



May 15, 2023

Kevin S. Law
Chair, Board of Directors
Empire State Development
633 Third Avenue
New York, NY 10017

Holly M. Leicht
Chair, Board of Directors
Lower Manhattan Development Corporation
22 Cortlandt Street
New York, NY 10007

Kevin J. O'Toole
Chair, Board of Commissioners
Port Authority of New York & New Jersey
4 World Trade Center, 150 Greenwich Street
New York, NY 10007

Dear Mr. Law, Ms. Leicht, and Mr. O'Toole:

We write regarding the meeting of the Lower Manhattan Development Corporation's Board of Directors scheduled for tomorrow, May 16, 2023, the meeting of the Port Authority of New York & New Jersey's Board of Commissioners on May 25, 2023, and the meeting of Empire State Development's Board of Directors that is expected to be held this month. We understand that at these meetings, the three respective Boards plan to take action to proceed with the proposed project at World Trade Center Site 5 and related real estate transactions. We write to express our strong opposition to moving forward with these public approvals before securing the additional resources necessary to increase affordability at the site, and we strongly urge you to pause and reconsider.

Over the course of the past two years, elected officials, Community Board 1, and community advocates have engaged in numerous discussions with your agencies and urged you to find a path to providing more affordability in the proposed building, which is located in a community that has lost affordable housing at a particularly high rate for decades. All the elected officials, the Board, and the community advocates have consistently emphasized that additional affordability, with clearly identified sources of funding to support it, is a prerequisite to supporting the project. The decision by your agencies to unilaterally proceed to seek formal public approvals at this time

comes as a surprise to us and to many others who have been involved in these discussions on behalf of the community, and undermines the basis for those discussions.

World Trade Center Site 5 is, of course, publicly owned land, the last piece of the World Trade Center campus to be rebuilt, and a tremendous opportunity to bring large-scale affordable housing to Lower Manhattan. It seems more than reasonable to expect that public agencies that control a major development site in a community where affordable housing is so scarce would provide greater levels of affordability than we might expect from deals that are typically done on private development sites. In contrast, the deal you are proposing to approve provides no meaningful subsidy other than the property taxes or payments in lieu of taxes that the City of New York will forgo, a benefit that a private property owner might expect to receive for a development on a private site that offers the levels of affordability you're proposing.

Until recently, the agencies had suggested that up to \$30 million might be available from the Lower Manhattan Development Corporation to invest in this project to provide for additional affordability. While we understand that the U.S. Department of Housing and Urban Development has indicated that those funds cannot be used here because of technical concerns related to the timing of the project, we appreciated the effort to make those public funds available for this project and the acknowledgement that public funds might be appropriately spent for this purpose were HUD to have permitted it. We believe that in this spirit, your agencies should continue to work with the State and the City, the developers, and with all of us, to identify additional sources of funding, or concessions on the land and development costs, to increase affordability, as an essential part of this project. We are extremely disappointed that you now appear poised to reject that premise and move ahead without identifying the necessary funding. Again, we strongly urge you to pause and reconsider.

Thank you for your consideration. If you would like to discuss this request, please feel free to contact any of us directly or via Emily Leng in Senator Kavanagh's office at 212-298-5565 or eleng@nysenate.gov.

Sincerely,



Brian Kavanagh
State Senator



Dan Goldman
Congressman



Charles Fall
Assembly Member



Mark Levine
Manhattan Borough President



Christopher Marte
Council Member

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May 22, 2023

Empire State Development Corporation
633 Third Avenue - 37th Floor
New York, New York 10017

CEO & Commissioner Knight and the Board of Directors for the Empire State Development Corporation, thank you for the opportunity to submit testimony. The New York Building Congress urges you to support the currently proposed plan and to facilitate the mixed-use development at 5 World Trade Center.

The New York Building Congress represents over 500 constituent organizations and over 250,000 skilled tradespeople and professionals who design, build, own and operate the city's buildings.

5 World Trade Center is an unprecedented opportunity to address the housing crisis facing New York City by delivering 1,200 apartment units, including 360 permanently affordable units, all with remarkable access to public transit. As a mixed-use development, this project will help create a vibrant 24/7 community, particularly with its emphasis on new public and community spaces.

New York City is in a serious housing crisis, and without projects like 5 WTC, the crisis will only grow. This project by itself would deliver five times the number of affordable homes produced across all of Lower Manhattan in a typical year, and with permanent affordability. We commend the development team and public sector agencies for working together to maximize the amount of affordable housing that could be provided at this site without public subsidy.

5 World Trade Center will also bring in over 10,000 construction jobs and generate \$1.9 billion in economic output, a critical step in our pandemic recovery.

The New York Building Congress urges the board to support the development at 5 World Trade Center, which will provide much-needed affordable housing, public spaces, and economic growth.