



Patricia M. Wallace, LMSW, M.S.S.W  
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May 3, 2021

Mayor Justin Elicker  
City of New Haven  
165 Church Street  
New Haven, CT 06510

RE: City of New Haven Legal Notice of Finding of No Significant Impact and Notice of Intent to Request Release of Funds  
<https://environmental-review-newhavenct.hub.arcgis.com/pages/home-investment-partnerships>

Dear Mayor Elicker:

We Friends of Kensington Playground, as individuals and as an incorporated body, disagree with the City's finding of no significant impact, and with the City's intention to request that the U.S. Department of Housing and Urban Development (HUD) release HOME funds to The Community Builders for purposes related to construction on Kensington Street. An authoritative climate scientist and faculty member of the Yale School of Public Health, an engineer, a pediatric nurse practitioner, many neighbors and others join with us in opposing the destruction of our only public playground. We hereby submit letters and documents from them all.

I have shared with you the letter from the federal Advisory Council on Historic Preservation which believes, as we do, that the City of New Haven failed in a fundamental duty to create opportunities for full participation in the decision by the City to sell our only public playground for \$1. Protecting the democracy is one of your most sacred duties. You have the power to intervene when agencies of the City fail to protect the rights of the citizens. You have chosen not to do so. We hope you will reconsider.

Our Parks Commission has known for more than a century that playgrounds are essential. Henry T. Blake, President of the Parks Commission in his report of January 20, 1904 to the Mayor and Board of Alderman spoke of the needs of children for whom "safe places of recreation near their homes are of great importance." Dwight, one of the City's earliest neighborhoods, was not favored early on with a public playground. The playground that we have now reflects the lack of political power of our neighborhood, in that its only feature for children is a broken splash pad. When the Park Commission held the decisive meeting to bow to the pressure of LCI to give this playground to TCB for \$1, did it hold the meeting in Kensington Playground? No. It went to Hamden to the Pardee Rose Garden, a site that was not wheelchair accessible, had no sound system and was not broadcast on Zoom. The Chairman instructed LCI to not come back to them again with a proposal to get rid of any other parks. This was an unjust decision. No other playground in the City would have been treated like this. No effort was made to share information with the neighborhood about the Park Commission meetings where this was under discussion. No one received a mailed notice or a leaflet from the City at any time about the impending loss of the playground, the loss of a major public good. The City lists management team meetings as if those were fully adequate forms of communication with the neighborhood

about such a major decision. They are not. No vote was ever taken at the Dwight Central Management Team meeting, despite assertions that the community supported the taking of the playground. A notice was finally posted in the playground two weeks before the only public hearing. The City never held a dedicated public hearing required under State law.

Don't put play equipment in the playground. Allow a broken splash pad to sit there for years. Fail to maintain the park, resulting in filth, tagging and illegal activity. Then put in your report that the space is underutilized. Then sell it off to a non-profit that has had a poor reputation for years in the neighborhood. A turn-around in recent years had begun because of the leadership of Police Lt. John Healy who made the City clean up the playground as his top priority upon assuming leadership of the policing district.

We say that the children of the Dwight neighborhood deserve a good playground. Adults deserve to continue to have access to the benches, mature trees and cooling breezes on a hot day. Take this park away and what you have is environmental injustice. WE SAY NO.

The TCB plan will result in a net gain of only 7 new housing units because they will swap out 8 units for office space. This may not have been clear to the Alders when they went along with this plan. Certainly it was news to us when we read about it in the City's report.

What is at stake is not only a playground and needed park, but democracy. Our State Representatives, State Senator, U.S. Representative, and U.S. Senators did not help despite our letters requesting their help. We mailed them first-class in November, 2020. We also called.

Dwight has high rates of asthma and chronic illness. Ninety-two percent of the residents live in rental housing. Two-thirds of the residents are African American or Latino/a. Nearly half are low-income. We are the classic place for environmental injustice to take place.

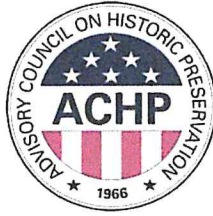
We urge the City to reverse course, and we urge HUD not to participate in this unjust action. We ask State and federal officials to stand with us.

Yours truly,

Patricia Wallace, President  
Friends of Kensington Playground

Cc: Governor Ned Lamont, State of CT  
State Attorney General William Tong  
Marcia L. Fudge, Secretary, U.S. Department of Housing and Urban Development  
Pamela S. Karlan, Principal Assistant Attorney General, Civil Rights Division, U.S. Department of Justice  
Representative Rosa DeLauro  
Senator Chris Murphy  
Senator Richard Blumenthal

State Senator Gary Winfield  
Representative Toni Walker  
Representative Patricia Dillon



April 30, 2021

Ms. Aicha Woods  
Executive Director  
New Haven City Plan Department  
165 Church Street  
New Haven, CT 06510

Ref: *Proposed Demolition of Kensington Playground*  
*City of New Haven, Connecticut*  
*ACHP Project # 016599*

Dear Ms. Woods:

On March 2, 2021, the Advisory Council on Historic Preservation (ACHP) received correspondence from the City of New Haven, Connecticut (City), regarding our inquiry for the referenced undertaking and the status of the City's compliance with Section 106 of the National Historic Preservation Act (NHPA) (54 USC § 306108) and its implementing regulations, "Protection of Historic Properties" (36 CFR Part 800). As we understand, the City proposes to provide HOME funds from the U.S. Department of Housing and Urban Development (HUD) to demolish the Kensington Playground. The playground is located within the boundaries of the Dwight Street Historic District, which is listed on the National Register of Historic Places. The City is acting as the Responsible Entity (RE) pursuant to HUD's environmental regulations at 24 CFR Part 58.

Based on the documentation provided by the City, it appears the City conducted regular public meetings regarding the proposed undertaking. However, it is unclear if those meetings provided an opportunity for discussions regarding the undertaking's effects on historic properties, which is required to meet the threshold set in 36 CFR § 800.2(d)(3). Further, while public involvement is an essential component of a Section 106 review, the City has a responsibility to also identify consulting parties that may have an interest in the undertaking or its effects on historic properties, and invite these parties to participate in consultation (36 CFR §800.3(f)). Though the State Historic Preservation Officer (SHPO) is required to concur with findings and determinations made within the Section 106 review, it is not the only consulting party in a Section 106 review. Organizations such as the Friends of Kensington Playground (FKP) should have been identified by the City and invited to participate in the Section 106 review in order for the City to consider the full range of effects to properties of significance to the community. The Section 106 regulations are clear that seeking and considering the views of the public should be done in addition to, but not in lieu of, identifying, recognizing and working with consulting parties.

While the Connecticut SHPO has concurred with the City's finding of "no adverse effect", the City should consider whether its finding should be revised in light of the Friends of Kensington Park's concerns, or if there are alternatives to the undertaking that would address the issues FKP has raised. For future HUD-funded projects where the City will act as the RE, it should ensure that it is meeting the requirements within the Section 106 regulations to meaningfully consult with consulting parties,

including the SHPO, those individuals or organizations that have an interest in the undertaking or its effects on historic properties, and federally recognized tribes, and not consider consultation as public meetings. If the City continues to utilize its NEPA process to meet its consultation responsibilities, the City should consider what modifications need to be made to ensure that it still meets its obligation to identify and invite consulting parties into the process, as well as notify the public of the undertaking.

We appreciate the opportunity to provide our advice to the City. Should you have any questions regarding our guidance, please contact Anthony Guy Lopez at (202) 517-0220 or via email at [alopez@achp.gov](mailto:alopez@achp.gov).

Sincerely,



Jaime Loichinger  
Assistant Director  
Federal Permitting, Licensing and Assistance Section  
Federal Agency Programs

May 1, 2021

The Honorable Justin Elicker  
Mayor of New Haven  
165 Church Street  
New Haven CT 06510  
Attn: Kensington Square Environmental Review

Dear Mayor Elicker,

Re: City of New Haven's legal notice of NOTICE OF FINDING OF NO SIGNIFICANT IMPACT  
AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

I am writing to urge you to preserve and make improvements to the Kensington Playground and park instead of selling it. The playground and park provide critical and sorely needed open space to the Dwight neighborhood. Children's access to open space and a playground is essential for their health and well-being. For example, on April 17 the playground provided a venue for Kids Bike Safety Day, during which 13 children received free bicycles, helmets, lights, and locks. Adults use and benefit from the park as well.

I therefore disagree with the Environmental Review's conclusion of No Significant Impact. Environmental justice and public health require access to open space and play areas for children. Loss of Dwight's only public playground and park is unacceptable.

Sincerely,



Robert Dubrow, M.D., Ph.D.  
Professor of Epidemiology (Environmental Health Sciences)  
Faculty Director, Yale Center on Climate Change and Health

P.S. These views are my own. Yale School of Public Health has not taken a position on this issue.

May 1, 2021

The Honorable Justin Elicker  
Mayor of New Haven  
165 Church Street  
New Haven CT 06510  
Attn: Kensington Square Environmental Review

Re: City of New Haven's legal notice of NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

Dear Mayor Elicker,

I oppose the sale of Kensington Playground and disagree with the Environmental Review's conclusion of No Significant Impact.

As a 1<sup>st</sup> year Yale Phd. Student in Ecology and Evolutionary Biology, I have collected many of the relevant facts regarding the ecological importance of the site. While the qualitative environmental review considered several factors, there were important factors that were not considered or questionably answered.

The Kensington Street Playground serves an important role as one of the largest contiguous green spaces in Dwight Neighborhood, in addition to its social role. Specifically, it currently provides carbon sequestration, pollution reduction, runoff control, and temperature modulation to the community surrounding it. By my measurements (done by hand) and calculations (using the software iTree), I have found the park currently:

- stores 27 tons of carbon and sequesters .76 tons annually
- removed .02 tons of pollution annually, including 7 pounds of nitrous oxide and 35 pounds of ozone annually
- prevented 1103 cubic feet of runoff and intercepts 5800 cubic feet of water annually
- contributes to an estimated 3 degree °C difference in ambient temperature.

The new plan, which will remove 22 large, old trees and replace them with young trees of smaller species will not have the same benefits: This is graphically illustrated in figure 1.

- In a 30-year forecast, the same lot will have only stored approximately 1/30 of the total carbon the park has currently stored,
- during construction 40% of the total carbon of each tree removed/killed by construction will be released resulting in up to 10 tons of additional carbon.
- In the first year, the new plan will remove 1/20 of the value of pollutants the park currently does, which will become more important as air quality worsens due to construction.

Randall 1

- The new lot will increase total runoff due to the new impervious surface and smaller pervious area for water to infiltrate, and the temperature reduction will be reduced to approximately 1-degree °C.

This neighborhood, and other class D redlined districts in New Haven have been found to differ from class A redlined districts by 3.5 degrees °C as well as being hotter than the average by 1.3 degrees °C. This data, collected by Hoffman et al, is shown in figure 2. The park itself is significantly more vegetated than the surrounding neighborhood that satellite images can identify the location of the park, shown in figure 3. Figure 4 shows the thermal radiation of the entire city, in which the park is significantly cooler than the rest of the near West-side due to the hospital and bypass.

The park acts as an important environmental service asset that this community desperately needs in the face of continued development, climate change, and the impacts of institutional segregation.

In light of this information as well as other state-generated data, we can reconsider certain aspects of the qualitative environmental review performed by the US Department of Housing and Urban Development.

1. The Connecticut Institute for Resilience and Climate Adaptation has released a dataset visualizing the effects of a .5m sea level rise, which is a conservative estimate for the next several decades. One conclusion of this study is the large loss of current parkland in what is now West River Memorial Park and Edgewood Park to coastal encroachment. Any changes to total parkland should be considered in light of this.
2. Five categories of the review should directly be re-considered during this open comment period; these are Soil Suitability/Storm Water Runoff, Demographic Character Changes, Environmental Justice, Parks, Open Space and Recreation, and Vegetation, Wildlife.
  - a. Soil Suitability/Storm Water Runoff has already been ranked a 3, and due to the substantial increase in imperious pavement in an already hydrologically limited area is well-deserved. This is likely remediable given enough erosion control measures, water diversions, and investment in the area, but the ground water will suffer regardless due to the loss of pervious surface area.
  - b. While difficult to directly measure, open spaces and healthy stands of trees contribute to increases in property values through time. This is not noted in the Demographic Character Changes. In a wealthier neighborhood, the loss of park land and development of low-income housing would be considered unacceptable due to the property value loss – a statement continuously used in the development of redline zoning and continuation of segregation. However, poorer neighborhoods have fluctuating property values reliant on development corporations' desires and city decisions; the loss of the park would be a reduction in the passive increase that neighbors would have been able to see the past few decades.
  - c. The Environmental Justice category notes that this neighborhood is primarily low-income and under-represented minority but goes on to claim that there would not be substantial effects on the residents. The Demographic Character



Change, loss of environmental services associated with older trees, and the sudden increase in construction from this proposed site and the hospital would have meaningful effects on the residents who have few methods of recourse.

- d. The last two categories of Parks, Open Space and Recreation, and Vegetation, Wildlife were considered to have a beneficial effect and non-effect respectively. As shown through the changes in environmental services, there are substantial effects to the site, but the claim of a fungible alternative is also a political one. The proposed replacement parks are not on public property, unlike Kensington Playground. This is neo-liberalization of public services, part of a larger process of utilizing private, non-state actors to fulfil the goals of the city such as low-income housing. It results in increased load on the bureaucratic structures, reduced decision-making of the public, and degradation of the services through time.

While the environmental review is qualitative, it should be informed by quantitative data and represent the complete picture of Dwight and New Haven.

In conclusion, the stated goal of this project of increased low-income housing is positive, there are a number of unintended consequences, some of which are under-considered. Residents of Dwight deserve a meaningful voice not only at the time of planning, but at every point along the construction, maintenance, and loss of environmental services. The loss of a park is a crucial decision, once it is begun there will be irreparable changes to the soil, hydrology, and plants themselves.

Sincerely,

Joshua Randall,  
Friends of Kensington Playground  
260 Dwight St  
New Haven, CT 06511  
3174460379

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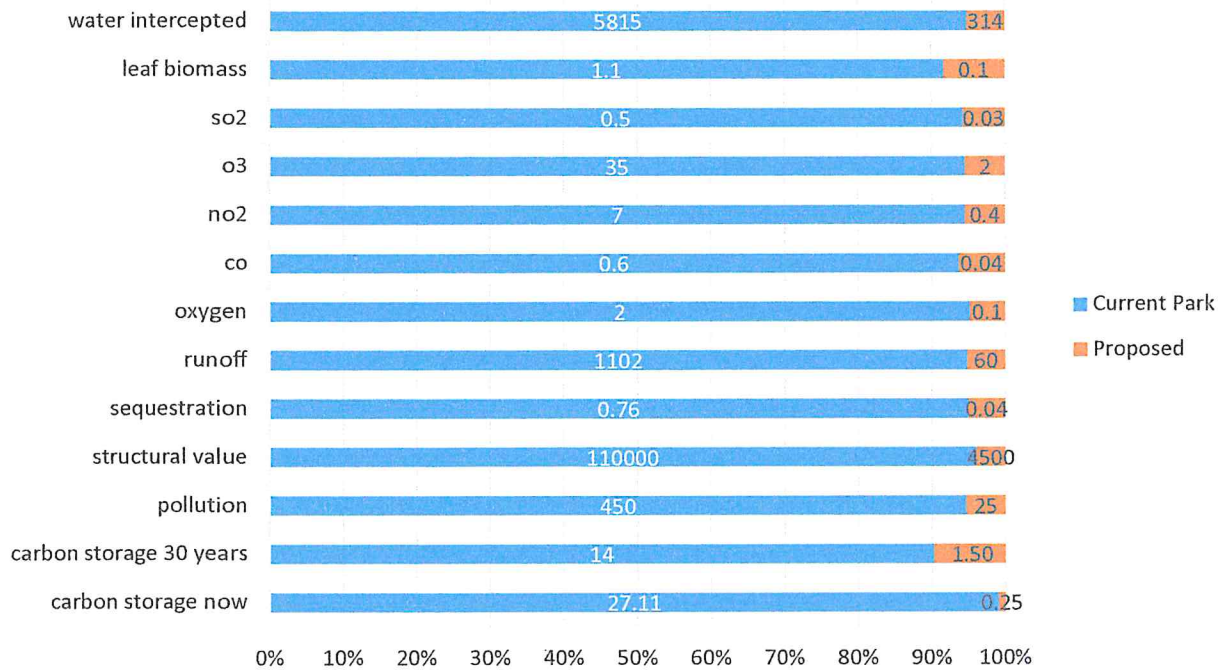


Figure 1: Comparison of environmental services provided by the current space compared to the proposed site in the first year.

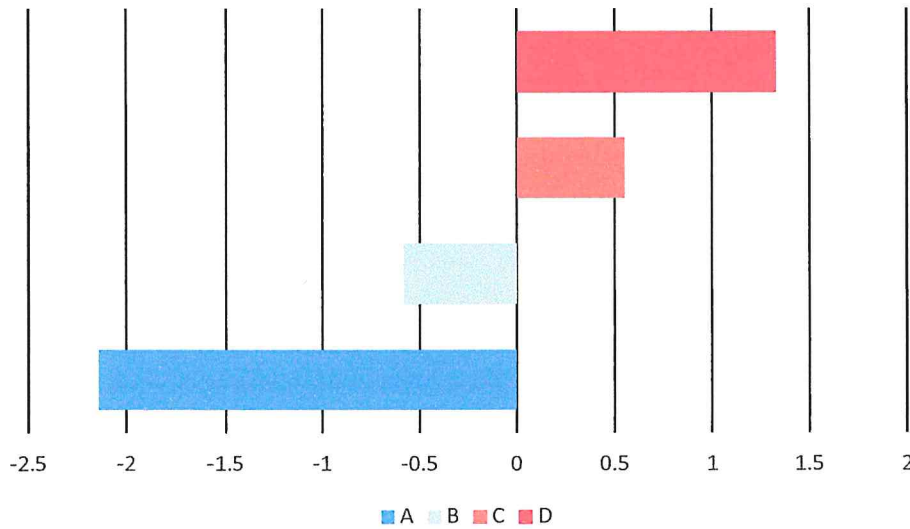


Figure 2: Differences in average temperature by redline zoning for New Haven (Hoffman, 2020)



Figure 3: NDVI (Normalized Difference Vegetation Index) for the area surrounding the park. The white streak represents higher vegetation with Kensington and Day resulting in a bright white surrounded by dark gray.

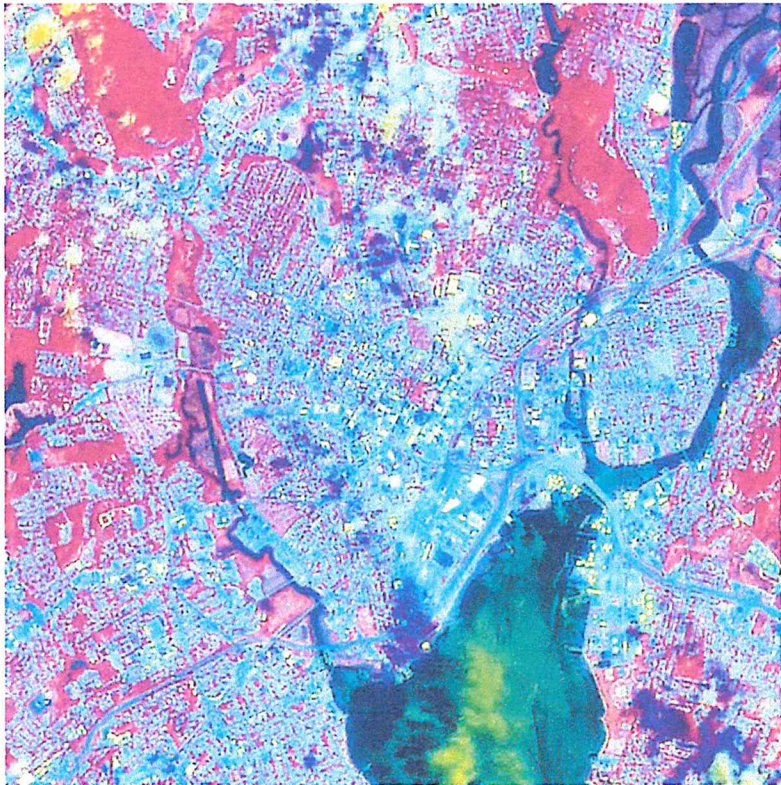


Figure 4: Thermal radiation of New Haven. The city's near west-side is relatively hotter in darker blue than other parts of the city. There are small areas of cooler space including the playground in red.

April 30, 2021

Ref: *Proposed Demolition of Kensington Playground*  
*City of New Haven, Connecticut*  
*ACHP Project #016599*

Dear Mayor Elicker,

My name is Shirley Deng, a current resident of the Dwight neighborhood and a Pediatric Nurse Practitioner practicing in the Hill Neighborhood. I am writing to urge **you take action against** the project to redevelop Kensington Park into affordable housing as it currently stands.

I have heard the rationale for moving forward with the project at the various Dwight Community Management (DCMT) meetings in the last few months:

1. We desperately need affordable housing in New Haven.
2. The park has been abandoned and has become a safety hazard in this neighborhood.
3. The funding for this project is needed in order to properly maintain and remodel the 88 properties owned by TCB (The Community Builders).
4. This project has been in the works since last year, and we have already gotten the community buy-in at DCMT meetings, and it should not be opposed now.

As it currently stands, reasons 1) and 2) have been debunked many times by different members of this community. The opponents of this project, -myself included, are for affordable housing and understand the need in CT. However, we are arguing against the inequity of its placement in another low-income, dense urban neighborhood, like ours. If you go to any middle income neighborhood and propose a project to take over a park, you will not only encounter heavy resistance, but it could not have advanced to this stage of development as the Kensington redevelopment plan has. Why? Because a) that park space would not have been as abandoned by the city as Kensington park currently is, and b) representatives of those communities understand the VALUE of the park to its neighborhood and families and would fight to preserve it in its best interest. Additionally, families and community representatives in those middle income families have power and leverage in ways that the CURRENT families in our neighborhood do not. **So they depend on leaders like you**, to ensure their voices are heard and that their health and best interests are prioritized, and not compromised for a "bigger, better" plan, whose process has neither been transparent and whose theoretical "good" outcomes are questionable at best.

Secondly, crime is crime. A park being used by individuals who use drugs or commit crimes, does not mean it causes or is associated with increased rates of crime or drug use. Correlation does not equal causation. Getting rid of a park will not address these long-standing individual and societal issues; it will only push those issues elsewhere in the neighborhood. We see gun violence happening in front of the day care on the corner of Kensington and Edgewood- does that mean the daycare needs to be moved to a different corner or neighborhood? It is important not to conflate separate issues, as has been done by some proponents of this project.

This leaves reasons 3) and 4) as the remaining PRIMARY drivers of this project. To put it simply, at this point, the project is primarily moving forward for reasons of **money and convenience**.

Deng |

TCB's responsibility is to maintain the properties it currently owns. They received low-income housing tax credit to do so, and we are the tax-payers that fund these projects. Yet, historically, TCB has developed a poor reputation in New Haven due to its poor management of the units it currently owns. The crux of the issue is: *why must TCB's phase 2 renovations for its existing properties include building another 15-family low income housing unit?* Why was the park brought into the plan to renovate existing housing to begin with?

The fact that this question has not been answered by TCB or by the city of New Haven shows that the process for development has not been transparent, especially in its funding. Whether is clearly acknowledged or not, **money** is at the core of why the park was incorporated into this "phase 2" remodeling of existing properties. On paper, the bundled project sounds good- "more affordable housing is built in New Haven with remodeling of existing 88 apartment units". In reality, however, TCB has a responsibility to maintain their existing properties at functional, safe, and clean conditions, but has been unable to do so for the past few years. Instead, it sought funding allocated to "create more affordable housing in New Haven" for fixing up the properties it already owns. This shows that 1) funding is given to create new projects, but not to maintain them over time, and 2) TCB is unable to appropriately maintain properties it creates and owns in New Haven on existing finances. The fact that the Kensington park is on the table to begin with is distracting to the real issue at hand: lack of funding to maintain existing low-income housing.

Additionally, it is **convenient** to continue with a plan because of momentum, especially a plan that has had an opaque process without appropriate community buy-in. It has had questionable decision-making at each step of the process: from the Parks department land swap in anticipation for a project that had not yet been approved; to the city donating the park for development of housing, again, without community engagement; to where we are currently, our leaders hearing, but not seriously weighing, the feedback and counterarguments against the project as it currently stands. Discussing the project at a DCMT meeting for an allotted 10-minute slot over the course of a few weeks is NOT community engagement. The project skipped engaging the actual families who live in the Dwight neighborhood. In research, when a conclusion is reached based on poor sampling and supports a preexisting agenda, it is called selection bias. It is unacceptable for leaders to turn a blind eye to new information (brought to light by the Friends of Kensington Park) that does not support the preexisting agenda of this project.

With all that said, the EXISTING black and brown community in the Dwight community will bear the cost, should this project be allowed forward. Green space is precious, and once it is lost to development, it does not return. Plans with good intentions are only good on paper if they fail to see and take into account what will be lost and who will be bearing the cost in the short and long term.

Here is what is at stake:

1. Overall health of **existing** families in the Dwight neighborhood- the fight against depression / anxiety, childhood obesity, cardiovascular disease, and diabetes
2. **Abundant** green space that is crucial to the health of a neighborhood, especially in a life changing pandemic
3. Green space that is preserved and could be restored to what it was intended to be, not abandoned
4. Opportunity to truly **engage** the community over in pursuit of its own health and wellbeing, not to default to plans made from an outside organization who decided what is best or acceptable

5. Further segregation in New Haven by resisting easier placement of low-income housing in already dense, low-income areas

As a pediatric health care provider, I see patients and families every day tell me how covid-19 has negatively impacted their mental and physical health. They have struggled to create healthy routines that maintain their health because kids are no longer in school and are stuck at home all day, sitting in front of a screen, and many parents are stuck at home. The problem of childhood obesity, depression, anxiety in children has been on the rise with the increased use of screen time and spread of social media. Covid-19 has only exacerbated these public health problems by preventing kids and families from going outside. The kids who have backyards are the few lucky ones, but so many of my patients, who live in typically lower-income neighborhoods in New Haven, aren't able to access safe, green spaces that allow them to prioritize their health. So to avoid busy streets, the barriers of getting to a park, and even the high traffic use of existing parks during the pandemic, many opt to stay home. As we slowly return to school in person in New Haven, there is no better time than now to create a new normal by investing in an environment that serves the health of existing children and families in the Dwight neighborhood.

As I have participated in multiple events held at the Kensington park over this past year and engaged in clean-up of the park, I have met many children, youth, and families with kids that regularly use the place as a place to play, bike, rest, and gather. I have heard them express what they hope to have in this space- not more housing, but a fully functioning playground and park space. With the money from Summer Reset under the "Clean & Safe" initiative, we now have funds to rebuild this park into a proper playground, one that could include a basketball hoop, playground set, a functioning splash pad, and regular maintenance of the space. For those who have eyes to see and ears to hear, let them see and hear, that this is a place that is used well, valuable to these families, and whose improvement is crucial to the wellbeing of the neighborhood.

As mayor of New Haven, it is your responsibility to make an executive decision in the best interest of the health and wellbeing of the communities you represent and see things broadly: to RESIST pitting important issues against each other--access to green space and affordable housing. I urge you to stop this project on the redevelopment of Kensington park and follow the CDC guideline on the importance of green space and the role it plays in reducing existing health disparities.

Below is a statement from the CDC regarding the importance of Green Space in Covid-19 pandemic:

*"The COVID-19 pandemic has illuminated underlying disparities in access to parks and green space for underserved and vulnerable populations. Building a stronger infrastructure of neighborhood parks and green space throughout the country will help limit the impact of future public health disasters. Before and during a pandemic, national, state, and local policy makers, urban planners, and governments should thoughtfully consider what is appropriate and important for overall population health and how best to implement some of the recommendations proposed while maintaining appropriate physical distancing in public spaces. Access to parks and green space is vitally important for the health and well-being of individuals, and it will lead to healthier populations."*

*It is important to "ensure that including green space is prioritized on streets in neighborhoods that lack them. Municipalities should review local design guidelines and zoning codes to ensure they include provisions for green spaces, green streets, sidewalk planters, or other greening strategies."*

(1)

In taking into account the above recommendations by the CDC, I would also like to raise concerns on the recently published Environmental Review by the City of New Haven (2) to justify this project's passage. With regards to the category of Environmental justice, the paper states that the project in question "will not result in any adverse effects to the low-income and minority populations, and will benefit the residents of the project site". There are no residents of the project site that exist at this moment and do not belong in this assessment addressing impact on current residents. Additionally, after reviewing the attachment that this conclusion is based on, I saw nothing included in the review that specifically discusses the metrics of environmental justice by which this order was made. Accordingly, there is no validity to this conclusion and must be reviewed again by the following criteria defined by the *American Public Health Association* (3) as follows:

1. Fair treatment
2. Meaningful involvement
3. Environmental racism
4. Climate justice

Fair treatment is defined as "no group of people should bear a disproportionate share of negative environmental consequences", including health consequences. Meaningful involvement "allows people to participate in decisions and make contributions with the power to influence agency decisions". In urban areas, lower income level is correlated with less access to green space (4). Additionally, there is an abundance of research that documents decreased access to green spaces further exacerbates existing health disparities in chronic illness in black and brown communities (5). The concerns that the Friends of Kensington have raised, including health experts, community members, and current residents have not been appropriately weighed according to these criteria. Accordingly, I am concerned that the criteria of "Fair treatment" and "Meaningful involvement" for this primarily Black and Brown community have been completely ignored in this review, leading to false conclusions to justify passage of this project.

As a mayor who represents the city of New Haven, in its diversity, your leadership platform is equity for its citizens. I urge you to not turn a blind eye to this issue of health and environmental justice for the current residents of the Dwight/ Kensington neighborhood.

I appreciate the opportunity to discuss these concerns with you. If you have any questions, you may reach me at [szdng24@gmail.com](mailto:szdng24@gmail.com).

Thank you,

Shirley Deng, MSN, PNP-PC

(1) [https://www.cdc.gov/Pcd/issues/2020/20\\_0204.htm](https://www.cdc.gov/Pcd/issues/2020/20_0204.htm)>

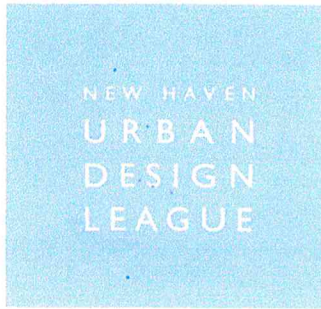
(2) <https://environmental-review-newhavenct.hub.arcgis.com/pages/home-investment-partnerships>

(3) [https://www.apha.org/-/media/files/pdf/factsheets/environmental\\_justice.ashx?la=en&hash=BF2694E6A2FC6707C373F1E1DC60243BF333CACE](https://www.apha.org/-/media/files/pdf/factsheets/environmental_justice.ashx?la=en&hash=BF2694E6A2FC6707C373F1E1DC60243BF333CACE)

(4) <http://css.umich.edu/publication/urban-green-space-public-health-and-environmental-justice-challenge-making-cities-just>; <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3590901/>

(5) [https://www.cdc.gov/pcd/issues/2014/13\\_0407.htm](https://www.cdc.gov/pcd/issues/2014/13_0407.htm)

Deng 4



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May 3, 2021

Mayor Justin Elicker  
City Hall, 165 Church Street  
New Haven, CT 06510

Via [email: mayorelicker@newhavenct.gov](mailto:mayorelicker@newhavenct.gov)

**Re: Comments on the City of New Haven's Environmental Review for HUD of The Community Builders (TCB) Proposed Project for Kensington Square**

Dear Mayor Elicker:

At the request of the Friends of Kensington Playground, I have reviewed the Environmental Assessment by Fuss and O'Neill, as well as the plans submitted by TCB to the City Plan Department.

The New Haven Urban Design League has been concerned about the adverse and irreversible impact on the Dwight neighborhood should Kensington Park be destroyed, and all the essential and life-giving benefits that the park provides for the neighborhood — recreational, health, social, economic, esthetic, and environmental — would be permanently lost. The Dwight neighborhood has only two public parks. Both parks are very small, not only in absolute size, but small relative to the population density of the neighborhood they serve. Dwight is a majority-minority community, with many low-income families. Additionally, because of its intense pollution burdens, the neighborhood is recognized as an Environmental Justice community.

Considering these primary and essential facts about the neighborhood, the fundamental question for an environmental review to ask is, "Does the neighborhood need the park?" It would be unreasonable, if not just plain preposterous in this park-poor place to say, "The Dwight neighborhood does not need this park." The fundamental question, "Does the neighborhood need the park?" is, unfortunately, averse to the preferences of the current developer. The Environmental Review prepared by the City also by-passes the fundamental question, "Does the neighborhood need the park?" Instead of addressing the most pertinent question, the one that is central to the broadest public interest, the City's Environmental Review takes a single developer's preferred plan, and accepts and reasserts the false pretexts and narrow interests that define and bedevil that plan, and folds these tendentious



presumptions into a new set of documents (HUD A21-0366) prepared under its signature for the U.S. Department of Housing and Urban Development.

Here are some examples of the deficiencies and defects City's Environmental Review:

**1. "Statement of Purpose and the Need for the Proposal [40 CFR 1508.9(b)]." p.2**

The City's Environmental Review starts with a brief paragraph (p.2), a number of unsupported assertions of benefits (such as public safety) and constraints (other available sites) are made. The long-overdue work to rehabilitation of 53 of TCB long-neglected properties, adding 7 new affordable units, and using their property on Chapel Street for offices and community space does not depend on destroying Kensington Park. There are many alternatives to the irrevocable destruction of the public park which are not addressed in the City's Environmental Review. The City's Environmental Review notes that TCB considered alternatives, but does not specify what these were. Neither does the City's Environmental Report address the alternative sites proposed in the well researched and documented "White Paper" prepared for the City and TCB by the Friends of Kensington Park. That the most basic consideration in an environmental review — i.e., are there feasible and viable alternatives to a plan which would harm the public interest in water, air quality, open space, natural resources and historic resources — means the City's Environmental Review is insufficient in scope and performed to be defective in its conclusions.

**2. "Existing Conditions and Trends [24 CFR 58.40(a)]" (p. 2)**

The Environmental Review mentions housing types in the 6 blocks closest to TCB area of interest, but does not relate this observation to any housing trends, whether hyper local, city-wide, or in the region. A claim is made that without the funds for the whole project, the buildings would deteriorate further. No evidence or argument is offered as to why the TCB project could not be amended to use sites other than the park for the 7 new housing units proposed. Or why the project could not be amended to address only the 53 neglected TCB properties. Dwight neighbors are concerned not only about losing the park, but also the risk of having a neglectful property owner being given opportunities to expand. Again, and Environmental Review needs to address alternatives. One alternative would be for TCB to sell some of their properties to finance the rehabilitation of other properties. It would be reasonable to evaluate this.

It is important to note that "Existing Conditions and Trends [24 CFR 58.40(a)]" mentions the park is characterized by "landscaping, concrete walkways, and a playground" but does not mention the significant number and size of the mature trees in the park, and the benefits they provide.

The analysis of "Existing Conditions and Trends [24 CFR 58.40(a)]" has also not mentioned or analyzed the severe impact of the proposed parking expansion at the Yale New Haven Hospital St. Raphael Campus, one block away. Removing green space and trees would be damaging to the neighborhood as it is now. The loss of the park will be even more harmful should the planned parking garages be built. In light of this problematic development, and

the neighborhood's Environmental Justice Status, the note on "Clean Air" in "Compliance with 24 CFR 50.4, 58.5, and 58.6 Laws and Authorities" (p. 3-4) that the "low level of auto trips generated by the proposed project [i.e., 7 additional units] relative to total regional trips is unlikely to negatively impact regional [emphasis added] air quality" does not address the local impact of the loss of mature trees.

### **3. Historic Preservation (National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800) p.6**

The City's Environmental Review lists the historic houses which will be rehabbed under Department of Interior Standards as part of TCB project. We support this use of public funds and tax credits. But public funds and tax credits should not be used to destroy public open space.

Kensington Park was established after the Dwight Historic District was approved by the National Park Service. At the time the park was established, no suggestion was made that the park did not contribute to the architectural and historic character of the National Register District. It was a great accomplishment for the neighborhood and the City to establish a much-needed park in the neighborhood and to preserve the mature trees on the site — making them a major aesthetic and functional part of the park's design.

Because the park did not exist when the Dwight National Register District was formed, it is not included in the Nomination, and has no stars, as either contributing or non-contributing to the National Register Historic District. If the Dwight National Register District Nomination were to be updated, as neighborhood advocates have requested, in all likelihood, Kensington Park would be noted as a contributing feature. The same could not be said of the building proposed to replace it. TCB project for the site is not in character with the Dwight National Register District. Its scale, detailing, massing, roofline, site placement, side yard and front yard dimensions, location of parking, and materials. If this project was in a Local Historic District, and subject to National Park Service Standards and review by the Historic District Commission, it would need to be re-designed. As is, granting Federal funds and tax credits to the TCM project will result in the loss of an asset favorable to the Dwight National Register District, and the imposition of a structure that would be non-contributing to the character of the district.

### **4. Environmental Justice, Executive Order 12898 (p.7)**

The City's Environmental Review notes that this is an Environmental Justice community. The purpose of this status is to guide decision-making and, in effect, to set-up a yellow flashing warning light to developers and regulators that adverse environmental and economic conditions exist, and focused caution and care are required, with the goal of not just doing no harm, but creating significant environmental improvements. The treatment of Environmental Justice issues is one of the most disconcerting aspects of the City's Environmental Review. Without proof, and contrary to common sense, and with no mention of the loss of the park, the City's Environmental Review states that "the project will not result in any adverse effects to the low-income and minority populations."

The City's Environmental Review then states that the additional 7 new housing units will be a benefit to residents. While 7 additional affordable housing units would be a benefit to the local and regional community, the benefits of affordable housing and the benefits of open space are not interchangeable as "environmental justice credits." To suggest that the park is a fungible environmental asset disregards the imperative to do environment justice work.

#### **5. Environmental Assessment Factors [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] and Impact Codes (p.7 - 9)**

The City's Environmental Review makes debatable assessments of the impact of this project on "Environmental Assessment Factors", comprising Land Development, Socio Economic, Community Facilities and Services, and Natural Features. These are all critical considerations to review in a project using Federal and State resources. But they have received glancing, not critical review here. A few examples:

##### ***A. "CONFORMANCE WITH PLANS / COMPATIBLE LAND USE AND ZONING / SCALE AND URBAN DESIGN" P.9***

No mention is made about the proposed new building's location in the the Dwight National Register District. Its lack of congruence with National Park Service Standards would merit a "4" rating, i.e. "Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement." The assertion that the "new building will... improve an outdoor community space" is not supported in a review of the plan, or in the destruction of the park.

##### ***B. "SOIL SUITABILITY/SLOPE/EROSION/DRAINAGE/STORM WATER RUNOFF" P.9***

This section notes that "Appropriate erosion and sedimentation controls will be installed during the construction of the new building and parking area. The newly constructed features will introduce more impervious surfaces to the area and runoff will need to be addressed" and rates this as "3" "Minor Adverse Impact – May require mitigation." Loosing the many environmental benefits and services of the park and its trees, and replacing a beneficial natural space with asphalt and impervious surfaces having an adverse impact, is when looked at together, a (4) "Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement."

##### ***C. "SOCIO ECONOMIC, COMMUNITY FACILITIES AND SERVICES" P.9***

This section notes minor impacts and benefits, including the possibility of bringing more students into a district with declining enrollments. The impact of the magnet school system likely makes this purported benefit even more speculative than stated. But whether students attend a nearby school or one across town, they need play space in their neighborhood. TCB to possibility bring more children to the neighborhood while eliminating a playground is ill-considered.

##### ***D. "PARKS, OPEN SPACE AND RECREATION" P.9***

Although the City's Environmental Review states that there are "several neighborhood parks in the vicinity, there are just two, both very small. Removing one park reduces the number of parks by 50%. The report mentions that there are other parks within a three mile radius. To

what point? Unless the park, especially a play-space for children, is within a 1/4 mile walking distance, it will not serve the needs of children and families, especially the many families in the neighborhood without cars, who need healthy walkable neighborhoods.

The City's Environmental Review states that the site of the new apartment building will have "community gardens, walking paths, and a play space." A review of the plans shows a small landscaped area to the east of the parking lot. This small patch of land, on private property, does not come near replacing the benefits of a free and open public playground, any more than the landscaped areas around current TCB properties serve a general and open public purpose.

The City's Environmental Review mentions that the public park on Chapel and Day Streets will be upgraded as part of this project. It is a false premise to suggest that 10 the parks are interchangeable in function, and 20 that the sole means of upgrading the Chapel and Day Street Park is by sacrificing another. The intrinsic value of Kensington Park is not fungible. Its purpose — providing a safe quiet play-space on quiet residential street — is not something that the Chapel and Day Street park can provide. The Chapel and Day Street park is on a major city arterial, which serves regional commuters and regular, emergency traffic going to the Hospital, a major bus route, and bus and private vehicle traffic generated by the adjacent school. The City's Environmental Review "rates the impact of this as "1" i.e., "Minor beneficial impact." It should be rated (4) "Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement."

## **6. Cumulative Impact Analysis [24 CFR 58.32] p. 10 - 11**

The City's Environmental Review states, "The proposed use of HOME funding, considered for both existing building improvements and proposed multi-family development, is not expected to result in cumulative impacts to the natural, built, or socioeconomic environment." What kind of cumulative impacts are being suggested here.? If the City is asserting no negative cumulative impacts, notably has this case not been made, but the negative, permanent impact of losing Kensington Park has been made. Parks are an essential contributor to strong and healthy socioeconomic conditions. It is reductive to posit the addition of 7 additional affordable housing units as the sole and stand-alone factor influencing socioeconomic conditions, as this Environmental Review attempts.

## **7. Alternatives [24 CFR 58.40(e); 40 CFR 1508.9] p.11**

This section of the City's Environmental Review is fatally flawed because it is based on "pretext planning", i.e., meaning the real rationale for a choice is likely it is something other than the stated purpose, which the illogic of the arguments reveals.

The Friends of Kensington Park have shown in their "White Paper" that there are better options with in the neighborhood for additional affordable housing units to be built, which do not require sacrificing the Park. Some of the site's identified by the Friends of Kensington Park are historic properties. Rehabbing these would be a double benefit — the park would

be preserved and so would the historic structures. The City's Environmental Review has not considered these alternatives, rendering the Review partial and incomplete.

The City's Environmental Review suggests that the redevelopment of Antillean Manor and the expansion of the Hospital support the TCB project and destruction of the park. This is an empty assertion, the opposite is true — all these intensified uses will make the Kensington Park a more essential resource for the community.

The City's Environmental Review starts that “[o]ne “alternative considered was to renovate existing properties only, without completing the proposed new construction. This alternative did not meet state priorities for financing ...” Are state priorities (not rules or regulations) for financing so rigid that it would support destroying a park? The State's comprehensive plans for development embrace complete and balanced, healthy urban places. If the state “priorities for financing” were as rigid as suggested by the City's Environmental Review, those priorities would be in conflict with state community planning goals.

TCB plan includes donating one of its properties, 59-61 Beers Street, to a local community development nonprofit which will administer a process to transform it into opportunity for homeownership. While this is a commendable goal, it loses all value if the trade-off for one homeownership opportunity is the loss of a park used by hundreds of families. Furthermore, there are alternatives for replacing the affordable housing rentals currently provided at 59-61 Beers Street, as detailed in the friends of Kensington Park “White Paper.”

The City's Environmental Review states that a “second alternative new construction alternative was considered that would have consisted of infill housing at 14 Garden Street on an existing parking lot. There was not sufficient space at this location to accommodate the replacement units.” The presumption that all the replacement units needed to be on one site is an artificial one, and does not justify the loss of the park.

The City's Environmental Review states that “the existing park on the site had not been receiving park services and there were concerns around public safety at this space under its existing use. Further, a use study was conducted that showed minimal use of the existing park across various times of day and days of the week.” It is remarkable that the City 1) states the park was not receiving city services, 2) then notes the perception of “concerns” (not facts supported by NHPD records) about safety in an important place abandoned from the city's required care and stewardship, and that 3) the city's use study (which needs to be made public) showed minimal use of the park. Other than the city's poor stewardship of the park, the city's assertions are vague and disputable. Even if the concerns about safety and use were based in fact, this would mandate an appropriate and equitable investment of standard public services for the park, not its permanent destruction.

#### **8. No Action Alternative [24 CFR 58.40(e)] p.12**

It is concerning the City's Environmental Review asserts, and in doing so, condones a questionable presupposition that if there was no action (i.e., federal funds and tax credits approved), “that the properties would continue to deteriorate.” “No action” is not the only

alternative. TCB can and should revise their plan so that replacement units would be built on other sites. TCB could sell some or all of their neglected properties to a non-profit housing group capable not only of maintaining its inventory, but just as important, working with rather than against the interests of its host neighborhood.

## **Conclusion**

Mr. Mayor, your administration has had a number of opportunities to reconsider this damaging and unpopular plan. It is not too late to do so now. The HUD required environmental review is meant to provide a checkpoint to reassess and evaluate serious environmental issues. The City's Environmental Review fails to do this, and does a disservice to a vulnerable community which has, against the odds, marshaled its good hearts and small purse to protect a beloved park. In the face of this determined effort, the city has spent money — tax-payer dollars — on consultants and lawyers fighting the neighborhood. Most New Haveners would object to public funds being used to harm the environment and basic public interest in parks and open space. Rather than “papering-over” this environmental justice issue with an inadequate Environmental Review, we ask that you reconsider TCB inappropriate plan, and use city resources to help foster a better project.

Anstress Farwell, President



## **Statement of Belief**

The New Haven Urban Design League believes the quality of the built environment is critical to human happiness and a civil society.

## **MISSION**

The New Haven Urban Design League was founded by citizens devoted to protecting and enhancing New Haven's natural and historic assets and urban design through research, education, and advocacy. The League works to improve the quality of life in New Haven by supporting projects that sustain the culture, beauty, utility, and economic health of the city -- both in its neighborhoods and in its region. The League seeks to strengthen the civic culture that is the foundation for good government, good planning, and good development.



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May 1, 2021

The Honorable Justin Elicker  
Mayor of New Haven  
165 Church Street  
New Haven, Connecticut 06510

Re: Kensington Square Environmental Review  
New Haven, Connecticut

Dear Mr. Elicker,

At the request of the Friends of Kensington Playground, I have reviewed the Environmental Assessment by Fuss and O'Neill, the conceptual plan by To Design, LLC and other documentation concerning the proposed project to be located on the current location of Kensington Park.

By way of my expertise to comment on this project, I am a licensed professional engineer in Connecticut, in addition to being an expert in the field of Low Impact Development (LID). I have practiced in the land development field for over 40 years here in Connecticut. I also hold a Bachelor of Science in Forest Management from the University of New Hampshire.

**General Comments:**

1. Usable green space in highly urbanized environments provide many environmental benefits (as noted below) as well as many different types of recreational benefits to the people that live in the nearby area. A goal should be to increase the amount of usable green space in these urban environments by increasing residential densities on other parcels to create additional green space.
2. While there is other "green" areas in the vicinity of Kensington Park, they exists on private property and are not available for public use, so the loss of Kensington Park is a significant loss for the neighborhood.
3. The Environmental Assessment (EA) looks at an area of approximately 6 city blocks including Kensington Park. Most of this area is already developed as housing, but the proposed 15 units to be built on Kensington Park which eliminates a significant area of public green space in a highly urbanized environment. Why wasn't the focus of the EA on Kensington Park itself and the adverse impacts which will occur by the elimination of the park?
4. The EA looks at many environmental factors but does not provide a discussion as to how these factors will be affected by the proposed project.

5. The EA does not consider the reduction of carbon storage within the mature trees on Kensington Park and the how removal of the 22 mature trees will reduce carbon storage as well as oxygen given off by the trees.
  - a. A newly planted tree is only capable of storing roughly 13 pounds of carbon per year up to year 10. The proposal with 26 trees being planted would store approximately 338 pounds of carbon per year after being planted till the trees are ten years old. A deciduous tree greater than 10 years old will store 48 pounds of carbon per year. The current 22 mature deciduous trees being older than 10 years will store 1,056 pounds of carbon. Not only will the carbon sequestering by the mature trees be significantly reduced if this project is built, but all the carbon previously stored will also be lost.
6. The EA does not consider the positive benefits of mature trees on Kensington Park with reducing the amount of rainfall directed to the stormwater management system on the nearby City of New Haven streets.
  - a. Mature deciduous trees provide another positive benefit in urban environments, the shading of impervious, thus reducing the thermal impacts of runoff directed to receiving streams. Newly planted trees, being much smaller and shorter do not provide this same benefit, so even though 26 trees will be planted, they will not provide the same benefit as the mature trees.
7. While a rain garden is proposed for the proposed project, it is unclear from the conceptual plan by To Design, LLC how much of the proposed impervious area will be directed to the rain garden and how will be directed to the existing drainage system on nearby streets.
8. While a rain garden is a “green space,” it is not something that can be used by the public for walking, sitting, or playing. Rain gardens are a LID infiltration practice and any compaction of the soil by people walking over it will cause the rain garden to fail prematurely as compaction prevents the infiltration of runoff through the soil media.
9. I concur with the comments and conclusions found in the letter to your office from Mr. Joshua Randall, a PhD student in Ecology and Evolutionary Biology at Yale University.

Please contact my office if you have any questions concerning this information. I am attaching a copy my professional CV for the record.

Respectfully Submitted,  
Trinkaus Engineering, LLC



Steve Trinkaus, PE



Olivia C, Martson  
228 Dwight St  
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203 668-7350 cell  
omartson@snet.net

May 2, 2021

Re: Kensington Square Environmental Report Review

Honorable Justin Elicker  
Mayor Of New Haven  
165 Church Street  
New Haven, Connecticut 06510  
RE: Kensington Square ERR (FONSI)

Dear Justin:

I am in complete disagreement with the Finding of this ERR/ FONSI by the City of New Haven and its agent.

The ERR does not in any way discuss the outcomes to the neighborhood with the loss of the Playground, factors are mentioned about Environmental Justice, Socio economic hardships, Air Quality, Health and Demographics of the Neighborhood but there are No actual findings in the ERR. The report also failed to mention the numerous testimony against the sale of the Park and loss of the park to the community. Included in this testimony is the Dwight Profile done by Dr Osman Moneer which the City has completely ignored.

To say there is NO impact on the human environment is erroneous and not true. Have you considered the additional 1200 parking spots and car volume to be added to the community and the effects on the health and wellbeing of the neighborhood? This is a bad plan from beginning to the end and it will be a mark of your leadership as Mayor. The KP is needed now more than ever! Yesterday children were playing baseball in the Park. See Photo



We have mentioned that other locations are available for the new build and that HUD will consider revisions in the plan.

The playground is of major importance to the Dwight Neighborhood and should remain. We can certainly find 7 affordable housing units in New Haven to Save the Park.

This playground is also a quiet place to contemplate and relax, the shade trees are really beautiful, and with all the chaos in this world, it is a place that can transform our lives with some peace and tranquility. The Dwight neighborhood Plan compiled by the Yale Urban Design Workshop YUDW is to promote homeownership and green space. This playground is part of that vision.

**This report is also contrary to the BOA and City's' Mission of Environmental Justice.**

Sincerely Yours,

*Olivia C. Martson*

**We ask you to look at all city owned sites for 7 units affordable units and keep the playground for the future children of New Haven.**

May 3, 2021

Office of Mayor Elicker  
165 Church Street  
New Haven, Connecticut 06510

Re: Kensington Square Environmental Review

Dear Mayor Elicker:

I am writing regarding the Environmental Assessment Determinations and Compliance Findings for the affordable housing grant, which assumes the Kensington Playground must be sacrificed to build an affordable housing apartment building.

My review found that required boxes were dutifully checked to prove that there will be no environmental impact if this project goes forward as proposed. However, I did find some accompanying explanations offered were illogical in the overall intent to improve the environment for those inhabiting it.

Specifically, under the Environmental Justice category, it is noted that this is a low income neighborhood, and the construction will provide benefits with seven new affordable apartments. There is no mention of how loss of a playground will affect the entire neighborhood.

Also, under the Parks, Open Space and Recreation category, it is noted that there are several parks in the area, but doesn't specifically say how many, size, and type. It's as if the Parks Category has no association with anything else under review; such as this is a low income area so those with the least will be fine and dandy with fewer amenities.

The same explanation ends with: "There are also multiple parks within a three mile radius of the site, as well as multiple cultural centers." This is a laughable rationalization. In a low income area where many people don't have cars, how many people are going to walk more than a couple of blocks to get to a park? Parents with small children, elderly and disabled people are not going to cross multiple streets and walk long distances to find a few minutes of outdoor rest and recreation.

The city's position that the need for affordable housing means a low income neighborhood must sacrifice open space sets a disturbing precedent. Affordable housing is a complicated topic, but if the Kensington Playground is eliminated to build just a few new affordable units, it will be an overall net loss to the immediate neighborhood's "environment" and the city as a whole.

Sincerely,

Martha Smith  
3 Hine Place  
New Haven, CT

John D. Horkel  
434 George Street, Apt. 4  
New Haven CT, 06511

May 2, 2021

The Honorable Justin Elicker  
Mayor of New Haven  
165 Church Street  
New Haven Connecticut, 06510  
RE: Kensington Park Environmental Review

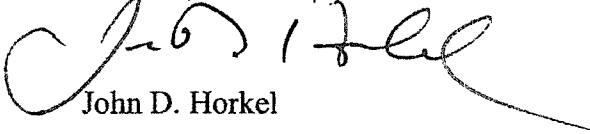
Dear Mayor Elicker,

Any review finding no significant impact caused by the loss of park or other open space in an urban area is in error. Parks and other such spaces are vital to the long-term wellbeing of those living there now and in the future.

Preservation of open spaces must have the same importance as housing, transportation, education and access to all the other necessities for healthy living.

Once an existing park or other open space is lost, it cannot be replaced. Please do not allow this to occur in New Haven.

Sincerely,



John D. Horkel

**EUGENE T. CONNOLLY e-mail** [camcap@mn.com](mailto:camcap@mn.com)  
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May 3, 2021

Mayor Justin Elicker  
Mayor of New Haven  
165 Church Street  
New Haven CT 06510

Attn: Kensington Square Environmental Review

**Dear Mayor Elicker:**

***Please reverse your earlier approval of the abandonment of the Kensington Street Park. To fail to do so is just a disconcerting, discouraging, lamentable decision. It will result in a regret for many years into the future.***

***Justin Elicker who would abandon that park is not the Justin Elicker I voted for and want to vote for again. A few compelling reasons to change your mind and commitment are:***

***O Children  
O Your favorable history and experience  
O Day Street is not equal  
O YNHH Saint Raphael Neuroscience Center expansion  
O Legacy***

***Culture cannot quantify everything; there are quality issues in making life better for the neighborhood. Saving this park will at least fortify your joining an organization to support urban open space and reinforce your good through New Haven Land Trust.***

***On April 18, 2021 Legal Notice REQUEST FOR RELEASE OF FUNDS to HUD "... no significant impact on the human environment..." That is a lie, big lie or little lie, it is a lie!***

***I am slightly sympathetic for your earlier decision "that the taking had already been committed when you became mayor. However, permitting wrong is almost as bad as making a wrong. I DISAGREE WITH YOU WHEN YOU APPROVE THE TAKING.***

***YOU ARE A GOOD MAN. STAY A GOOD MAN!***

***Gratefully and Respectfully,***

***Eugene T Connolly***



May 1<sup>st</sup>, 2021

The Honorable Justin Elicker  
Mayor of New Haven  
165 Church Street  
New Haven CT 06510  
Attn: Kensington Square Environmental Review

Dear Mayor Elicker,

Re: City of New Haven's legal notice of NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

I oppose the sale of Kensington Playground and disagree with the Environmental Review's conclusion of No Significant Impact. Providing new affordable housing for a net increase of 7 families at the loss of the Dwight's only public playground and a park needed by all will result in environmental injustice for the entire Dwight community.

I especially take exception to Page 7 of the Environmental Review Report which reads, "**However, the proposed project will not result in any adverse effects to the low-income and minority populations**, and will benefit the residents of the project site by providing quality, affordable housing for low-income families." How can the authors conclude that the loss of Dwight's only public playground will not result in any adverse effects? The Dwight neighborhood already has high asthma levels, and the addition of 1,000 parking spaces at the planned NeuroScience building will bring more cars to the area and surely exacerbate the problem.

The Friends of Kensington Park have already provided alternative sites for affordable housing and the developer selected to build the units has a poor track record within the community. Mayor Elicker, there is NO good reason to build housing on this public park property. We wouldn't take park property in Edgewood, Westville, East Rock, or the East Shore and we shouldn't do so in Dwight either.

I urge you to reconsider your position.

Sincerely,

*Dennis Serfilippi*

Dennis Serfilippi  
223 Alden Ave  
New Haven, CT 06515

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April 29, 2021

The Honorable Justin Elicker  
Mayor of New Haven  
165 Church Street  
New Haven CT 06510

Attn: Kensington Square Environmental Review

Dear Mayor Elicker,

Re: City of New Haven's legal notice of NOTICE OF FINDING OF NO SIGNIFICANT IMPACT AND NOTICE OF INTENT TO REQUEST RELEASE OF FUNDS

The residents of Dwight Historic District have been opposing the Kensington Square deal since Day 1, but our voices have apparently fallen on deaf ears. I wrote to you immediately upon hearing of the effort to jam this down our throats since the fall of 2019. Prior to that there are numerous newspaper articles going back 25 years about DCMT meetings with local residents begging TCB to clean up their act. Their game is to neglect their properties (no lighting, no trash pick-up, no resident services, no security, no curb appeal, permitting illegal activities on their premises like major drug dealing and associated rampant crime, and the intimidation their innocent and often older and vulnerable residents if they complain) with all the while struggling adjacent home owners being profoundly adversely affected.

They do no ongoing maintenance of their existing properties, allow them to completely deteriorate, and then go back to the federal government for money to fix them up again. In the most recent round, when they got 2 million dollars, they commenced work on a building on Edgewood using sketchy contractors who began removing lead paint surfaces adjacent to the Montessori Day Care Center with no required and standard protections or barriers to prevent the dust from saturating the air nearby. They were stopped by residents who feared they would choke on it and had to be forced to do standard containment of the dust.

They have huge offices and personnel in Massachusetts who crank out Federal response paperwork, with architects doing fancy renderings and greasing the wheels but on the ground locally they fail to perform the most routine management.

They are attempting to make a huge land grab by neglect and then saying, "see we need to get tax payer money to fix this up for all these poor people". They cry, gee these are old buildings that need upgrades but they knew that when they snatched them up for a song, slapped on a coat of paint and started renting. My house is 156 years old. How well I know how much work is involved to upgrade and maintain. But the average homeowner like myself has no massive government fund to dip into every 10 years to freshen the pot like a cow having a calf to refresh the milk money supply.

Please know that TCB is a very slick multi-state billion dollar slum lord that has single handedly diminished all efforts to improve the Dwight area's quality of life and appearance for over 30 years. Each point in the Environmental Assessment can be refuted with evidence.

The documents list a whole bunch of meetings. What that does not show is that at every single one of those meetings, the neighboring residents vehemently opposed their plans. In fact all their plans were already made with slick promotional materials so when they walked into the DCMT meeting to inform us the first time, it was presented as if a done deal. WE SAID NO! We said no at every meeting (with the

Walton 1

exception of a few like the operator of a day care that operates out of one of their buildings and clearly was biased since TCB is her landlord).

We oppose them not because we object to affordable housing, but because they are proven liars and the sorry condition of the buildings they have owned all this time is by their own neglect. If they were reputable and did a good job managing their existing massive housing stock, then we would be happy to have more affordable housing.

I question the motives of the primary Alder, the GDDC leader (who was promised a building in return but can't have for ten years) and the former LCI director who has moved on. I wonder why the most rampant and visible drug dealing on Chapel Street at the corner with Kensington goes on daily under the nose of the Ward leader and TCB management with no impunity.

All the Kensington Playground has needed was a bit of TLC, not TCB. The pandemic made this patently clear. The Park is the only public green space in Dwight. It is the only safe space for little kids to ride bikes, or elders to sit outside on a nice bench. A local church has held its services there now since Covid 19 started. We are planning summer programs there with or without the new funds you recently announced. IF THIS GREEN ASSET IS HANDED OFF TO THE WORST OPERATOR it will go down in infamy, and so will those who allowed it to happen for political reasons. This will make the NY Times and beyond. A very dedicated group of very smart people have seen the evil of TCB up close and we will not accept this travesty. The 80 year old trees they want to cut down should not be sacrificed at the alter of their greed and malfeasance.

I would ask that you review the 990's of TCB to get a better idea of how large and voracious an entity they are. They are professional scammers profiting off the poor. They do not care for their tenants. There is no quality of life. They are killing the Dwight neighborhood and reducing the possibility of home ownership for working people. How can the City give away a public asset for \$1 when other operators are paying large sums of money to purchase appropriate land to build affordable housing?

I oppose the sale of Kensington Playground and disagree with the Environmental Review's conclusion of No Significant Impact. Providing new affordable housing for a net increase of 7 families at the loss of the Dwight's only public playground and a park needed by all will result in environmental injustice for the entire Dwight community.

As a 42 year homeowner, taxpayer, voter, retired human service chief executive manager, mother of two children raised here and lover of this diverse and wonderful neighborhood (with the exception of TCB), I beg you to stop this train now! Let them find someplace else to put their 7 hypothetical units, or better yet, lets bring in a more reputable operator to provide housing in this densely impoverished area.

Lastly, with the building of the Yale's Neurology Center that has no apparent green aspects to it, along with the gigantic spill over parking garages we lowly Dwight residents will be subjected to 5 years of construction nightmare, compromised air quality and traffic snarls like never seen before. Throw TCB in the mix and we have a perfect storm brewing here.

Kate Johns Walton  
8 University Place  
New Haven, CT 06511  
203-435-0902

Walton p. 2



May 3, 2021

To: Mayor Justin Elicker, and others whom it may concern  
re: Kensington Playground

I'm writing to urge you to reconsider the sale of Kensington Playground to The Community Builders for the construction of apartments and parking lot. This open greenspace is crucial for the health of the Dwight neighborhood, where high rates of asthma are a serious problem. This natural environment would be irretrievably destroyed by the proposed development.

I do not oppose construction of desperately needed affordable housing; I do oppose sacrificing this natural park with its established trees and great potential as a community playground and greenspace.

Alternative sites much more suitable for affordable housing exist, and many are listed on the website [www.KensingtonPlayground.org](http://www.KensingtonPlayground.org)

There is no shame in reversing the decision to destroy an important natural asset in an underserved neighborhood, while instead supporting the construction of quality affordable housing to refurbish much more appropriate sites.

Please consider the negative environmental impact of removing the playground, and decide to build elsewhere.

Thank you.

Susan Klein  
42 Young Street  
New Haven, CT 06511  
203-389-9547

# NEW HAVEN ENVIRONMENTAL ADVISORY COUNCIL

Laura Cahn, Chair --- Kevin McCarthy, Vice Chair --- Kathy Fay, Secretary  
Sal DeCola, Board of Alders Representative  
Kristyn Gorton, Iris Kaminski, Florestine Taylor

September 30, 2020

City of New Haven Board of Alders Community Development Committee  
Attention: Brian Wingate, Chair  
C/o Office of Legislative Services  
165 Church Street, Room 238  
New Haven, Connecticut 06510

Re: LM-2020-0252 Conveyance of Kensington Park to The Community Builders

To Chairman Wingate and Community Development Committee:

The New Haven Environmental Advisory Council opposes the conveyance of 29, 17, 21, 33, and 25 Kensington Street -- collectively known as Kensington Park -- to The Community Builders for construction of affordable housing.

Every city park—including Kensington Park -- is a sanctuary, a respite from buildings and concrete. While both affordable housing and green space are critical in Dwight, Kensington Park serves more residents than a fifteen-unit development can.

This small retreat constitutes 75% of Dwight's shaded parkland (see attached map). It provides substantial carbon sequestration, wildlife habitat, temperature regulation, and air quality control. Removal of such a significant element of New Haven's urban forest would be a disservice to our residents and our environment. The city should keep this irreplaceable amenity and its 25 mature trees and find a more suitable location for building.

We support the proposed improvements to other green spaces in Dwight and Newhallville, but not instead of Kensington Park.

We urge the Community Development Committee to consider the present and potential contribution of this hidden gem on its immediate neighbors and the whole Dwight neighborhood.

Please contact Kristyn Gorton with any concerns at [kgorton1@gmail.com](mailto:kgorton1@gmail.com).

Thank you.

Sincerely,

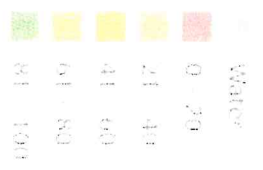
The New Haven Environmental Advisory Council

ATTACHMENT

### My Map

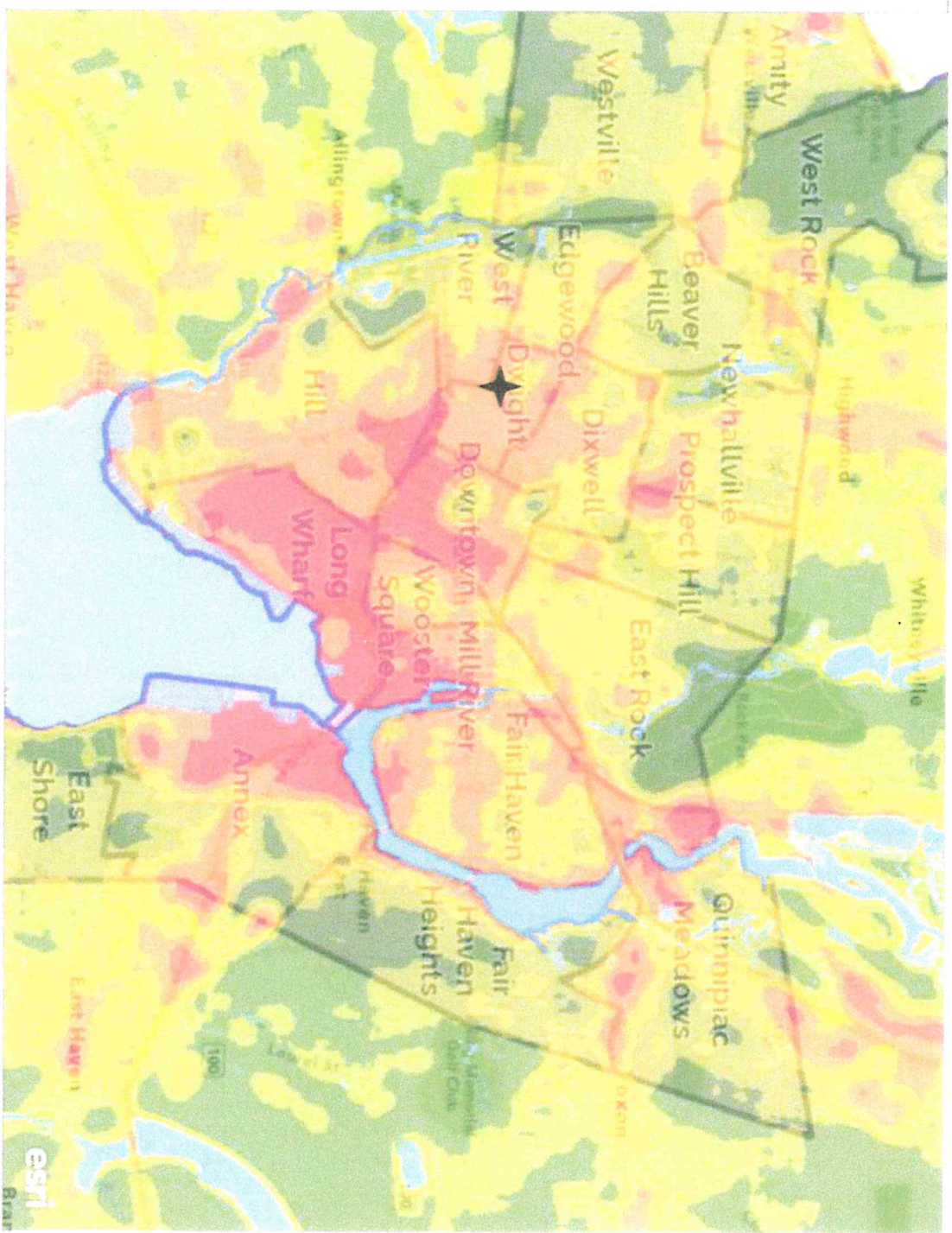
GreenProx\_AllCommunities

Percent green space within 1/4 square kilometer



Insufficient Data

◆ Kensington Playground Park



*Mt. Esri Environmental Advisory Council  
p. 2.*