaved and formerly enslaved Black people of early Flatbush.

What is going to happen to the memorial space if a building is constructed? How will the memorial be preserved?

Memorial space is anticipated to be incorporated into the site plan and possibly the design and programming within the building. The operation and maintenance details of such a memorial, including how it is preserved in the long run, will be determined at a future stage when the City, the development team, and the community are further along in designing such a space through coordinated engagement efforts led by the development team.

PROGRAMMING

Can we see proposals that don't involve housing? Is there any way for us to stop a building from being built on this site?

As of now, the RFP to be issued will require affordable housing, programming for youth services and open space for memorialization of the site history. The inclusion of housing requires a building on this site. The decision to include housing has been driven by the Mayor and Councilmember's call to increase affordable housing opportunities for this neighborhood. We acknowledge some people may not be comfortable with the above set of priorities and have different opinions about how the site should be developed and programmed. This perspective is important and will be reflected in the report as the elected officials and the City continue to consider how multiple goals can be accomplished through this project.

To what extent, if any, were Task Force members told that they could eliminate a building from planning for this particular site?

In convening of the Task Force, the Mayor and Councilmember's directive was to include affordable housing, which would require a building on the site.

Why isn't the Boys and Girls club across the street being supported in lieu of considering development at this site?

The Boys and Girls Club is a private organization serving youth nationwide. Since the proposed plan for the site includes youth services, we will continue to engage the local Boy and Girls Club in ensuring that youth component on the City-owned site complements the services they provide and increases access to programming that will enrich and serve the neighborhood's youth.

Would a pool or roof garden be possible here?

There are many possibilities to utilize roof space for different types of programming. Many affordable housing buildings have rooftop gardens or other types of accessible rooftop areas. Development teams responding to the RFP could present designs that incorporate such types of programming for the building's roof.

What portion/amount of space in this building were Task Force members told would be available in which they could develop and provide recommendations for non-housing?

There were no specific numbers or portion of the building that was specified for non-residential uses. Most HPD financed projects on lots of this size include non-residential spaces on the ground floor, where permitted by the applicable regulations. In Task Force meeting 4, the presentation given by the City did specify that about 40% of the site could be reserved for open space uses, including memorialization.

DESIGN

When the City discusses design options for a taller building or maximizing units, would this necessitate a rezoning for higher density? Would that mean that surrounding properties would also be able to raise the height of their buildings, in turn affecting other properties?

Depending on the goals and priorities expressed through the initial engagement, development teams might propose a zoning framework that differs from the existing zoning in order to propose a project that aligns with community priorities. This could include allowing for additional height through a rezoning, but it could also include a rezoning that allows for a different relationship between proposed open space, memorialization and a building shape that might not currently be allowed by the existing zoning. This would be a site rezoning rather than a neighborhood zoning, so we don't anticipate it would affect other buildings or properties. Zoning district boundary lines must be drawn in a manner that is rational and part of a well-considered plan. While the need for a new zoning district has not yet been determined, it is anticipated that if such a need arises, the boundary lines may be tied more closely to the development site with minimal or no effects on neighboring properties.

What is the actual size of the lot that we're talking about? What is the calculation used to determine the amount of space needed for this particular building or site to be profitable for affordable housing?

The lot is approximately 29,000 square feet. There is no one calculation or consideration to determine what makes affordable housing feasible however generally speaking, larger building footprints allow architects to fit more units into a building. Some of the goals that we have heard throughout the community engagement –maximizing open space for the memorial and ensuring the building does not overlap with the burial ground footprint and locations whether human remains were discovered – would require that the building footprint is strategically limited to certain parts of the lot and use height to provide additional affordable housing to ensure there are enough units to make a feasible project.

AFFORDABLE HOUSING

What is considered affordable housing here, and what steps would be taken to address the unhoused within the definition of affordable housing?

We encourage you to review the recording for workshop number two where we defined affordable housing, outlined HPD's affordable housing programs and walked through what could be considered affordable housing in this community based on the Community Districts 14 and 17 data. As part of that workshop, we asked the community what population should be prioritized for affordable housing. That feedback will be included in the Community Visioning Report which will be attached to the RFP

How do we make currently existing housing more affordable as opposed to considering building on a sacred burial ground?

HPD is committed to a variety of strategies to address our city's need for affordable housing. But an important reality is that our population continues to grow faster than our housing supply. HPD is committed to both building new high-quality affordable housing on City-owned sites and preserving the affordability of existing affordable housing. HPD does have a variety of [preservation financing programs](#) that we use to work with private property owners with existing buildings. Through these programs, the City offers property maintenance loans and tax incentives in exchange for safeguarding and extending existing affordability terms. HPD also offers rental subsidies to the most vulnerable New Yorker and partners with tenant advocacy organizations to enforce housing safety and prevent tenant harassment.

Will HPD use a community preference for affordable housing for people who are currently living in Community District 17 and Community District 14?

The marketing and leasing of residential units will have to comply with the most up to date version [HPD/HDC Marketing Handbook](#). Due to existing litigation, we cannot definitively indicate what if any set-asides or preference for community district residents will be in place in the future. However, there are HPD projects that are located on the border of two Community Districts for which the community preference has been applied to both Community Districts. We anticipate that current practice will continue for this project once it begins the marketing stage and will ensure that the development team notifies the two CBs prior to the marketing stage.

Is a community land trust (CLT) possible for this site?

Yes. We encourage development partners to explore incorporating the CLT model into their proposals when responding to RFPs. CLTs are one of the tools we use to provide long-term affordable housing opportunities. HPD is currently supporting community land trust initiatives across the city. Some of these initiatives include:

- Partnering with Enterprise Community Partners, the New York City Community Land Initiative (NYCCLI), and the New Economy Project to support a 2-year CLT Learning Exchange to foster the creation of new CLT groups across the city.
- [Issuing a Request for Information](#) (RFI) to learn more about shared equity models, such as CLTs, from organizations that have researched or have experience with shared equity strategies and their implementation.
- [Issuing a Request for Expressions of Interest](#) (RFEI) in establishing a CLT in Edgemere, Queens. It is the City's intention to ultimately transfer up to eight acres of public land to the CLT initiated by the RFEI.