

LEGAL

On September 15, 1997 the city-wide Coalition filed suit against the City, the NYC Housing Partnership and Manhattan condo developers BFC&R to halt demolition of two community gardens on Manhattan's Lower East Side. In the case, *New York City Coalition for the Preservation of Gardens v. Giuliani*, the Coalition maintains that the city has failed to conduct environmental-impact studies and land-use hearings relating to the large-scale destruction of community gardens, as mandated by New York State law, and that such procedures would show the values of preserving the gardens. State Supreme Court Judge Jeffrey Atlas ruled against the Coalition in October. He held that the gardeners had no ownership interest in the gardens. On January 15, 1998 the Appellate Division, First Department, affirmed the lower court.

Six professional New York artists brought a separate lawsuit on October 7 in Federal Court under the 1991 Visual Artists Rights Act against the City, the NYC Partnership and the developer BFC&R to protect their murals and sculptures from destruction by a construction project planned for the site. The artworks existed as part of an environmental sculpture known as the *Chico Mendez Mural Garden* on Manhattan's LES. In November U.S. District Court Judge Harold Baer rejected the artists' Motion for a Preliminary Injunction. On December 2 he dismissed the case on Defendants' Motion for Summary Judgment.

OUTREACH

Coalition outreach proceeds on several levels: grassroots organizing, raising of public awareness on the issue, and gaining the support of elected/public officials. Coalition organizing efforts (posting flyers, developing what-to-do-now manuals, dissemination of endangered garden information, local support meetings) have resulted in the mobilization of community gardeners throughout the City and the establishment of several local garden coalitions working together in the community garden movement. The process is important, on-going, and mushrooming!

The Coalition's public awareness campaign has included rallies, press conferences, press coverage (cable/network TV, radio, print), letter-writing campaigns, tabling community garden information at countless city-wide events, further development of our web-site and the monthly city-wide Coalition meetings.

Since Councilmember Tom Duane's Land Use Subcommittee hearings on "The Private Uses of Public Space" (July and August '97), City Council Committees and Subcommittees appear to be growing more sensitive to the community garden issue. Coalition members were heavily represented at those hearings. Since then they have maintained an on-going vigilant presence at all Land Use Subcommittee of Permits hearings, and have testified at relevant Land Use and Finance Committee hearings. The city-wide Coalition helps and encourages local coalitions and garden groups to energetically reach out to their local community boards, City Council members, and Borough President with the aim of establishing appropriate relationships, disseminating information, and advocating on behalf of those gardens wishing to be preserved.



Photo: Todd Erdmann

RESEARCH

The group continues to collect critical garden information through the Coalition's garden inventories. It is also collaborating with several Columbia, Hunter School for Social Research and NYU students and interns to develop comprehensive land use maps of the City, incorporating gardens, empty lots and vacant buildings. Other relevant issues being actively researched are the current status and development plans of various threatened garden sites, as well as crime-reduction and community health aspects of urban open space.

All information gathered is available to gardeners for their efforts to preserve open green space in NYC. In cooperation with the Legal Committee, it will continue to explore all potential sources of information for even more effective advocacy on behalf of community gardens.

Here's how you can help save the gardens . . .

As a leading preservation organization, our work will be crucial in the coming months. We hope that you will help us to continue building the support network we call the *NYC Coalition for the Preservation of Gardens*.

Here's what you can do:

- **Join the NYC Coalition**, contact our main office and mail the form in this newsletter today! You may also reach us by phone: (212) 777-7969 or fax: (212) 505-7303 or E-mail: earthcel@interport.net
- **Visit our Web Site** at <http://www.interport.net/~earthcel/>
- **Fill out and return the Coalition's Garden Inventory.** (If one does not accompany this newsletter, please call and ask to receive one.)
- **Get involved in the movement.** Share the information in this newsletter with neighbors and other gardeners in your community. Make a donation of whatever you can afford to NYC Coalition to support the fight. Volunteer your time and talents by joining one of our established committees.
- **Attend monthly NYC Coalition meetings.** Always held the second Wednesday of each month at 638 East 6 Street, 3rd Floor (btwn Aves. B and C in Manhattan). For other garden group meeting times and locations call (212) 777-7969.

• **Join our list of supporters and endorsers.** Have your garden or organization write a letter in support of NYC Coalition for the Preservation of Gardens.

• **Call and write to your public/elected officials in support of the gardens.**

• Call your local elected officials, contact your local Community Board, and write letters to:

Mayor Rudolph Giuliani
City Hall
New York, NY 10007
Fax: (212) 406-3587 Tel: (212) 788-3000

Fernando Ferrer
Bronx Borough President
851 Grand Concourse
Bronx, NY 10451
Fax: (718) 590-3537 Tel: (718) 590-3500

Howard Golden
Brooklyn Borough President
209 Joralemon Street
Brooklyn, NY 11201
Fax: (718) 802-3959 Tel: (718) 802-3700

C. Virginia Fields
Manhattan Borough President
Municipal Building, 19th floor
New York, NY 10007
Fax: (212) 669-4900 Tel: (212) 669-8300

Claire Shulman
Queens Borough President
120-55 Queens Blvd
Kew Gardens, NY 11424
Fax: (718) 286-2885 Tel: (718) 286-3000

Commissioner William J. Diamond
Department of Citywide Administrative Services
1 Centre Street, 17th fl
New York, NY 10007
Fax: (212) 669-8992 Tel: (212) 669-7111

Commissioner Richard T. Roberts
Housing Preservation and Development
100 Gold Street
New York, NY 10038
Fax: (212) 863-6100 Tel: (212) 863-6666

Commissioner Joseph Rose
City Planning Commission
22 Reade Street New York, NY 10007
Fax: (212) 720-3219 Tel: (212) 720-3206

Mr. Peter Vallone
City Council, Speaker
250 Broadway
New York, NY 10007
Fax: (212) 788-7207 Tel: (212) 788-7210

Mark Green
Public Advocate's Office
1 Centre Street, 1500 North
New York, NY 10007
Tel: (212) 669-7200 Fax: (212) 669-4701

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For our records, PLEASE SEND or FAX COPIES OF YOUR LETTERS TO:

NYC Coalition for the Preservation of the Gardens
638 East Sixth Street, 3rd floor
New York, NY 10009
Tel: (212) 777-7969 Fax: (212) 505-7303