



## **Public Testimony to the Pennsylvania Senate Urban Affairs and Housing Committee**

**Submitted by:  
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Good morning, Senators Pittman, Saval and to the other members of the Senate Urban Affairs and Housing Committee. Thank you for the opportunity to testify today.

My name is Jenny Greenberg and I serve as the executive director of the Neighborhood Gardens Trust, a nonprofit land trust based in the city of Philadelphia which has been working to acquire and preserve community gardens and shared open spaces across the city since 1986.

Most of Philadelphia's 400+ community gardens were cultivated on formerly abandoned land, in neighborhoods with high levels of vacancy and blight resulting from decades of deindustrialization, systemic disinvestment, and population loss. Throughout the city, hundreds of self-organized groups of residents have responded to problem properties in their neighborhood by taking matters into their own hands to transform overgrown, trash-strewn lots into vibrant green spaces that serve as places of nourishment, healing, and community building.

Philadelphians use these green spaces to grow healthy, affordable food and to safely gather, play, and learn together. There is a longstanding, flourishing urban agriculture movement in Philadelphia through which hundreds of thousands of pounds of fruits and vegetables are grown by community members every year to feed family and neighbors. These spaces serve as oases, provide refuge from high heat summer temperatures and the stresses of urban life.

The public health benefits of cleaning and greening vacant lots have been well-documented. A 2018 study from the University of Pennsylvania focused on Philadelphia Landcare lots which were cleaned and greened by the Pennsylvania Horticultural Society, found that residents living near these green spaces experienced a 40% decrease in feelings of depression. Another study showed a 29% decrease in gun violence. Additional research has documented benefits including decreased physiologic signs of stress and increased exercise levels among local community members.

Despite these and other social, environmental and economic benefits, many community gardens are in jeopardy of being lost to development because the residents stewarding the land do not have legal land tenure. Gardens are often owned by the city or private tax-delinquent owners who may be deceased. NGT provides a solution to this problem by securing ownership or long-term leases for community gardens.

We permanently protect the land so community-based groups can continue to reap their gardens' benefits for years to come. We handle property ownership responsibilities such as providing insurance and dealing with real estate taxes and utilities. We also work in close partnership with the Pennsylvania Horticultural Society (PHS) to provide infrastructure support such as building raised beds with clean nutrient-rich soil, providing water access, fencing, tool sheds and more.

NGT has protected fifty green spaces across the city to-date, and we have a preservation pipeline of twenty threatened gardens that we are currently working to preserve in the next few years. We are at a crux moment in Philadelphia. Real estate market pressures have significantly increased, and we are seeing gardens lost to speculation, construction, and Sheriff's Sales with growing frequency. Once a garden is lost, it gone for good, along with all of the community benefits it provided.

The work of assembling land to protect a community garden can be quite complicated from a legal, financial, and political standpoint. Often the footprint of a garden includes multiple land parcels with a mix of public and private owners. It is critical to our ability to preserve gardens that the City of Philadelphia recognize their value as a highest and best use. These green spaces are essential to meeting the City's goals around food access, open space access, public safety, pollution mitigation, and climate change resiliency. Urban green spaces should not be viewed as an interim land use until new development is built. The gardens are an essential part of the picture for the future of a sustainable, livable, and equitable city.

When Philadelphia created its Land Bank in 2013, there was clear input from the public that community green space belongs on the list of productive land uses and should be treated as a priority. The City adopted a land disposition policy that allows for the nominal fee disposition of city-held properties to nonprofit groups so that these open spaces can be secured and protected. In the past four years, NGT has been able to acquire 32 parcels of land at eleven gardens through nominal sales from the city, and we have also worked with the Philadelphia Land Bank to acquire several formerly privately owned tax-delinquent parcels.

Philadelphia can further accelerate this work by increasing funding for the Land Bank to enable the agency to complete more acquisitions each year and to fund more staff to meet the current level of demand for garden leases and land transfers. The City should also include in its upcoming budget, funding to acquire third-party liens held by U.S. Bank. These liens encumber many community garden parcels and put them in grave risk of being lost to Sheriff's Sale.

In addition to City actions, here are three ways that the state legislature can help to secure, protect and support community green space and reduce blight.

- 1) With roughly \$2.7 billion in federal American Rescue Plan funds remaining and state revenues exceeding expenses by billions of dollars this fiscal year, there has never been a better opportunity for the state to make conservation investments that will deliver continuing benefits to Pennsylvanians in the long term. We encourage the legislature to boost investments during this budget in Growing Greener III to increase funding for green space development and protection projects as well as tree-planting and vacant lot cleaning and greening.

NGT has been successful in rescuing gardens from being lost to development by accessing state grants that enabled us to purchase parcels at market rate through the DCNR Community Conservation Partnerships Program as well as DCED Greenways, Trails, and Recreation Program.

- 2) In 2021, Senator Hughes, Senator Saval, and others co-sponsored Senate Bill 939 to amend the adverse possession statute to provide for a process for gardeners in Philadelphia to obtain title to the properties they have been caring for with a reduced statutory period to preserve more green spaces. Quoting my colleague Ebony Griffin, formerly a staff attorney with the Public Interest Law Center, “Recognizing the benefits of a shorter statutory period for adverse possession, the Legislature passed House Bill 352, the Clear Title Act, which reduces the statutory period from twenty-one years to ten years for claims regarding single-family dwellings on lots not exceeding one-half acre and side yards abutting these single-family dwellings. The Legislature should similarly reduce the statutory period for vacant land in cities of the first class from twenty-one years to ten years. This will allow those individuals and organizations that have been maintaining vacant lots in blighted communities to pursue clear title, increasing access to fresh food and preserving valuable greenspace.”
- 3) Finally, the 2008 Pennsylvania Act 135 Abandoned and Blighted Property Conservatorship Act was passed to reduce the negative impacts of blighted buildings on older communities by allowing for the appointment of a conservator to make the necessary improvements to abandoned buildings before they further deteriorated and necessitated demolition, preventing future productive use. For decades, organized community volunteers across Philadelphia have been in essence acting as conservators for formerly blighted land. They cleared piles of trash and demolition debris with their own hands and transformed abandoned properties which attracted dumping and crime into beautiful green spaces for growing food, flowers, and community. Act 135 should be amended to include provisions that allow for community stewards to be named conservator for vacant land if they can document the stabilization work they have already accomplished so that they have a legal interest to control the property’s future and prevent blight.

In conclusion, thank you for the opportunity to testify today to the importance of including community gardens and green space in the anti-blight strategies of communities across the Commonwealth. As you work towards addressing the challenges that disinvestment brings, I encourage you to include funding and legal tools that empower communities to invest in and sustain vibrant and beneficial green spaces as an important part of the solution.

