

EXHIBIT 18

Executive Summary:

In September 2022, Manhattan Community Board 9 (“CB9”) learned of a planned redevelopment of a health center and mental health clinic at 1727 Amsterdam Avenue on the northeast corner of West 145th Street and Amsterdam Avenue that would result in the loss of all healthcare services, a significant reduction in mental health services, and the construction of 200 units of housing over 160,123 square feet of residential space, with 120 units being studio supportive housing apartments for single adults with Serious Mental Illness and/or Substance Use Disorder (SMI/SUD) and 79 units being general affordable housing units available to income-qualified families via the HPD HousingConnect Portal lottery. The proposed development as presented nearly 4 years later to the City Planning Commission (CPC) is summarized in the table below (totals taken from presentation to the CPC may not match component subtotals; residential space was reduced from ~160,000 sqft to 121,000 sqft at some point between the March 2024 EAS listing 160,123 sqft and the January 2026 presentation to the CPC listing 121,000 sqf):

HPD/H+H/BRC- Proposed Development							
Lot size		41,360	As listed in the NYC DOF Property Information Portal Details				
Permitted R6A/R7A Blended FAR		4.8	Assuming inclusionary housing bonus of 20% from affordable housing				
Maximum allowed square footage		198,983	FAR * Lot Size				
Percent of housing units	Use	Square Footage Per Unit	Number	Rentable	With Common Area of 20%	People per unit	Total People
69%	Studio	400	137	54,800	65,760	1	137
16%	1BR	575	31	17,825	21,390	2	62
13%	2BR	775	26	20,150	24,180	4	104
3%	3BR	950	6	5,700	6,840	6	36
	Total Residential		200	98,475	121,000		339
	Retail				0		
	Community Facility				21000		
	Total				142,000	(Significantly less than permitted)	

Within a month of learning about the project as proposed by the City Department of Housing Preservation and Development, Health and Hospitals Corporation (“H+H” or “HHC”), and the Bowery Residents Committee (“the developers”), CB9 first proposed in a September 29, 2022 meeting with H+H and BRC an alternative vision for the redevelopment of the site at 1727 Amsterdam Avenue that would not ultimately result in a reduction of health care or mental health services, that would take advantage of the existing commercial overlay on the site to restore the liveliness and eyes-on-the-block provided by a continuous retail streetscape, and that would still result in approximately 50% more housing square footage than the developers’ initial proposal of 160,123 sqft of residential space, and 96% more square footage than their final proposal of 120,000 sqft of residential space. A brief overview of the resulting space from the building is laid out in the table below, using standard unit size, people per room, and common area factors from the NYC Department of City Planning (DCP) and HPD.

Manhattan Community Board 9 Alternative Proposal - Sample Composition							
Lot size		41,360	As listed in the NYC DOF Property Information Portal Details				
Permitted R8A FAR		7.2	Assuming inclusionary housing bonus of 20% from affordable housing				
Maximum allowed square		297,792	FAR * Lot Size				
Percent of housing units	Use	Square Footage Per Unit	Number	Rentable	With Common Area of 20%	People per unit	Total People
18%	Studio	400	50	20,000	24,000	1	50
27%	1BR	575	75	43,125	51,750	2	150
36%	2BR	775	99	76,725	92,070	4	396
19%	3BR	950	51	48,450	58,140	6	306
	Total Residential		275	188,300	237,258		902
	Retail				20,000		
	Community Facility				40,000		
	Total				297,258		

The above alternative results in approximately 75 more affordable housing units, a substantially greater mix of family apartments (55% vs. the developers' proposed 16%), the return of all healthcare and mental health services to the community facility space, and a ground floor retail to be occupied by a supermarket (taking advantage of the FRESH Food Store Area Program incentives allowing a supermarket tenant to exceed the 3,000 square foot limit), restaurants and cafes, or other local shops or services that serve neighborhood daily needs as permitted in the existing C1-4 zoning overlay. Additionally, CB9 wanted a shift in the mix of supportive housing units from 100% of the supportive housing units targeted towards single adults with Serious Mental Illness and/or Substance Use Disorder (SMI/SUD) to a more balanced mix of supportive housing populations consisting of single adults with SMI/SUD, chronically homeless families as defined by HUD, youth aging out of foster care, chronically homeless seniors, people living with HIV/AIDS, and veterans. One aspect driving this request was the practical experience conveyed by successful supportive housing providers in West Harlem that observed that SMI/SUD populations should generally not be overconcentrated in a single site due to the tendency of larger concentrations to result in compounding socially-spread disordered behavior and substance abuse, with a maximum of approximately 40 units for SMI/SUD individuals. This practical experience is confirmed by the existing academic literature on the subject, which finds the size of such congregate supportive housing sites as the largest predictor of increases in neighborhood crime and disorder once the developments exceed approximately 53 units, with an observation that supportive housing sites built after Denver adopted a 40 unit maximum resulting in no impact on neighborhood crime or disorder (Galster 2002). The academic literature also observes that health and social outcomes for residents of congregate sites worsen as the size of the site increases ().

CB9 viewed this alternative 1. As adhering to planning best practices regarding retail streetscapes, 2. Retaining the desperately-needed mental health and healthcare services that were seeing soaring demand in the wake of the COVID-19 pandemic, and 3. Maximizing the public benefit of a redevelopment of publicly-owned land in accordance with the City's [Housing Our Neighbors: A Blueprint for Housing and Homelessness](#), which was the April 2022 official policy guidance for HPD and other City agencies in effect at the time. In particular, the CB9 alternative met the *Housing Our Neighbors* guidance to "Leverage zoning to encourage more affordable and supportive housing citywide," "Expand family

supportive housing eligibility,” and “Leverage non-residential spaces in affordable housing to meet community needs.”

That CB9 alternative-- first raised in meetings with the developers in September 2022, reiterated in follow-up meetings, detailed in a June 2023 resolution adopted by CB9, reiterated in further follow-up meetings, presented before the [City Council committee] in February of 2025, underscored in public testimony before CB9 during its public hearing as part of the ULURP process, further detailed and reiterated in the November 2025 resolution adopted by CB9 as its formal position on the disposition application during ULURP, and testified to multiple times to the City Planning Commission during its January 2026 hearings on the ULURP application-- was never examined by the developers. The developers lied on their Environmental Assessment Statement to avoid having to consider the alternative and refused to consider any changes to the project as a result of public input received before or during the ULURP process. They refused this input because, as the developers explained during a September 2022 meeting with CB9, to modify their project in any significant way would require the project to comply with the revamped 2022 building code that took effect November 7, 2022, which they did not want to do.

Background and Timeline:

On September 7th, 2022 Manhattan Community Board 9 (CB9) first learned of the proposed redevelopment by Bowery Residents Committee (BRC) of the real property at 1727 Amsterdam Avenue owned by the City of New York and home to both the Emma Bowen Community Center, a mental health services provider, and Heritage Health, a Federally Qualified Health Center providing primary and specialty medical care services. At the time, the site housed 59,209 square feet of community facility space shared by the Emma Bowen Center and Heritage Health. The building was built on a lot of recorded 41,360 square footage according to NYC Department of Finance and Department of City Planning records. The site provided care to over 3,000 community members annually, over 70% of whom were uninsured or had only Medicaid coverage.

Several days earlier, a community member had texted members of Manhattan Community Board 9's Housing, Zoning, and Land Use Committee, having seen soil samples being taken and having discovered an application to the Housing Development Corporation (HDC) for public financing for the site to be redeveloped by BRC. On September 7th, when the Chair of Manhattan Community Board 9 Barry Weinberg asked Health and Hospitals (H+H) Corporation Senior Director of Government and Community Affairs about the activity, Ms. De La Cruz's first response was “I don't think you're supposed to know about that yet.” Over the next two weeks, rushed presentations to MCB9's Executive Committee and Housing, Zoning, and Land Use Committee that BRC, H+H, and the City planned to develop what was described as a 159,000 square foot residential building of 200 housing units with an additional 17,000 square feet of community facility space for the Emma Bowen Center to return. There was no plan to return the FQHC and the healthcare serving the indigent and uninsured in the community.

Three weeks later on September 29th, representatives from CB9, including Chair Weinberg and the Co-Chairs of the Housing, Zoning, and Land Use Committee, Signe Mortensen and Liz Waytkus, met with representatives from H+H, including Ms. De La Cruz, Deputy General Counsel Jeremy Berman, and Senior Assistant Vice President of Housing and Real Estate Leora Jontef, along with representatives from

the Manhattan Borough President's Land Use staff and BRC. At the meeting, CB9 suggested that H+H and the City combine the Uniform Land Use Review Procedure (ULURP) application mandated by the City Charter for disposition of City-owned assets with an additional concurrent ULURP application to upzone the 1727 Amsterdam site from its current mix of R6A and R7A zoning designations to an R8A zoning designation (a medium density contextual residential district), which under the zoning regulations in effect at the time would trigger the Mandatory Inclusionary Housing bonus for affordable housing and allow for a 297,792 square foot mixed-use building to be erected on the site, with a height of up to 140 feet, or approximately 14 stories. The rationale was that the additional ~121,792 square feet of developable floor area could result in a development with approximately 20,000 square feet of ground floor retail space to restore the commercial corridors running crosstown along West 145th Street and up and down Amsterdam Avenue (the site has a C1-4 commercial overlay allowing for such ground floor use); 40,000 square feet of modernized community facility space which would allow, with improved use of space, the full return of services provided by both the Emma Bowen Center and Heritage Health; and approximately 237,000 square feet of affordable and supportive housing. Using the City's own dwelling unit factor of 680 feet per dwelling unit, the extra 50% of residential square footage could result in a maximum of an additional ~148 apartments. However, CB9 preferred that the square footage be reweighted towards family sized units (2 bedrooms or more), resulting in an additional 75 units of a larger average square footage.

After hearing the proposal in the meeting, H+H made several claims. First, H+H stated that because the land was "under H+H" as opposed to being City-owned, the project would not have to go through ULURP (this is factually incorrect, as court cases from the Giuliani-era plans to privatize H+H had resulted in a New York Court of Appeals decision and subsequent case decisions that dispositions of H+H real property also must go through ULURP). Second, H+H stated that they would not be changing the project at all, because they wanted to get the building permits submitted and approved under the 2014 building code before a November 7, 2022 deadline after which the 2022 building code would apply. This statement is at the heart of H+H and the City Department of Housing Preservation and Development's (HPD) subsequent refusals to consider any alternative plan for the site.

CB9 reiterated that the ULURP process to dispose of City-owned property was not optional; it is mandated by the City Charter. CB9 further urged the groups present to take advantage of the required ULURP process to undertake a simultaneous application for a change in zoning designation for the lot to allow for a much larger building. The conversation continued focused on arguments as to why the disposition of 1727 Amsterdam Ave from the City to BRC required ULURP. On October 12, 2022, the applicants pre-filed their building permit applications with the City Department of Buildings (DOB), and on October 21, 2022, they completed the filing of the building permit applications. The project could thus receive DOB permits without having to conform to the 2022 building code that took effect 17 days later on November 7th. However, any major revisions to the plans would require the building comply with the 2022 code, thus motivating the applicants to refuse to consider any serious changes or alternatives to their proposed redevelopment.

At a subsequent Zoom meeting titled "Community Proposal 1727 Amsterdam Avenue" between then-Mayor Eric Adams' office, HPD's Supportive Housing unit, and representatives of CB9, CB9 again proposed an upzoning of the site to R8A to allow for more housing, medical, and retail space. The response was "I think we wanted to avoid ULURP." When it was pointed out that ULURP was required to

dispose of the City-owned property, HPD simply indicated that H+H's attorneys said that they didn't have to do ULURP. Never did HPD seriously engage with the alternative proposed by CB9.

CB9 formally passed a resolution calling for its plan to upzone the site to R8A and develop a larger building on June 15, 2023. In its resolution, it demanded that the City adhere to the Charter-mandated ULURP process, laid out the proposed square footage and use groups for the enlarged building, requested features regarding the location of entrances for the different tenants and uses, requested culturally and historically appropriate lighting, façade, and other design elements, urged HDC and other financing bodies to factor in the length of time required to complete ULURP as part of their financing plans, and a request that the City and H+H conduct the necessary environmental assessments to examine its competing plan. It also strongly cautioned that a failure to do so was likely to expose the City to legal intervention by the community via an Article 78 proceeding.

Despite this resolution, H+H and the City continued to attempt to circumvent the ULURP process. HPD conducted an Environmental Assessment Statement for the project in 2024. In the EAS, it indicated that the project did not require ULURP and that the EAS was instead being undertaken as a requirement for public financing. In its EAS, HPD lied and indicated that the development would have no impact on social services, including healthcare services, directly contravening SEQRA and the requirements laid out in the CEQR manual.

This lie was repeated by Maiel De La Cruz while she was testifying under oath at a February 26, 2025 public hearing held by the City Council Subcommittee on Landmarks, Public Sitings, and Dispositions on [Land Use Item LU 0238-2025](#). The item, which in its draft form would have officially amended the operating agreement between the City and H+H to include 1727 Amsterdam Avenue and eight other parcels owned by the City. Unlike 1727 Amsterdam Ave, the other eight parcels hosted healthcare facilities where H+H directly provided healthcare services to the public. This remarkable attempt to amend that operating agreement for the first time in 55 years was a deliberate attempt to make the property records align with the lie that H+H and the City had been telling CB9 and the public for nearly 3 years: that H+H had jurisdiction over the property. In keeping with the lack of transparency throughout the entire process, CB9 was not informed of the application or the public hearing, only finding out after the in-person portion had concluded. During her sworn testimony on the item, Ms. De La Cruz was asked a question by Councilmember Marte, who said, "Just to confirm... this is just procedural? None of the services are going to change or be eliminated from any of these facilities?" Despite knowing that H+H and the City were already in court trying to evict Heritage Health and that they were planning to relocate the mental health services provided by Emma Bowen, Ms. De La Cruz responded, "That is correct. This would not change the operations. Everything will remain as-is except a very technical clean-up in paperwork." It is unknown whether or not Ms. De La Cruz ever faced any consequences for lying under oath. In the end, after an outpouring of written public testimony from CB9 and the community, 1727 Amsterdam was pulled from LU 0238-2025, and only the 8 properties where H+H offered services were added to the operating agreement.

Eventually, HPD and H+H conceded to CB9 in a presentation at CB9's June 10, 2025 Executive Committee meeting (recorded [here](#)) that the project was indeed required to go through the ULURP process. When asked why, given the projected 9-12 month timeline for the ULURP process, the applicants still did not intend to work with the community to develop a larger project, the presenter

stated that, “to further change the design of this building would not give us the opportunity to proceed on an expedient timeline.”

On August 21, 2025, members of CB9 had a Zoom call with then-Interim HPD Commissioner Ahmed Tigani, HPD Assistant Commissioner for Planning and Predevelopment Amy Pivak, Deputy Director of Manhattan Planning Joy Resor, HPD Associate Commissioner for Neighborhood Strategies Michael Sadler, and representatives from H+H and BRC. In it, CB9 thanked HPD for finally beginning to engage with the community and go through the ULURP process. They also requested that HPD combine the disposition ULURP with the upzoning proposed in prior meetings and the June 2023 resolution. Commissioner Tigani indicated that they would not consider that because they were going to reuse the EAS conducted in 2024 and “to study the upzoning would add 12-18 months.” When asked by CB9 what changes, if any, the community *could* request that would not be shot down as too time-consuming, HPD and BRC suggested that they might change a few of the units to address CB9’s request for more family size units. They were never going to consider the alternative proposal that had been sitting in front of them for 2 years at that point. In an August 25, 2025 email containing written responses to questions posed by CB9 during the August 21st meeting, HPD once again reiterated that, while the applicants had “eliminated the garbage and curb cut” and “finalizing the Emma L. Community Service Center space, which was initially shown as a white box,” it would not entertain any significant changes because “A major redesign would require a complete resubmission to HPD BLDS and NYC DOB and would result in significant overall carrying costs to the project and an increase in City subsidy need” given that the project “has DOB Plan Approval under the 2014 Building Code.”

As this was the first time CB9 had heard about the 2024 EAS, members began to review the document. It became almost immediately apparent that the document contained numerous falsehoods and misrepresentations about the project, including that it would have no impact on social services. In fact, the document indicated that no ULURP for disposition or Urban Development Area Action Plan designation was needed, and that the EAS had only been filled out in order to seek public financing. On Friday, October 3, CB9 Chair Victor Edwards sent a detailed letter to Commissioner Tigani and his team identifying 7 primary issues, falsehoods, and omissions in the EAS, the most important of which was the lack of CEQR-required study of the impact the project would have via its interruption of, relocation of, and termination of healthcare and mental health social services. HPD responded on October 8th with a “Technical Memorandum” from the same date stating that they were not required to study the impacts of those displacements because Emma Bowen would be returning to the site and Heritage would be relocating a few blocks south. Despite the fact that the CEQR manual includes a requirement that “Displacement refers to a physical change or closing of a facility. A physical change is assessed based on disruptions to service delivery while a closing, even temporarily, refers to the total cessation of service delivery at a particular facility.” When this was pointed out to HPD in an October 9th email from CB9, no response was forthcoming.

On October 8, 2025, the developers presented their proposal for 1727 Amsterdam Avenue to the community at a public hearing hosted by CB9 at the Northwest Academic Center building of the City College of New York at 160 Convent Avenue, New York, NY 10031. During the hearing, representatives from both Heritage Health and the Jackson Ophthalmology Center testified that they did not have the resources to construct a new clinical space and relocate their services. Members of the public and members of CB9 once again called for the alternative plan with more housing, community facility, and retail space to be considered.

Finally, on November 20, 2025, CB9 submitted its formal position on the ULURP items 2025M0424 and/or 260071HAM concerning the 1727 Amsterdam Avenue proposal. In the resolution, CB9 once again called for an upzoning of the site to R8A *or an exploration of potential new, as-of-right additional square footage as a result of the City of Yes for Housing Opportunity text amendments passed in the intervening years*. In its resolution, it also reiterated the existing deficiencies with the 2024 EAS, a need for an EIS due to the disruptions to healthcare and mental health services currently provided at the site, and an objection to the finding that the area was slum or blighted in order to designate the area a UDAA. The resolution also called for the mix of the qualifying populations of the supportive housing units to be shifted from purely individuals with severe mental illness and/or substance use disorder to include a mix of other qualifying supportive housing populations like chronically homeless families, chronically homeless seniors, homeless veterans, people living with HIV/AIDS, and homeless youth aging out of foster care, in line with existing academic research and community practical experience on ideal number of SMI/SUD units being between 40 and 53. The resolution was submitted to HPD and CPC as part of the ULURP process.

At the subsequent City Planning Commission hearing on the project held on January 7, 2026, members of the public once again reiterated their opposition to the plan, their preference for the larger alternative plan, and the issues with the 2024 EAS and the subsequent technical memo submitted by HPD. Testimony also stated that a revised plan with a taller building, more family-sized units, and a more balanced mix of supportive housing populations beyond SMI/SUD would likely garner community support. The City Planning Commissioners asked questions focused extensively on both the community's alternative plan and the potential impact of the disruption or loss of the healthcare and mental health services. The subsequent vote of the CPC on the project at [their February 18, 2026 meeting](#) featured an abstention by a commissioner and significant caveats to the "aye" votes of several commissioners, who were concerned about the impact to the healthcare and mental health services. Commissioner Gail Benjamin stated "I would like to make sure that the relocation of the Heritage House which was described during our public hearing by both HHC and DCAS as well as by the director of Heritage House as being a critical part of this whole project is still on track and that all agencies are working to make sure that Heritage House is relocated into the building at 1649 Amsterdam Avenue as swiftly as possible so that services can continue in an uninterrupted way and that the ophthalmological community facility that is currently in the building will be able to move back into the community facility space that is part of this project." Commissioner Mann echoed Commissioner Benjamin's comments about the relocation of the healthcare facility and the urgency of making sure that happens before the existing one closes. However, Commissioner Osorio explicitly scolded the developers, voting yes but stating:

But quite honestly, we can do much better than this. As our own report acknowledges, City applications should be leading by example on how to create a transparent and inclusive planning process to maximize the creation of affordable housing. Instead, the planning process here has dismissed a community that has put forth a proposal that would maximize the amount of housing at a moment where we praise those who do and punish those who do not. In addition, you know, or instead rather, we're forced to go with a proposal that has too many studios in an area that needs larger, deeply affordable apartments and is reducing the amount of community facility space when it should be doing the opposite. So, again, I vote Yes, because this is an imminent need, but I really hope the city can address the recommendations articulated in the City Planning Commission report to maximize public benefits on public land. "

Over the course of three years, the community and Manhattan Community Board 9 repeatedly and explicitly called for the City to consider an alternative plan that would result in more housing, the return of all existing social services, and add ground floor retail. This was requested in no fewer than four private meetings between CB9 and the City. It was requested in formal Community Board resolutions. It was requested in public testimony before the City Council. It was requested in public testimony before the Community Board. It was requested in public testimony before the City Planning Commission. It was even applauded by a City Planning Commissioner while scolding the City. However, the City never studied or considered the alternative plan because they had committed in August of 2022, before the community even knew of the project, to submit DOB applications by November 2022, in time to avoid having to comply with the new building code that would take effect on November 7th. Their determination to not submit any substantive changes to the plan that would require them to comply with the new building code meant that they would never consider the community's alternative or its requests for modification to the City's plan that would take advantage of the 2014 Building Code. They deliberately refused to examine the alternative plan in an EAS that was conducted nearly 2 years after the alternative plan was first proposed... an EAS that deliberately lied and said that the project would not impact social services, so as to not trigger the requirement for a more in-depth Environmental Impact Study. In their determination to avoid compliance with the 2022 Building Code and the need to conduct an EIS, the City never examined the alternative plan put forth by the community.