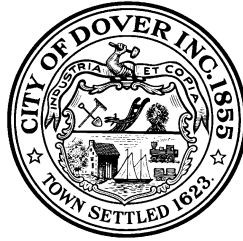


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OFFICE OF GENERAL LEGAL COUNSEL

MEMORANDUM

DATE: April 5, 2017
TO: Garrison School JBC
FROM: Anthony I. Blenkinsop, City Attorney
CC: J. Michael Joyal, Jr., Christopher Parker, Gary Bannon

On January 31, 2017, Chris Parker, Gary Bannon and I met with staff from DRED to review the Garrison School renovation concepts, and the Land Water Conservation Fund (LWCF) area. As we've discussed previously, the recreation component for the site was created using funds from the LWCF, a Federal program, in the late 1970s. As such, most of the portion of the Garrison School parcel behind the school building itself is subject to LWCF restrictions.

During the meeting, we presented the concept plan, which Mark Lee had provided, showing the full parcel, 13 acres of which is currently protected as recreation area. Mark's estimates showed a reduction in that area of 4 acres to accommodate proposed (and previously completed) school renovations/additions.

Staff from DRED offered us guidance on the conversation process. For a formal review we will need to provide the following:

Conversion:

- Calculation of area to convert on existing parcel
 - A survey of the full parcel
 - Layout of the conceptual area for use (why is conversion necessary)
 - Identification of the recreation components to be converted
 - An appraisal of the area being converted
- Review of potential areas to designate as replacement (Morningside Park does not qualify)
 - Provide area for mitigation
 - Acre for acre (cannot be smaller parcel, could be larger)
 - Allowances for provision of like use (reduction of a basketball court – provide new basketball court)
 - A survey and appraisal of the replacement parcel selected

- Review of the public recreation components
 - Today
 - Post conversation
 - Review and feedback by Recreation Advisory Board
 - Review the intended and unintended impacts on public recreation in area
 - Public hearing
 - Required to determine impacts to reduction in public recreation space

A clear take away from the meeting was that we need to fully vet the site and review it from both an education and recreation standpoint and keep the spirit and intent of the LWCF program in mind as we designate areas. DRED staff urged the City to be creative in looking at all areas of the non-LWCF protected portion of the Garrison School site to accommodate school expansion (i.e. the front or sides of the existing school) and working to minimize the area needed for conversion.

Please do not hesitate to let us know if you would like to discuss.