

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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In the Matter of the Application of

ELIZABETH STREET GARDEN, INC., RENEE GREEN,
ELIZABETH STREET, INC., ELIZABETH FIREHOUSE
LLC and ALLAN REIVER,

Petitioners,

Index No. 152341/2019

Hon. Debra A. James

For a Judgment Pursuant to Article 78 of the Civil Practice
Law and Rules

-against-

**AFFIRMATION OF
BLYTHE HAWTHORNE-
LOIZEAUX, ESQ. IN
SUPPORT OF AMENDED
VERIFIED PETITION**

THE CITY OF NEW YORK, THE DEPARTMENT OF
HOUSING PRESERVATION AND DEVELOPMENT,
MARIA TORRES-SPRINGER, in her capacity as
Commissioner of the Department of Housing Preservation and
Development, THE NEW YORK CITY COUNCIL, and THE
NEW YORK CITY PLANNING COMMISSION,

Respondents.

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BLYTHE HAWTHORNE-LOIZEAUX, an attorney admitted to practice before the
Courts of the State of New York, hereby affirms the following to be true under the penalties of
perjury:

1. I am an attorney at the firm of Siegel Teitelbaum & Evans, LLP, counsel for
Petitioners Elizabeth Street Garden, Inc. and Renee Green. I have personal knowledge of the
facts herein and submit this affirmation in support of Petitioners' Amended Verified Petition.

2. Attached hereto as **Exhibit A** is a true and correct copy of the City Planning
Commission ("CPC") Report on Uniform Land Use Review Procedure ("ULURP") application
no. C 190184 HAM, dated April 10, 2019.

3. Attached hereto as **Exhibit B** is a true and correct copy of New York City Council Resolution No. 985, approving with modifications ULURP application no. C 190184 HAM, dated June 26, 2019.

4. Attached hereto as **Exhibit C** is a true and correct copy of the New York City Department of Buildings' Technical Policy and Procedure Notice # 10/88, dated June 6, 1988.

5. Attached hereto as **Exhibit D** is a true and correct copy of the CPC Report, Amendment of the Zoning Resolution Pursuant to Section 200 of the New York City Charter Relating to Article X, Chapter 8 Concerning the Establishment of the Special Little Italy District, N 760061 ZRM, dated January 3, 1977.

6. Attached hereto as **Exhibit E** is a true and correct copy of the recommendation adopted by Manhattan Community Board No. 2 relating to the Elizabeth Street Garden Site, dated, January 25, 2019.

7. Attached hereto as **Exhibit F** is, upon information and belief, a true and correct copy of an email from Emily Humes, Project Planner for the Departments of Parks & Recreation, to Callista Nazaire, Department of Housing Preservation & Development, on July 3, 2018 at 4:38 PM. Petitioners obtained the document through a Freedom of Information Law Request to HPD – FOIL-2018-806-00311 – submitted on June 29, 2018 and response received on September 20, 2019.

Dated: November 4, 2019
New York, New York


BLYTHE HAWTHORNE-LOIZEAUX