



NEW YORK STATE SENATOR

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Comprehensive Plan Announced to Accelerate the Development of Atlantic Yards Project and Ensure Timely Delivery of Public Benefits

VELMANETTE MONTGOMERY June 27, 2014

Governor Andrew M. Cuomo today announced a comprehensive plan to accelerate the development of Atlantic Yards, including a fast tracked timeline for delivery of affordable housing. The new plan will shorten the completion timeframe to build 2,250 affordable apartments by ten years, from 2035 to 2025. Additionally, the deal will create a board, the Atlantic Yards Community Development Corporation, to provide input on development, housing, and community impact throughout the completion of the project.

The City of New York, through its Housing Development Corporation (HDC), will provide financial support to ensure the delivery of two 100 percent affordable housing buildings, totaling at least 590 units, and construction will begin by December 2014.

Earlier today the Empire State Development Corporation Board voted to modify the Atlantic Yards Project by:

- Shortening the completion timeframe by ten years so that the project developers will build all affordable housing by 2025, ten years ahead of the previous deadline of 2035. Developers will pay liquidated damages for any remaining affordable housing units that have not been built by the new deadline.

- Ensuring sustained development of affordable housing by requiring that the project developers will provide 35 percent of the completed units at the site as affordable housing units until 1,050 affordable housing units are built. This new deal ensures that the delivery of affordable units does not lag behind the creation of market rate units.
- Committing the project developers to begin construction on two affordable housing buildings by June 2015. The affordable housing lottery will be administered by the City of New York's Housing Development Corporation. All apartments will be awarded through a lottery process with eligibility determined by income.
- Creating a new subsidiary organization, the Atlantic Yards Community Development Corporation, an entity to provide input on development, housing, and community impact throughout the completion of the project.

ESD has negotiated more stringent requirements with the developers as part of the Memorandum of Environmental Commitments (MEC).

Highlights of these changes include:

- Closer monitoring and oversight of the On-Site Environmental Monitor ("OEM") staffing, including during off-hour work periods, and a requirement that that OEM be a qualified outside engineering firm or construction management firm consent to by ESD;
- Requirement that the OEM will have substantial construction management experience in New York City and will be located on-site;
- Requirement to include commitments in all site contracts and implementation of remedies for non-compliance, including the right to withhold payment or terminate the contract for non-compliance;

- Stringent new requirements to reduce emissions from diesel-powered construction equipment;
- Strengthening requirement to provide double-glazed windows and ventilation to residents affected by significant construction noise;
- Requirements for Dust Management Plans;
- More stringent noise protocols for construction equipment, including using sound-mitigated back-up alarms;

In addition, The Metropolitan Transportation Authority (MTA) this week approved a new plan to speed up construction of building foundations in the MTA Long Island Rail Road (LIRR) rail yard on the site, which is an important step to allow Forest City to begin building a platform above the yard and to allow future phases of the Atlantic Yards development to rise.

Forest City has already committed to building a new permanent rail yard on the site, which will be able to service and store additional trains when the LIRR begins expanded service for its East Side Access project. The permanent yard construction completion deadline will be extended from June 2016 to December 2017 in recognition of the expanded scope of work, as well as the substantial excavation and other preparatory work already performed on the site. The MTA Board's action Wednesday allows Forest City to build the platform foundations at the same time as the rail yard, which will make construction more efficient, reduce disruptions in the surrounding area, and eliminate conflicts between railroad operations and platform foundation construction.

The Atlantic Yards Project is a 22-acre, \$4.9 billion project, that consists of the 18,000-seat Barclays Arena, which has hosted over 300 events since opening in September 2012, including

the NBA's Brooklyn Nets, concerts, and other events; the development of a reconfigured and improved LIRR train yard and subway facility improvements; the development of 16 buildings for residential, office and retail uses and potentially a hotel, including up to 6,430 apartments, which will include 4,500 rental units of which 2,250 units (50 percent) will be affordable to low, moderate and middle income households; and the creation of eight acres of publicly accessible open space.

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