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October 20, 2005

Charles Gargano
Chairman and CEO
Empire State Development Corp.
633 Third Avenue
New York, NY 10017

Dear Chairman Gargano:

I am submitting to your office my comments regarding the proposed Atlantic Yards Arena and Redevelopment Project Draft Scope of Analysis for an Environmental Impact Statement.

There is no doubt that the Atlantic Yards development plan, as proposed, will change the character of Brooklyn neighborhoods forever. The building of 17 towers, ranging from 30 to 60 stories, and a 20,000 seat arena, which is estimated to rise 15 to 20 stories and cover several blocks in the heart of five historically landmarked, ethnically and economically mixed brownstone neighborhoods would be like having a volcano erupt in the middle of Prospect Park.

The Environmental Impact Statement (EIS) should detail the projected outcome of the plan 20 to 40 years from now. The long-term impact on the fabric of the community in terms of density, affordability, diversity based on income, ethnicity, and other demographic factors must not be ignored.

Task: Alternatives

This plan was developed without any input by residents and organizations representing the surrounding neighborhoods. It is not based on the universally recognized principles of Smart/ Main Street development for urban communities. For example, buildings are not designed to scale; there is no allowance for small storefronts at street level which would encourage foot traffic and enhance opportunities for small local entrepreneurs; it does not connect neighborhoods by creating additional streets; and, does not include additional public open space for recreational activities.

The EIS should analyze the alternative proposal submitted by the Extell Corporation which DOES embody the principles of Smart planning and includes much of the vision of community residents and organizations.

In addition, the Empire State Development Corporation (ESDC) should pay for independent technical assistance to the community.

Task: Land Use Zoning and Public Policy

Study Area: Given the magnitude of this proposed project, there is a need to study/analyze the area beyond the half-mile being proposed. In fact the cumulative impact of various other local development projects should be considered in conjunction with the Atlantic Yards project, including: **Downtown Brooklyn Re-zoning** for increased bulk and height allowances, BAM LDC residential/ commercial/ cultural development; **South Brooklyn Waterfront** including the new additional retail and cruise line industry plans; **Brooklyn Bridge Park Plan** with its proposed 1,100 new residential hotel complex, and the **4th Avenue up-zoning**. **All of these developments should be incorporated in the study. Therefore, the entire region of Community Board Districts 2, 6, and 8 should be included in the EIS.**

Eminent Domain: Based on the magnitude of the proposed development, there should be a very careful analysis of the potential need to extend the eminent domain action beyond the present boundaries. **The EIS should have a true analysis of how many additional properties might be required to be seized by eminent domain based on the square footage proposed of 9 million square feet of development.**

Task : Socio-economic Conditions

The neighborhoods surrounding Atlantic Yards are economically and ethnically diverse communities that include small independent minority and women owned businesses; very low income residents, home owners; artists; senior citizens; young professionals; middle income residents; and students. Intensive real estate development, however, has been displacing low-and moderate income families, small businesses and manufacturing. It is producing neighborhoods that are less diverse ethnically and economically, and displacing portions of long-established African American neighborhoods. Atlantic Yards is likely to exacerbate this trend. **The EIS should disclose the extent to which this project will create a completely gentrified community over the next 20 to 40 years with particular focus on the potential decline in the minority population in relationship to an increase of 7,000 to 10,000 new luxury residential units.**

Task: Community Facilities and Services

Schools. The proposed development falls into a school district area with the most overcrowded class rooms in the city. It is anticipated that an additional 7,000 to 10,000 new families will result in an increased need for class room space. **The EIS should project the actual need for new school construction and related costs based on the increased student population. An estimated cost to tax payers should be projected by the EIS.**

Municipal Services. It is incumbent upon the ESDC to include in this study the need for additional fire, and police protection and public sanitation services. Additional services will unquestionably be needed to address the myriad of infrastructure and other needs resulting from the development of a basketball arena, 4,000 parking spaces, 7,300 residential units, and two million square feet of retail and commercial space. **The EIS must specify what would be the required level and cost of these services.**

Energy: This area is already saturated with power facilities. **The EIS study needs to disclose the need for new power plants based on added demand for energy by developments in Community Board Districts 2, 6 and 8 including Atlantic Yards.**

Direct and Indirect Subsidies: **The EIS should disclose all direct and indirect project subsidies from federal, state and municipal governments, and independent authorities. This includes tax abatements, tax exemptions, savings from bond financing, public infrastructure capital and operating costs, and the sale of land and development rights at below market prices. All subsidies and costs should be projected through the lifetime of the project and include any publicly financed renovations.**

Homeland Security: **The EIS analysis should include a projection on additional costs associated with necessary anti- terrorism measures.**

Task: Traffic

The proposed traffic study includes only one half of the most congested intersections. **The EIS should perform air quality monitoring (including air particulates) at each of these intersections along with the Automatic Traffic Recordings (ATR). In addition, the number of intersections in the EIS should be expanded to include :**

- * Atlantic Avenue between Columbia Street and the Queens border.
- * Flatbush Avenue between the Manhattan Bridge and Grand Army Plaza.
- * Tillary Street between Cadman Plaza to Ashland Place.
- * Boerum Place between the Brooklyn Bridge and Atlantic Avenue.
- * 3rd, 4th and 5th Avenues between Atlantic Avenue and Prospect Expressway.
- * Lafayette, DeKalb and Myrtle Avenues between Flatbush Avenue and Broadway.

The EIS should, using current data, project into the future the additional number of car trips and projected air quality/air pollution data based on new residential units, additional commercial and retail space, and the 20,000 seat basketball arena. The residents should have a clear picture of what the additional traffic burden will be in 10 and 20 years based on the proposed project.

I hope these concerns will be included in the Environmental Impact Statement for the Atlantic Yards Arena and Redevelopment Project. Thank you for your consideration.

Sincerely,



Senator Velmanette Montgomery
18th Senate District