

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

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IN THE MATTER OF NEIGHBORS UNITED  
BELOW CANAL, JAN LEE, DCTV, EDWARD J.  
CUCCIA, BETTY LEE, and AMERICAN INDIAN  
COMMUNITY HOUSE,

Petitioners,

Index No.

**AFFIDAVIT OF EDWARD J.  
CUCCIA IN SUPPORT OF  
THE VERIFIED PETITION**

For a Judgment pursuant to Article 78 of the CPLR

-against-

MAYOR BILL DE BLASIO, et al.,

Respondents.  
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STATE OF NEW YORK    )  
  ) ss.:  
COUNTY OF NEW YORK)

**EDWARD J. CUCCIA**, having been duly sworn, deposes and says:

1. I submit this Affidavit in support of the Verified Petition and in opposition to the proposed Borough Based Jail System: Manhattan Site that would involve the demolition of the existing buildings located at 124-125 White Street (the "Site") and construction and maintenance of a new detention facility (the "Manhattan jail") thereon.

2. I am a tenant of Chung Pak Local Development Corp, ("Chung Pak") and I maintain offices located within the Chung Pak buildings at 121 Walker Street, Ground Floor Office Space, New York, NY 10013 (the "Cuccia Office"), just around the corner

from the Site. Chung Pak LDC is a not-for-profit organization committed to enhancing the vitality of Chinatown through comprehensive community development activities that integrate strategic and best practices in economic development and business assistance, social services, arts and culture, civil rights and civic engagement.

3. I am an attorney, admitted to practice before the Supreme Court of New York State, specializing in Immigration and Human Rights law. I further specialize in Real Estate and own and operate Edward J. Cuccia, Brokerage, which also operates at the Cuccia Office.

4. As an Immigration and Human Rights attorney's office, the Cuccia Office is regularly visited by many individuals who have suffered hardship and past persecution. These individuals often suffer from various emotional trauma including Post Traumatic Stress Disorder ("PTSD") and other conditions and require legal expertise as well as handling and comfort. Additionally, they require a safe and reassuring environment to tell their stories and to develop their legal rights, which often include the filing of asylum applications as well as deportation defense.

5. Many of our clientele come from an aging or elderly population that will be severely affected by the demolition and construction at the Site, including exposure to dust, air pollution, noise, vibration, and various other environmental factors. As a result of the proposed demolition and subsequent construction of the new jail, these clients are very likely to be deterred from coming to our office and their legal rights will be affected.

6. Our office has approximately twelve (12) employees. These employees commute to the office daily. The demolition and construction at the Site will result in detrimental daily exposure to dust, air pollution, noise, vibration, and various other

negative environmental repercussions emanating from the Site that undoubtedly will affect the employees' health and well-being. This will most likely contribute to increase in sickness and negative health effects to said employees.

7. The demolition and construction at the Site will also make it more difficult for me, my employees and clients to safely access the office. Installation of scaffolding, sidewalk sheds, and canopies, as well as the noise, dust and street closures associated with demolition and construction will likely impede access to our offices, particularly for elderly clientele or those that require the assistance of mobility aids, walkers, or wheelchairs. This will ultimately deter these individuals from obtaining necessary legal services.

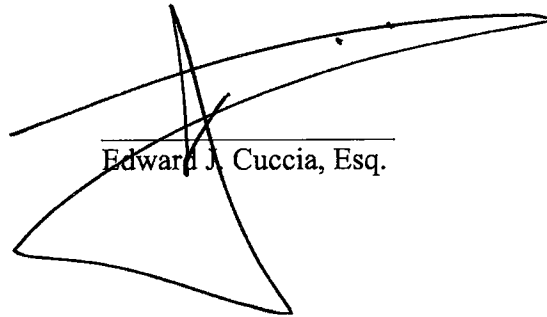
8. I initially learned of the proposal regarding the Borough Based Jail System: Manhattan Site in or around 2018. In response to that proposal I participated in community-based efforts to oppose this project. I did not attend the October 2018 scoping meeting because, at that time, the jail was to be located at 80 Centre Street, several blocks away from the Cuccia Office. I nevertheless was extremely relieved when in November 2018, New York City announced that it would not construct a new facility in or around Chinatown but would instead "refurbish" the existing detention center at the Site. I recall that, on November 18, 2018, I was amongst a group of other community activists who attended a press conference at a restaurant in Chinatown where this announcement was celebrated.

9. On July 1, 2019, I signed another ten-year lease with Chung Pak wherein I agreed to expand into another Chung Pak space at the ground floor and mezzanine levels of 150 Centre Street, which directly abuts and shares a common wall with the Site. I intended to subdivide the space into a dance studio and cafe. From July 1, 2019 to December 2019, I paid Chung Pak approximately \$150,000.00 in connection with 150 Centre Street.

10. I had not yet taken possession when, in October 2019, the New York City Council voted to demolish the existing buildings located at the Site and to construct and maintain a new detention facility thereon. Due to the New York City Council vote to demolish the existing buildings located at the Site and to construct and maintain a new detention facility at the Site, my continued leasing of the ground floor and mezzanine of 150 Centre Street became impossible since neither a café nor a dance studio could operate due to the detrimental daily exposure to dust, air pollution, noise, vibration, and various other environmental factors emanating from the Site.

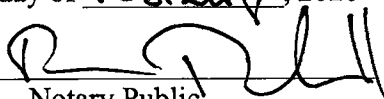
11. While I am no longer leasing 150 Centre Street, my offices remain at 121 Walker Street and I, along with my employees and our clients, will be negatively impacted by daily exposure to dust, air pollution, noise, vibration, and various other environmental factors emanating from demolition of the existing buildings and construction of a new jail on the Site.

12. For those reasons and the reasons set forth in the Verified Petition, I respectfully request that the relief set forth in the Verified Petition be granted in its entirety.



Edward J. Cuccia, Esq.

Sworn to before me on this  
4th day of February, 2020



Notary Public

Benjamin P Birchenall  
Notary Public, State of New York  
No. 02BI6385194  
Qualified in New York County  
Commission Expires Dec. 31, 2022