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LOWER MANHATTAN DEVELOPMENT CORPORATION

&

NEW YORK STATE URBAN DEVELOPMENT CORPORATION

D/B/A EMPIRE STATE DEVELOPMENT

-----X

RE: PROPOSED AMENDMENT TO WORLD TRADE CENTER
MEMORIAL AND CULTURAL PROGRAM GENERAL PROJECT PLAN
AND WORLD TRADE CENTER MEMORIAL AND REDEVELOPMENT
PLAN AND PROPOSED DISPOSITION OF PROPERTY IN
CONNECTION WITH DEVELOPMENT OF WORLD TRADE CENTER

SITE 5

REMOTE PUBLIC HEARING

-----x

September 15, 2022

6:00 p.m.

B E F O R E :

CELESTE FRYE,

THE HEARING OFFICER

1

2 A P P E A R A N C E S:

3 Tobi Jaiyesimi, Assistant Vice President of ESD

4 Holly Leicht, Chair of the LMDC Board of Directors;

5 Dan Ciniello, LMDC President

6 Goldie Weixel, Acting General Counsel of ESD;

7 Debbie Royce, Corporate Secretary of ESD and LMDC;

8 Matthew Acocello, Associate Counsel, ESD and LMDC;

9 Terence Cho, Real Estate Development and Planning

10 Team, ESD;

11 Eram Qadri, Senior Director Planning and

12 Environmental Review at ESD;

13 Derek Utter, Chief Development Officer of The Port

14 Authority;

15 Matt Peterson, Assistant Director of Real Estate

16 for the Port Authority; and

17 Hersh Parekh, Director of Government and Community

18 Relations for the Port Authority.

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P R O C E E D I N G S

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THE HEARING OFFICER: (Video

4

started here)..... Stenographic transcript is also

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being made and will be available on the LMDC and

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ESD websites. You can see those on your screen

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now. I'd like to give some guidance to help you

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fully participate in this virtual hearing before we

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formerly begin.

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We are requiring that only

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presenters share their video during this hearing.

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This will include speakers who are giving their

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testimony. For the best viewing experience we

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recommend that all participants enable the feature

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in Zoom that allows you to show only participants

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with video enabled.

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These first two screens that will

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show on your screen next, provide instructions on

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how to do that. First for a PC or Android device,

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and then the second, for a Mac or Apple device.

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This screen is for those who wish to view the

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hearing with American Sign Language interpretation.

23

And this screen explains the options that you have

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for providing comments on the proposed

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modifications to the approved plan.

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2 If you signed up to speak before
3 the hearing when -- during your registration
4 process, we have your name and you'll be called
5 during the testimony portion of this hearing. If
6 you did not sign up to speak when you registered to
7 enter the meeting, but you would like to speak,
8 please identify yourself using the raise hand
9 function on Zoom. Instructions for this are being
10 shown on your screen now and will be shown
11 periodically during the hearing.

12 If you are joining us this
13 evening by telephone only, you may dial star nine
14 on your keypad to indicate your desire to provide
15 verbal testimony. We will receive a message with
16 your phone number. Participants using the raise
17 hand function or star nine, will be added to the
18 end of the speaker list. The option to sign up to
19 speak will end 30 minutes before the close of this
20 hearing or at 7:30 p.m. I'll give you a moment to
21 read the instructions before I move on. Again,
22 these instructions will appear periodically during
23 the hearing.

24 Comments presented at this
25 hearing will be taken into consideration by LMDC

1
2 and ESD as part of the final review of the Proposed
3 Amendment and Proposed Property Transfers. You
4 will also have the opportunity to send in your
5 comments via the e-mail and mailing addresses
6 provided here. For those joining us via phone, the
7 e-mail address is WTCSite5@esd.ny.gov. Comments
8 will be accepted until 5:00 p.m. on Monday, October
9 17, 2022. This information is also available on
10 the LMDC and ESD websites.

11 Before we begin the testimony
12 portion of this hearing to hear your comments, we
13 will hear from Tobi Jaiyesimi, Assistant Vice
14 President of ESD. In addition to Tobi, a number of
15 other representatives from the ESD and LMDC project
16 team are with us today and will be listening to all
17 comments delivered tonight.

18 Attendees on the hearing with us
19 now include Holly Leicht, Chair of the LMDC Board
20 of Directors;

21 Dan Ciniello, LMDC President;
22 Goldie Weixel, Acting General
23 Counsel of ESD;

24 Debbie Royce, Corporate Secretary
25 of ESD and LMDC;

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Matthew Acocello, Associate

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Counsel, ESD and LMDC;

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Terence Cho, Real Estate

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Development and Planning Team, ESD;

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Eram Qadri, Senior Director

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Planning and Environmental Review at ESD;

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Derek Utter, Chief Development

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Officer of The Port Authority;

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Matt Peterson, Assistant Director

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of Real Estate for the Port Authority; and

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Hersh Parekh, Director of

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Government and Community Relations for the Port

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Authority. These representatives will be in

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attendance throughout this hearing.

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Before we begin the comments

17

portion, I'd like to introduce Tobi Jaiyesimi of

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ESD, who will present a summary of the Proposed

19

Amendment and Proposed Property Transfers.

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MS. JAIYESIMI: Thank you,

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Celeste. Thank you for joining tonight's public

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hearing on the World Trade Center Site 5 Project.

23

My name is Tobi Jaiyesimi, and I'm Assistant Vice

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President of Real Estate and Community Relations at

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Empire State Development.

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I am joined tonight by the ESD and LMDC, World Trade Center Site 5 project team, members of the LMDC Board of Directors and representatives of the Port Authority.

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I stated earlier the purpose of tonight's hearing is to give the public the opportunity to deliver oral comments on the proposed amendment to the World Trade Center General Project Plan and the Proposed Property Transfers. I'd like to begin by offering background on the Project Site.

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Site 5, which is located at 130 Liberty Street, is the location of the former Deutsche Bank building which was severely damaged on 9/11. The Lower Manhattan Corp used Department of Housing and Urban Development, or HUD, Community Development Block Grant funds to acquire, remediate and clear Site 5. The World Trade Center Memorial and Cultural Program General Project Plan was originally adopted by LMDC, a subsidiary of ESD, in 2004, to provide for memorial and cultural uses, as well as commercial redevelopment of the World Trade Center, after the September 11 attacks.

The Approved Plan provides for

1

2 five commercial towers, public open space, and a
3 performing arts center surrounding the 9/11
4 memorial and memorial museum. The plan contemplated
5 commercial and/or hotel use on Site 5.

6 In February 2006, the Port
7 Authority and LMDC entered into a memorandum of
8 understanding by which LMDC would swap 130 and 140
9 Liberty Street, including Site 5 with the Port
10 Authority for property it owned at the center of
11 the campus to enable the 9/11 memorial and memorial
12 museum, as well as the performing arts center to be
13 built within and proximate to the footprints of the
14 Twin Towers.

15 The 9/11 memorial and the 9/11
16 memorial museum were opened in 2011 and 2014,
17 respectively. In response to Community Board 1
18 input, LMDC began discussions with the Port
19 Authority in 2017 about allowing for either
20 commercial or mixed-use development at Site 5. In
21 2019, LMDC and the Port Authority entered into
22 another memorandum of understanding to jointly
23 issue a request for proposals for Site 5 that would
24 allow for, as of right commercial development or
25 mixed-use development, including a requirement for

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2 an affordable housing component, which would
3 require modifications to the General Project Plan.

4 In February 2021, after a
5 competitive process, a mixed-use development
6 proposed by a team comprising Silverstein
7 Properties, the Bar Development, Omni New York, and
8 Brookfield Properties was conditionally designated
9 by the LMDC directors. The proposed project
10 includes residential rental housing, with 25
11 percent of the units permanently affordable, office
12 space, ground floor retail, a community facility,
13 as well as a direct connection to the adjacent
14 Liberty Park.

15 Since conditional designation of
16 the development team 18 months ago, LMDC, ESD, and
17 the Port Authority have made multiple presentations
18 to Community Board 1 and local elected officials
19 and held regular meetings with the World Trade
20 Center Site 5, Community Advisory Committee or CAC.
21 Feedback from these stakeholders have been
22 instrumental in shaping multiple aspects of the
23 proposed project, including programming, design,
24 and public access to the building.

25 The World Trade Center Site 5

1
2 project was presented to the LMDC and ESD directors
3 in November 2021 for consideration of the
4 modifications to the World Trade Center General
5 Project Plan. In April 2022, after a public
6 hearing which was held in January, and a public
7 comment period which is open for mid-February, the
8 directors approved modifications to allow for
9 mixed-use development, in addition to the already
10 approved commercial use at Site 5.

11 In July, the LMDC and ESD
12 directors approved the start of the public review
13 process, for the proposed amendment, and Proposed
14 Property Transfers, including authorization to hold
15 tonight's hearing. Development materials are
16 posted on LMDC and ESD websites and detailed in the
17 public notice issued in the daily news and posted
18 online. The proposed amendment includes proposed
19 zoning overrides to allow for a residential
20 development at Site 5.

21 These overrides and the draft
22 mixed-use design guidelines were initially part of
23 the materials presented during the public review
24 process for modifications to the general project
25 plan. However, in response to community requests,

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2 the overrides and design guidelines were pulled
3 from the MGPP approvals and are now part of the
4 materials prepared for the Proposed Project and
5 Property Transfers.

6 If the proposed project is
7 approved after the public review process, LMDC
8 would grant an easement to the Port Authority for
9 slight encroachments relating to the adjacent
10 vehicle security center and would transfer
11 ownership of Site 5 to ESD. ESD would then serve
12 as landlord and enter into a long-term lease with
13 the conditionally designated developer, since LMDC
14 will cease operations once the HUD Block Grant is
15 closed out.

16 Consistent with the planned swap
17 and the memorandum of understanding mentioned
18 earlier, all rent payments would go to the Port
19 Authority in exchange for the 9/11 memorial and
20 museum and performing arts center sites.

21 During construction, the annual
22 base rent would be \$1,345,000. And after
23 construction, the annual base rent steps up to the
24 greater of 21 percent of the cash flow before debt
25 service, or a minimum base rent of \$12.5 million.

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2 If the rental income under the lease exceeds the
3 value of the originally planned commercial use of
4 Site 5, the excess value -- the excess of revenue,
5 will be shared with 75 percent going to LMDC or to
6 the city at the LMDCs HUD grant closeout, and 25
7 percent going to the Port.

8 The proposed project would be
9 subject to a payment in lieu of taxes pilot
10 agreement that would require the tenant to make
11 payments to the city, equivalent to real estate
12 taxes applicable to the property if ESD were not
13 owner of the site, reduced by the equivalent value
14 of the Affordable Housing Benefit Program. The
15 proposed project's affordable housing requirements
16 would be governed by a regulatory agreement to be
17 administered by New York State's affordable housing
18 agency, Homes and Community Renewal.

19 There have been significant
20 public discussions about an attention to the
21 project's affordability requirements. Community
22 representatives and elected officials have called
23 for increased affordable housing, including some
24 demands that the project be 100 percent affordable.
25 The proposed project has been introduced with a

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2 minimum of 25 percent affordable housing units, but
3 there are no restrictions on the increasing the
4 affordability threshold.

5 The project team has shared with
6 stakeholders the valuation of the site, 249
7 million, the total development costs of
8 approximately 1.2 billion, and the cash subsidy
9 needed to increase the affordable unit count at the
10 project, ranging from approximately 415 million for
11 an increase to 40 percent affordable to over 900
12 million, 400 percent affordable tower. The project
13 team remains committed to continued public
14 engagement throughout this process, including
15 discussions with the city, the community advisory
16 committee, Community Board 1, local elected
17 officials, the 100 percent affordable World Trade
18 Center Site 5 coalition, and other stakeholders.

19 Again, the purpose of tonight's
20 hearing is to afford those interested an
21 opportunity to comment on the Proposed Amendment
22 and Property Transfers. LMDC and ESD directors will
23 consider the public comments made here tonight, as
24 well as any written comments received up until
25 October 17, 2022. And we'll take action on the

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2 Proposed Amendment and Property Transfers at a
3 later date.

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5 The public comment period will
6 remain open until 5:00 p.m. on Monday, October 17,
7 2022. Comments may be submitted via e-mail or mail
8 using the addresses provided on the screen. Thank
9 you for taking the time to participate in tonight's
10 hearing. And I look forward to your comments.

11

12 THE HEARING OFFICER: Now I'd
13 like to take care of some administrative matters by
14 asking the stenographer to mark the following
15 documents as exhibits to the hearing transcript.

16

17 Exhibit 1, a copy of the public
18 hearing notice that appeared in the New York daily
19 news on August 12, 2022, along with the affidavit
20 of publication attesting to the publication of the
21 notice.

22

23 Exhibit 2, the resolutions
24 approved by the LMDC and ESD Directors,
25 respectively on July 19, 2022 and July 21, 2022.

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27 And Exhibit 3, the proposed
28 amendment to the World Trade Center Memorial and
29 Cultural Program General Project Plan. Thank you
30 for marking these exhibits.

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(The aforementioned documents were marked as Hearing Exhibits 1-3.)

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THE HEARING OFFICER: Now before we begin the testimony portion of this public hearing, I will once again share instructions for those who wish to view the hearing with American Sign Language interpretation.

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As I mentioned at the beginning of the hearing, if you signed up to speak before the hearing, during the registration process, we have your name and you will be called in the order in which you registered.

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If you did not sign up to speak prior to the hearing, but would like to speak, please identify yourself using the raise hand function on Zoom. Instructions for this are being shown on your screen right now and will be shown periodically during the hearing.

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If you are joining us by phone only, you may dial star nine to indicate your desire to provide testimony. Participants using the raise hand function or star nine, will be added to the end of the speaker list. The option to sign up to speak will end 30 minutes before the close of

1

2 the hearing at 7:30 p.m.

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4 Each speaker this evening will be
5 allowed three minutes in which to -- in which to
6 speak to assure that everyone has a chance to
7 provide their thoughts here tonight. I'll begin by
8 -- I'll begin the testimony portion by calling the
9 names of those who registered to speak or the first
10 and last three digits of your phone number, if
11 you're using the telephone dial in option.

12

13 Elected officials, community
14 board, district managers, or chairs, and
15 representatives of a government agency will be
16 provided the courtesy of speaking first.

17

18 Periodically, you will see a list on your screen of
19 the next five speakers so that you can prepare for
20 your turn to speak.

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22 When your name or the first and
23 last three digits of your phone number are called,
24 you'll be asked to unmute yourself and we'll make
25 sure you're ready before starting the time clock.

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27 You can scroll or swipe on your phone or your
28 computer screen to see the count down clock to
29 remind you of the length of time left for your
30 testimony.

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When three minutes have passed, your audio will be muted and you will be invited to spend -- send any remaining comments to ESDs e-mail or mailing address. Before you begin your testimony, please state your name and affiliation, if you have one, for the record.

As a reminder, this is a public hearing for the proposed amendments to the World Trade Center and Memorial and Cultural Program's General Project Plan, and Proposed Property Transfers related to the development of World Trade Center Site 5. We encourage all speakers to focus your comments on the Proposed Amendment and Proposed Property Transfers.

We also ask that speakers exercise civil conduct during your testimony. Speakers using inappropriate language will be muted and cautioned before being allowed to continue. Please also be reminded that this is a hearing. It's not a question and answer session.

All right. So before we begin with our registered speakers, we'd first like to welcome some of our elected officials who have requested sometime to provide comment.

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Our first speaker will be Assembly Member Charles Fall. Assembly Member Fall, you may begin when you're ready.

MR. FALL: Good evening. My name is Charles Fall and I represent the 61st Assembly District. I want to thank you for the opportunity, and holding this hearing regarding 5 World Trade Center. As we all know, there is still an urgent need for additional affordable housing units throughout the city and state, but particularly in Lower Manhattan.

Many of us know the social economic diversity in our residential settings only provide for a more vibrant community and this is what makes New York great. I join many of my colleagues in government and the coalition for 100 percent Affordable 5 World Trade Center, in expressing the urgency of giving housing opportunities. And I emphasize opportunities to moderate low-income and 9/11 first responders and survivors at 5 World Trade Center.

I truly believe this gives us an historic opportunity to have residents from all cultures and economic means that experience, to

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2 enjoy beautiful parks, accessible transportation,
3 excellent education for our youth, and both the
4 government and public sector drive -- drops.

5 Therefore, I stand firm and
6 encourage the leadership at the Empire State
7 Development Corporation, LMDC, and the Port
8 Authority to consider options that would permit 5
9 World Trade Center to become 100 percent
10 affordable. I stand ready with my colleagues to
11 help achieve this goal.

12 And lastly, let's remember that
13 we and government work for the people. And it's
14 critical that the public's input is reflected in
15 the final outcome at 5 World Trade Center. Thank
16 you again for allowing me the opportunity to share
17 my remarks on this important matter.

18 THE HEARING OFFICER: Thank you
19 very much assembly member for your testimony.

20 Our next speaker will be Council
21 Member Christopher Marte. Council member, let us
22 know when you're ready to begin.

23 MR. MARTE: Can you hear me?

24 THE HEARING OFFICER: Yes. We
25 can.

1
2 MR. MARTE: Hi, everyone. My
3 name is Christopher Marte, I'm the New York City
4 Council Member representing Lower Manhattan which
5 World Trade Center, number 5 Site is located in. I
6 stand with other elected officials from the federal
7 level, state level and here on the city level, as
8 well as with the coalition for 100 percent on World
9 Trade Center five and many others, like Community
10 Board 1, in urging to make this site 100 percent
11 affordable. We have an opportunity to, not only
12 change the shape, the color, and the economic
13 diversity of Lower Manhattan, and we should take
14 it.

15 What this can present is
16 opportunities for low-income families from the
17 outer boroughs. It can give an opportunity for
18 people who lost 9/11 loved ones or 9/11 survivors
19 to find a home -- to finally find a home, a place
20 where they can afford and live with all the
21 amenities and opportunities that Lower Manhattan
22 can provide. I stand ready as a city council
23 member to provide any resource, any support to
24 achieve this goal.

25 And I finally would like to thank

1
2 all the members of the community that have been
3 working tirelessly to provide a feasible
4 alternative to show that this can financially work.
5 When the state and other stakeholders told them
6 this was not possible, they grinded, they continued
7 to work, and they have a proposal that can work and
8 give this opportunities for those who need it the
9 most.

10 So thank you again for giving me
11 this opportunity to talk. We look forward to
12 working with everyone to make 100 percent the
13 future of this site. Thank you.

14 THE HEARING OFFICER: Thank you
15 very much, council member for your testimony.

16 Our next speaker will be Theo
17 Perez, who is a representative of Assembly Member
18 Yuh-Line Niou. Theo Perez, let us know when you're
19 ready to begin.

20 MR. PEREZ: Hello. Can you hear
21 me?

22 THE HEARING OFFICER: Yes. We
23 can hear you, but I believe we can't see you.

24 MR. PEREZ: All right. I might
25 not be able to turn on my video right now because

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2 of my situation. But I will speak clearly and
3 hopefully that'll paint enough of a picture.

4

THE HEARING OFFICER: Great.

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6 MR. PEREZ: Thank you-all for
7 having me. My name is Theo Perez here on behalf of
8 Assembly Member Yuh-Line Niou of the 65th Assembly
9 District, which currently includes the World Trade
10 Center site. She asked me to say this statement on
11 her behalf.

11

12 After 21 years our community in
13 Lower Manhattan continues to feel the repercussions
14 of 9/11. We have survivors and 9/11 first
15 responders who, to this day, continue to develop
16 health conditions. And many of us in the community
17 have far too many friends and family who are
18 terminally ill or have passed away due to 9/11
19 related illnesses.

19

20 In light of this tragic legacy,
21 we cannot afford to squander public land and
22 government resources to fund what is a majority
23 luxury development. Instead, the project can and
24 must be one that is community lead and community
25 serving. This is public land that should be used
for public good.

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2 Lower Manhattan is one of the
3 least affordable neighborhoods in the nation, and
4 it is clear that our community desperately needs
5 good housing that is deeply and permanently
6 affordable, and this site can and should be used to
7 serve this need. 100 percent affordable coalition
8 was formed to advocate for affordability. They've
9 engaged architects, community leaders, and local
10 experts to consider what such development would
11 look like and commission to study that shows it is
12 entirely feasible for a fully affordable tower to
13 be built on the site.

14 The current proposed luxury tower
15 is a waste of a tremendous opportunity. Our city
16 and state can rise to the occasion and join the
17 coalition to create the fully affordable
18 development that working families, including and
19 especially 9/11 survivors and their descendants
20 deserve. In addition to deeply and permanently
21 affordable housing, the World Trade Center five
22 project should allocate more than what is currently
23 allocated as space for community use. Our
24 neighborhood severely lacks recreational areas,
25 gathering hubs and other vital family spaces. We

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2 should also look into how the commercial and retail
3 spaces at the site can cater to the needs of
4 residents, such as grocery stores and small
5 businesses rather than luxury chains.

6 The transfer proposal sets
7 minimum affordability requirements below what the
8 public site ought to have and outlines the
9 conditional project that does not guarantee the
10 resources that the neighborhood needs. We
11 appreciate the ESD setting those as minimums and
12 being willing to work with us towards a higher
13 level. And I hope that the ESD will continue to
14 work with the coalition and elected officials, such
15 as our office and the other offices that have
16 spoken to pre-op -- to prioritize our community
17 first, and to make the needs of working families
18 and 9/11 survivors the chief priority of this
19 project. Thank you for letting me speak.

20 THE HEARING OFFICER: Thank you
21 very much for your testimony.

22 Our next speaker will be
23 Democratic District Leader, Vittoria Fariello.
24 Vittoria Fariello, if you can let us know when
25 you're ready to speak.

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MS. FARIELLO: Hi. Can you hear

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me?

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THE HEARING OFFICER: Yes. We

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can.

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MS. FARIELLO: Okay. Thank you.

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Sorry about that. And I apologize, I can't put my

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video on because I'm not sure I have enough

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reception. But thank you so much for the

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opportunity to testify. And I want to thank the

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agencies for working with us. I want to thank our

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elected officials for partnering with us in making

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this happen.

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We are -- as -- I wanted to

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mention one thing. Tobi, who has been working with

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us and we're very grateful for that, mentioned the

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cost of making the building 100 percent affordable.

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I want to clarify that that is the proposed

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building. It is a luxury building. It is

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inexpensive building. And I am a Democratic

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District leader. I'm also a member of the

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coalition for 100 percent affordable 5 World Trade

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Center. And we commissioned a study that shows

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that we can actually make 100 percent affordable

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housing there, but it would not be a luxury

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2 building.

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4 So our concern here is that we
5 have a bureaucratic imposed deadline that will
6 prevent us from actually exploring other buildings.

7 So as we -- as many speakers before me have said,
8 downtown has lost thousands of affordable units.

9 The proposal right now is about 300 affordable
10 units. What we would love to see is about 1,200
11 that would start to make a dent in what we have
12 lost, which is well over 5,000 affordable units.

13 So again, I'd like to thank
14 everyone. This is a unique site. It is a resource
15 rich neighborhood. We have -- we are walks away
16 from gorgeous parks, excellent schools, on top of a
17 transportation hub, walks away from jobs at Wall
18 Street, and the Civic Center. It is the ideal site
19 for affordable housing. So I would urge the agency
20 to continue to work with us. And we are again,
21 very grateful for the partnership with our elected
22 officials as well, and to actually provide this
23 once in a century opportunity to actually build the
24 fully affordable building. Thank you so much.

25 THE HEARING OFFICER: Thank you
very much for your testimony.

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Our next speaker will be Emily Lang, who will be a representative of Bryan Cave. Emily Lang, you may let us know when you're ready to speak.

MS. LANG: Hi. Sorry, everyone. I joined late. Not sure if I'm interrupting the order. My name is Emily Lang, I'm here representing State Senator Bryan Cave, and I'll be reading testimony on his behalf. I submit for your consideration the following comments regarding the proposal of the Lower Manhattan Development Corporation and the Empire State Development Corporation to amend the World Trade Center Memorial and Cultural Program General Project Plan, and the proposed disposition of property in connection with development at World Trade Center Site 5.

To begin, I want to express my support for a mixed-use development at Site 5 with residential and community facility uses. I believe that a mixed-use residential tower at the site would be an appropriate addition to the Lower Manhattan community, most especially to the extent it provides for affordable housing. I recognize

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2 that the current proposed development provides for
3 25 percent of the residential units to be
4 permanently affordable and an average income of
5 roughly 50 percent of the area, median income.

6 As you know, for the past year or
7 so many of my colleagues, community advocates and
8 I, have welcomed the inclusion of these affordable
9 homes in the Project. And I acknowledge that 50
10 percent of AMI is a fairly generous standard of
11 affordability for project of this type. But we've
12 also strongly expressed the view that 25 percent is
13 not enough, especially for a community that has
14 been losing affordable apartments at an alarming
15 rate for many years.

16 I want to publicly recognize that
17 throughout 2022, representatives of LMDC, ESD, the
18 Port Authority, and other state officials have
19 participated in ongoing discussions hosted by my
20 office with the community board, the offices of
21 Congress Member Nadler, Borough President Levine,
22 Assembly Member Niou, Council Member Marte, and the
23 coalition for 100 percent affordable 5 World Trade
24 Center, to discuss the feasibility of increasing
25 affordability at the site. I appreciate your

1

2 participation in these conversations and your
3 commitments to working with us on this.

4

And I want to stress again that
5 maximizing affordability must be a key priority. I
6 strongly urge you to continue these conversations
7 and make every effort to consider various financing
8 sources and other measures to ensure a maximum
9 number of permanently affordable units.

10

The proposed project also provides
11 for space in the Tower for a community facility.

12

And the two potential programs analyzed in the
13 mixed-use design guidelines. The community facility
14 space is set at either 13,000 square feet or 21,329
15 square feet.

16

Both the community board and
17 other stakeholders in the community have advocated
18 strongly for a larger community space. Given that
19 this area currently lacks sufficient accessible and
20 multi-purpose public community spaces, especially
21 dedicated senior spaces and recreational areas for
22 students and children. I urge you to increase the
23 community facility space designated in the final
24 project proposal to the greatest extent feasible in
25 order to ensure that residents of this increasingly

1

2 mixed-use neighborhood are able to enjoy a diverse
3 and abundant ranch of much needed programming.

4 Finally, with regards to the
5 Sustainability standards, I recognize that the
6 current guidelines state that the building must
7 meet Leed Gold standards and comply with the
8 sustainable design guidelines applicable to a
9 mixed-use building. As I've expressed to you
10 before, I believe that these standards should be
11 considered baseline requirements. And I ask that
12 you implement additional sustainability guidelines
13 that go beyond what is currently proposed.

14 In particular, recognizing that
15 the governor, in her 2022 State of the State of
16 address, legislators in the form of the proposed
17 All-Electric Building Act, and the state bodies
18 working on implementation of the Climate Leadership
19 and Community Protection Act have all proposed
20 requiring all new buildings to be all electric to
21 the extent feasible. I ask that this
22 sustainability standards include this objective.

23 As I've noted before, this site
24 is one that holds significant meaning to many who
25 live in work in the area and is a rare opportunity

1

2 to bring both large-scale affordable housing and
3 community space to Lower Manhattan. A community
4 centered approach here is key. And I urge you-all
5 to continue to work diligently with all partners in
6 the community to design a building that will foster
7 the diversity and vibrancy of this neighborhood. I
8 appreciate your consideration of these comments.

9 THE HEARING OFFICER: Thank you
10 very much for your testimony.

11 We will now proceed to our list of
12 registered speakers. If there any elected
13 officials or their representatives, or community
14 board district managers or chairs or
15 representatives of a government agency that wish to
16 provide comment, they will be inserted. Please
17 alert the moderators and we'll -- you'll be added
18 to the list as we are able to do so --

19 So our list of our first ten
20 priority speakers will include -- will be Adira
21 Siman, Alan Van Capelle, Carol Lamberg, Jenna
22 Chrisphonte. My apologies if I mispronounce her
23 name. Todd Fine, Susan Cole, Reggie Thomas, Taina
24 Prado, Kim Barreiro, and Aixa Torres.

25 So Adira Siman, you may begin

1

2 when you're ready.

3

MS. SIMAN: You hear me?

4

THE HEARING OFFICER: Yes.

5

Great.

6

MS. SIMAN: My name is Adira

7

Siman and I'm representing the Partnership for New

8

York City. Thank you for the opportunity to

9

provide comments in support of the proposed

10

development at World Trade Center Site 5. The

11

Partnership for New York City represents private

12

sector employers of more than one million New

13

Yorkers. We work together with government, labor

14

and the non-profit sector to maintain the city's

15

position as the preeminent global center of

16

commerce, innovation, and economic opportunity.

17

The partnerships offices have

18

been in Lower Manhattan at Bowling Green since

19

1991. For more than three decades we have

20

collaborated with government, industry and civic

21

organizations to transform Lower Manhattan into a

22

model mixed-use live, work neighborhood. The

23

proposed development at Site 5 is an important

24

addition to this community that we strongly

25

support. Tower five would be the first and only

1

2 residential building on the World Trade Center
3 campus, helping to keep pace with the demand for
4 living space in the area.

5 The proposed development will
6 also make a significant contribution to the
7 availability of affordable housing in the
8 neighborhood without requiring public funds. The
9 proposed 5 World Trade Center would provide
10 additional value to the neighborhood through a
11 substantial community space to be operated by an
12 established non-profit, as well as ground floor
13 retail that will increase the vibrancy of local
14 streets.

15 The project will also regenerate
16 both temporary and permanent jobs and provide
17 needed revenue for public entities like the Port
18 Authority. We urge you to approve the proposed
19 Plan. Thank you.

20 THE HEARING OFFICER: Thank you
21 for your testimony. Our next speaker will be Alan
22 van Capelle. Alan, let us know when you're ready.

23 MR. CAPELLE: Hi, there. My name
24 is Alan van Capelle, I'm the CEO and President of
25 Educational Alliance, and I'm delighted to be here

1

2 this evening to add our very strong and
3 enthusiastic support for the World Trade Center
4 five plan.

5 Educational Alliance is a 135
6 year-old community-based organization serving
7 50,000 New Yorkers each year, and we do so in
8 several community centers throughout Lower
9 Manhattan. Our community centers offer a mix of
10 arts and culture, health and wellness, educational
11 programs and civic engagement. Our community
12 centers are all economically integrated. We have a
13 sliding scale fee structure for most of our
14 programs. And we're proud to be able to welcome
15 the well-to-do, the middle income and low-income
16 families all through our doors.

17 We have signed a letter of intent
18 with the developers and we are excited to operate
19 the community facility at World Trade Center five.
20 To prepare for this community center, we have
21 embarked on a very deep community engagement effort
22 to solicit ideas and feed-backs from the people who
23 work, who live, and who play in that neighborhood.
24 This process will help inform what we establish --
25 what programs get established in that community

1

2 space. And we look forward to continuing this
3 process of community engagement in the months to
4 come.

5

We encourage you to support this
6 proposal for World Trade Center five. And we thank
7 the esteem members of the committee for your time
8 this evening. Thank you.

9

THE HEARING OFFICER: Thank you
10 for your testimony.

11

Our next speaker will be Carol
12 Lamberg. Carol Lamberg, let us know when you're
13 ready to begin.

14

MS. LAMBERG: I'm unmuted. I'm
15 trying to start a video, but --

16

THE HEARING OFFICER: Yeah. We
17 can hear you and see you.

18

MS. LAMBERG: Oh, okay. Then I
19 did it. All right.

20

THE HEARING OFFICER: Yes.
21 Perfectly.

22

MS. LAMBERG: Thank you for this
23 opportunity. I'm very lucky to be connected to the
24 five, 100 percent World Trade Center coalition. I
25 worked in affordable housing, well, starting from a

1

2 summer intern job in 1960. And it's been a
3 wonderful career. Been lucky enough to direct the
4 settlement housing fund for 30 years. And we
5 completed over 8,000 units of affordable housing,
6 55 different projects that we were one way or
7 another connected to.

8 And many of them, people said to
9 me, that will never happen. And we made it happen.
10 It's not easy, but to the idea of creating 100
11 percent affordable housing on Site 5 of the World
12 Trade Center sends such a beautiful message to the
13 world that we support inclusion. It's a great
14 thing for New York City. And one way or another we
15 can make it feasible.

16 We did get a grant from the New
17 York Community Trust to hire Jared Delane, who's
18 both a professor and a developer. It's a great
19 combination to provide a feasibility study which
20 shows that it can be done. We just had to have
21 tremendous political will and stamina to achieve
22 something that would really be great for New York.
23 And I will be brief in my testimony. Thank you
24 very much.

25 THE HEARING OFFICER: Thank you

1

2 for your testimony.

3

4 Our next speaker will be Jenna
5 Chrisphonte. Jenna Chrisphonte, I believe I just
6 saw you. So you may begin when you're ready.

7

8 MS. CHRISPHONTE: Hello. Can you
9 hear me?

10

11 THE HEARING OFFICER: Yes.

12

13 MS. CHRISPHONTE: Hello. Good
14 evening. My name is Jenna Chrisphonte, and I serve
15 as Director of Civic Alliances on behalf of the
16 performing arts center at the World Trade Center,
17 which is currently under construction.

18

19 The performing arts center will
20 be honored to welcome audiences to its new home for
21 emerging and established artists and theater,
22 dance, music, chamber, opera, film, and media from
23 New York City and around the world in 2023. The
24 pack is a 501 C3 organization and is 142 feet in
25 height and compromise of 129 -- 100,000 square
feet, of which 40,000 is usable square feet.

26

27 Built from the ground up with
28 automated walls and seating systems, the packs
29 performance level has three intimate, flexible
30 theater spaces that can be combined, and configured

1

2 to create a range of unique experiences for
3 audiences and artists. Our public level is free
4 and open to the public and our lobby stage will
5 host free work at various times during the day and
6 at night. In terms of potential outdoor
7 performances, we respect the reflective nature of
8 the memorial that is adjacent to our building.

9 The proposed redevelopment of
10 World Trade Center Site 5 offers an opportunity to
11 integrate the World Trade Center campus with the
12 surrounding community. The proposed project would
13 have a minimum of 25 percent affordable housing,
14 approximately 300 units. Which means that a family
15 with an annual income of \$60,000 or individual
16 making \$40,000 annually would be able to afford
17 living in Lower Manhattan. This is an incredible
18 opportunity to have a tower with round the clock
19 uses and an alive and streets -- street-scape.

20 The development of a residential
21 tower on Site 5 would also mean individuals and
22 families who live, work, shop, and socialize in the
23 area could reap the direct benefit to small
24 businesses and the local economy. As a community
25 facility, Site 5 is also critically important to

1

2 the local neighborhood. The facility has a
3 potential to attract and serve diverse and
4 inter-generational users. Teenagers, seniors, and
5 persons with varying physical abilities, could have
6 access to resources and programming in their
7 communing -- excuse me, into their community,
8 including the performing arts center.

9 The development of Site 5 is
10 projected to deliver approximately 10,530 jobs,
11 5,000 of -- approximately 5,000 of which would be
12 direct and additional 5,000 be indirect during
13 construction in different permanent jobs, et
14 cetera. And the rental payments from the
15 development could support the Port Authority's
16 Capital Plan --

17 THE HEARING OFFICER: Ten second
18 warning. Sorry.

19 MS. CHRISPONTE: -- includes
20 airports, bridges, and tunnels in the Tri-State
21 area. The performing arts center is honored to be
22 here today to encourage your support of this
23 project. Thank you.

24 THE HEARING OFFICER: Thank you.
25 Our next speaker. Thank you for your testimony.

1

2 Our next speaker will be Todd Fine. Todd Fine, let
3 us know when you're ready to begin.

4

MR. FINE: Yes. Can you see me?

5

6 THE HEARING OFFICER: Yes. We
7 can see and hear you.

8

9 MR. FINE: Okay. Yes. I'm Todd
10 fine with the coalition for 100 percent. I have
11 three asides.

12

13 First, I think it's pathetic that
14 the Perelman, an organization named after Trump's
15 biggest financier, you know -- Trump's -- one of
16 Trump's biggest donors is coming out to undercut a
17 community campaign for more affordable housing.
18 Shame on the Perelman that will forever go down in
19 history as its value.

20

21 Second, the link posting for this
22 hearing, despite spending so much money on it, was
23 embedded within a PDF on the site, not on the
24 actual site. It's a blatantly illegal attempt to
25 minimize public participation in this hearing.

26

27 Three, There is the ESD members,
28 the LMDC staff were introduced as participants in
29 -- they should all turn on their cameras, if they
30 don't, it's a violation of the New York City

1

2 meetings laws. We should be able to look at the
3 people who are speaking, turn on your cameras, it's
4 a violation to have them off.

5 Now despite the calls among many
6 public officials and community board activists
7 throughout this entire process for more affordable
8 housing, there's been no progress in two years. We
9 have the same proposal. So now we're actually
10 considering the implementation of a proposal,
11 basically opposed by everybody except lobbyists who
12 you'll see in attendance tonight. And there's many
13 problems with this proposal.

14 First, is, you know, the very
15 fact that they've now changed the lease terms to 12
16 million or whatever's bigger than the cash flow,
17 means that we're basically having the lease of this
18 agreement come down to Larry Silverstein's
19 accounting. Really? At a time when there's ten
20 percent inflation, you're going to have a 12
21 percent rent that begins in five years to increase
22 two percent? Its absurd, and it's basically
23 illegal.

24 Two, it's a one bid contract.
25 They don't expose that this -- there was only one

1

2 possible residential bid for one of the greatest
3 real estate addresses in the world. It was clearly
4 a corrupt bidding process run by Cuomo designed to
5 get favored parties the -- Larry Silverstein, look,
6 who controls the whole site? The when. Its
7 disgusting.

8 Three, it's illegal. Both the
9 original lease agreement and the -- for years they
10 said Port Authority can't do residential. That was
11 in the RFP process. So if now Port Authority can
12 get residential funding and can also own the
13 property. In 99 years, you're opening yourself for
14 a lawsuit. No real bond. Investors, going invest
15 in something that's going to be tied up in courts
16 for years and you're basically antagonizing all
17 elected officials just to pursue something illegal.

18 Four, it betrays the listening
19 sessions. No affordable housing. No complex built
20 in Lower Manhattan 21 years after 9/11. That is
21 your mission. In your mission, it says you're
22 supposed to expand affordable housing, but you've
23 done nothing and you're killing everybody who wants
24 better, trying to undercut everyone for the last
25 two years to do your own mission. It's disgusting.

1

2

Four -- five, it's wasteful.

3

It's -- for 25 percent. It's pathetic. You're

4

giving tax credits for this -- for that 25 percent

5

that exceed the ground rent. So basically, you're

6

stealing from other state agencies in order to give

7

the Port Authority this \$12 million. We're great.

8

\$12 million that undercuts 9/11 families and the

9

sentiments of these communities.

10

Six, it's lobbyist run. Kaiser's

11

fingerprints are on everything here. We'll see all

12

the lobbyists tonight. Thank you very much. And

13

finally, it's just -- this Educational Alliance

14

thing with this, you know, that -- there's been no

15

community engagement at all. It's sick. A small

16

space with a organization that nobody wants and

17

doesn't actually respond to the meeting -- the

18

needs of this neighborhood. It's not even located

19

here. Thank you.

20

THE HEARING OFFICER: Thank you

21

very much for your testimony. Our next speaker

22

will be Susan Cole. But I believe that Susan Cole

23

is not currently present in the meeting. Susan

24

Cole, if you are present, but under a different

25

name -- you joined under a different name or a

1

2 phone call, please use the raise hand function or
3 dial star nine to let us know that you're here.

4

In the meantime, we will move on
5 to Reggie Thomas. Reggie Thomas, you may begin
6 when you're ready.

7

MR. THOMAS: Wonderful. Thank
8 you. I'll get everything on. My name is Reggie
9 Thomas, I'm Senior Vice President of Government
10 Affairs of the Real Estate Board of New York.
11 We're pleased to be here virtually to testify on
12 this proposed General Project Plan and Transfers.

13

As we all know, Lower Manhattan
14 is a vibrant neighborhood, with phenomenal access
15 to jobs, to transit, parks and schools. But what
16 it doesn't presently provide is opportunities for
17 lower income households to access this level of
18 vibrancy. Over the last 20 years, the community
19 has lost affordable units as co-op buildings of
20 rental complexes -- excuse me, rental complexes,
21 exit or age out-of-state programs.

22

The map constructing replacement
23 affordable units in this neighborhood is very
24 challenging. With restrictions to residential
25 density, highland values, and labor costs all being

1

2 major contributing factors. That's why it's so
3 critical at 20 -- 25 percent, 300 of these 1,200
4 residential rental apartments will be permanently
5 affordable, all without a direct cost to taxpayers.

6 As we know, Lauman had it as a
7 successful live, work, play neighborhood. REBNY
8 believes it's appropriate that this new development
9 adds significance workload to our neighborhood and
10 the special campus continues in that area.

11 The new housing, the development,
12 and completion of a World Trade Center campus, as
13 well as the new 11,000 square foot community space
14 program by the Educational Alliance, as well as the
15 retail activation of Albany and Greenwich Streets
16 are exciting, important, and appropriate changes to
17 this Project Plan. The Real Estate Board of New
18 York is pleased to share its support of this
19 project. Thank you.

20 THE HEARING OFFICER: Thank you
21 very much for your testimony. Our next speaker is
22 -- was registered as Taina Prado, but we believe --
23 actually the next three speakers on this list are
24 not present. So I'll call your names. If you are
25 present, but under -- you registered under a

1

2 different name or a phone number, please let us
3 know. Taina Prado, Kim Barreiro, Aixa Torres.

4

5 If you are or you are
6 representative of any of those speakers, you may
7 raise your hand or dial star nine on your phone.
8 Or if you're having trouble doing that, you may
9 e-mail, help@PublicWorksPartners.com, to let us
10 know if you are here. And we will insert you back
11 into the speaker list.

11

12 So at this time, we will proceed
13 with our next list of ten speakers. The next group
14 of speakers will be Jonathan Geballe, Edward
15 Cuccia, Kate Cunningham, Brian Holland, Logan
16 Phares, Pat Gray, Mariama James, Grace, A.
17 Capobianco, Justine Cuccia, and Lucy West.

17

18 Of this group, we believe that
19 Jonathan Geballe is not with us. And so we'll move
20 on to Edward Cuccia. Edward Cuccia, you may let us
21 know when you're ready to begin.

21

22 MR. CUCCIA: Hi. How are you?
23 Can you --

23

24 THE HEARING OFFICER: Hi.

24

25 MR. CUCCIA: -- folks see me?

25

THE HEARING OFFICER: Yes. We

1

2 can hear and see you. Thank you.

3

MR. CUCCIA: Great. You're
4 welcome. Thank you for letting me speak. I'll
5 keep it brief. I was living down in the Battery
6 Park City area during September 11, I've since
7 moved to Chinatown and I've been a resident there
8 for many years. I live and work in Chinatown now.
9 I fully and absolutely support the 100 percent
10 affordability proposal for the World Trade Center
11 five site. We need affordable housing in New York.

12

It is horrific what has happened
13 to affordable housing in this area. And I strongly
14 recommend and support more affordable housing and
15 better. And I think I can simply leave it at that.
16 Thank you so much for letting to speak, and have a
17 good day all.

18

THE HEARING OFFICER: Thank you
19 so much for your testimony. Our next speaker will
20 be Kate Cunningham. Kate Cunningham, you may let
21 us know when you're ready to begin.

22

MS. CUNNINGHAM: Good afternoon.

23

THE HEARING OFFICER: Oh. Kate,
24 I'm sorry. We were having some technical
25 difficulties. We can't hear you. Can you try

1

2 again? I'm sorry, Kate, we're unable to hear you.

3 Now I believe you may have frozen.

4

5 Yes. And we lost you. So Kate
6 Cunningham, if you or a representative is able to
7 hear this. When you rejoin, please raise your hand
8 and we will add you to the list.

8

9 So our next speaker will be Brian
10 Holland, who I believe I saw a few minutes ago.
11 Brian Holland, you may let us know when you're
12 ready to begin.

12

13 MR. HOLLAND: Hi. Good evening.
14 My name is Brian Holland and I serve as Vice
15 President of Real Estate for Convene, a hospitality
16 firm with over a million-and-a-half square feet of
17 workplace and corporate meetings space. We are
18 headquartered at 101 Greenwich Street and have over
19 four locations in Lower Manhattan, all adjacent to
20 the World Trade Center campus, including a 70,000
21 square-foot facility at Brookfield place.

21

22 Convene has a vested interest in
23 the health and vibrancy of Lower Manhattan. We
24 strongly believe that the proposed project at 5
25 World Trade Center will help bring about a strong
26 recovery by creating thousands of jobs, hundreds of

1

2 desperately needed mixed income residential units,
3 in generally creating an economic engine for the
4 Lower Manhattan community. I appreciate the
5 opportunity to speak. Thank you very much.

6

THE HEARING OFFICER: Thank you
7 very much for your testimony. At this time, we
8 have been joined by an additional -- excuse me.
9 Just a moment. Sorry. We've been in -- we have
10 been -- we joined by a priority speaker who will
11 slot in next. Democratic District leader, Jen
12 Hoppe. Jen Hope or Hoppe, if you're ready to
13 speak, please let us know. You can go ahead and
14 start.

15

MS. HOPPE: Am I showing? I'm
16 sorry.

17

THE HEARING OFFICER: Yes.

18

MS. HOPPE: Having slight
19 technical difficulties.

20

THE HEARING OFFICER: Yes. We
21 can see and hear you.

22

MS. HOPPE: Okay. Thank you.
23 And thank you for prioritizing me. I wasn't
24 expecting this at all. I'm honored in a way. I am
25 Jennifer Hoppe, a Democratic District leader for 66

1
2 Part A. I live downtown now, but I lived further
3 uptown in 9/11, and I was then a reporter who
4 covered the events of the day. I was one of the
5 people who highlighted the heroic acts of the man
6 in the red bandanna, Welles Crowther. Welles along
7 with hundreds of firefighters, including nearly 350
8 who lost their lives, acted with unfavorable
9 bravery that day and hundreds more first
10 responders. Valiantly cleaned up the site for
11 months.

12 21 years later, we still rightly
13 celebrate these heroes. But on the public land
14 that is such sacred, sacred ground, we're prepared
15 to designate it with luxury apartments. Do we
16 think these brave men and women died or went on to
17 suffer horrible illnesses so that millionaire's
18 could park money on this land? Don't we honor
19 these people by making this tower accessible to
20 residents who served rescue workers meals at Nino's
21 for months, but who have been synced, pushed out of
22 the area because of the billions of 9/11 funds that
23 have already gone to building luxury retail offices
24 and yes, apartments that are already there.

25 We need 5 World Trade Center to

1

2 be affordable. It's not just a feasible thing to
3 do. It's not just as smart thing to do. It's the
4 right thing to do to honor the heroes that gave
5 their lives right there. Thank you.

6

THE HEARING OFFICER: Thank you
7 for your testimony. Our next speaker will be Logan
8 Phares. Logan Phares, if you may let us know when
9 you're ready to begin. Yes. I can see you.

10

MS. PHARES: Yes. Hi. Great.
11 My name is Logan Phares, I serve as a Political
12 Director of Open New York an independent grassroots
13 pro-housing organization. Thank you for the
14 opportunity to testify in support of this project.

15

Open New York works to bring
16 about a New York that is affordable for all who
17 wish to live here, including those who wish to stay
18 in neighborhoods they already call home. And we
19 realized this vision by advocating for abundant,
20 affordable and quality housing. As such, in
21 writing to express our firm support for the current
22 proposal for World Trade Center five, as a mixed
23 income residential Tower.

24

The 1,200 homes in this proposal
25 will undoubtedly help to alleviate New York dire

1
2 housing shortage. To put the proposal in context.
3 Right now New Yorkers are facing rent increases up
4 to 50, 60, 70 percent as rent discounts offered
5 during the panoramic expire. Homelessness is at
6 its highest rate since the Great Depression. And
7 they are over 14,000 children who sleep in city
8 shelters each night. The 300 affordable homes in
9 this project would provide, and at no cost the city
10 are desperately needed.

11 That said, we also believe the
12 market rate, housing, and the project will help to
13 similarly address the general shortage. From 2010
14 to 2020 -- or to 2010 to 2020, New York City is
15 population grew at double the rate that we build
16 more housing. There's simply aren't enough homes
17 for everyone who lives or wants to live in New
18 York. This gap is the biggest driver and
19 skyrocketing home and rental costs, more home
20 building has fallen desperately behind levels that
21 are needed to lower even stabilized prices.

22 In contrast, market rate housing
23 in 5 World Trade Center will help to put this
24 process into reverse with 800 fewer households
25 competing for preexisting housing in the city. We

1

2 must build more housing of all kinds. We feel it's
3 necessary to point out that the highest
4 construction costs are very high and believe the
5 government subsidy money required to make this
6 project 100 percent affordable would be better
7 utilized in subsidizing additional housing in
8 almost any other project.

9

According to New York Times,
10 development of 5 World Trade Center would cost at
11 minimum up to \$1 million per unit. Given the scale
12 of the housing crisis, and especially when are
13 public housing faces billions and capital needs, we
14 don't think that scarce public funding should go
15 towards making this project 100 percent affordable.
16 The current proposal has developers paying for
17 affordable housing simply to build market rate
18 housing alongside in and above median income
19 neighborhood.

20

Allowing this project through
21 would allow for government subsidies to go farther
22 in other projects in below median income
23 neighborhoods and maximize the amount of affordable
24 housing city wide. Thank you for the opportunity
25 to speak.

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THE HEARING OFFICER: Thank you for your testimony. Our next speaker will be Pat Gray. Pat Gray, let us know when you're ready to begin. Hi. We can see you. And you can start when you're ready.

MS. GRAY: You can see me.

THE HEARING OFFICER: Yes.

MS. GRAY: I can't see myself on my -- okay. I'm a member of the coalition for 100 percent permanently affordable housing and World Trade Center five. And I know so far, there have been a number of speakers and there are, as inevitably there would be, a number of points to be discussed that will be repeated.

I think maybe this is an opportunity to just get in there another point. And that is from the viewpoint of the Battery Park City and related neighborhoods. And that is, we need to have all of the units in the World Trade Center five be for affordable housing. And we need, here, we need to see the people who move into those units and whose children attend schools with our children.

We need to be socially and

1
2 racially integrated. We're like this little hub
3 down here that is almost exclusively high rent
4 apartments. And because of that, we do not have a
5 taste of New York, that a lot of the other
6 neighborhoods do. A taste is probably a bad word,
7 but we need to be integrated. We need our children
8 to meet other children who are not exactly like
9 them.

10 We need to share what we have.
11 We have so much to give to people who would move in
12 to 5 World Trade Center. Vittoria Fariello, before
13 listed some of the amenities that we have in
14 addition to excellent school system. There is no
15 reason why we shouldn't be allowed to have what we
16 need for our children and for ourselves to be part
17 of New York and -- and have the kind of
18 opportunities other communities do, to work with
19 and be friends with and live with people from all
20 over.

21 We need this housing to be
22 affordable so that we get that opportunity. And we
23 would love to be able to provide the opportunity to
24 the people who move in. And that's just a
25 different slant on the issue. Thank you for

1

2 letting me speak.

3

THE HEARING OFFICER: Thank you very much for your testimony. Our next speaker will be Mariama James. Mariama James, I believe I saw you just a moment ago. Like to let us know when you're ready. Yeah, we can see you. And I think you're unmuted.

9

MS. JAMES: Okay. Great. Hi. I'm Mariana James, I am a co-founder of the coalition for 100 percent Affordable 5 World Trade Center. I'm also a member of the World Trade Center stack, the scientific technical advisory committee, Community Board 1. I'm the co-chair of the Quality of Life Committee. And I'm also a member of the 9/11 the World Trade -- the steering committee that's required under the D. Roger bill. So I just wanted to put that out there to be transparent.

20

But I'm testifying on behalf of myself as a private citizen and as a co-founder of the coalition. Obviously I'm here to say that I support 100 percent affordability of 5 World Trade Center. And I think that this is important, not only for all the many reasons that we've already

1
2 heard, but for the diversity of the neighborhood.
3 I am believed to be the last remaining black
4 lifelong resident within Community Board 1 of my
5 age.

6 We have been moved -- I mean,
7 there was never a lot of us to begin with, but
8 we've been moved out recently. Similarly, in
9 Brooklyn, in Bed-Stuy which was predominantly a
10 black neighborhood my whole childhood, home of the
11 Notorious BIG, they have had over the past ten
12 years, 33,000 black people leave -- I'm sorry,
13 23,000 black people leave, be forced out, and
14 33,000 white people to move in. That was
15 published.

16 Also within the past ten years in
17 Community Board 1, we've gotten richer and whiter.
18 As of 2020, we have a population of basically 70
19 percent white, four percent black, one percent
20 indigenous. I'm also native, Cherokee, Catawba.
21 So these are reasons why it's very important to me
22 that we have 100 percent affordability. There is
23 no demand. I mean -- you know, it's simple
24 economics 101, supply and demand. There is no need
25 for luxury apartments in Lower Manhattan.

1
2 There are no rich white people
3 outside, desperate for housing, you know, running
4 around, looking for housing. If we're going to
5 supply a need, the need is among the working class.
6 The need is among people of color. The need is
7 among 9/11 survivors and first responders. The
8 need is among our teachers, our firefighters, our
9 police people, our -- the people that provide our
10 services. They deserve to be able to live in Lower
11 Manhattan, like the rest of us, where they work.
12 And that's what we want for them.

13 And we want to be able to live
14 together and desegregate our neighborhood. And as
15 public land, it should not be segregated. The --
16 according to the Civil Rights Act of 1964, it is
17 against the law to segregate public land. And
18 that's what we'd be potentially doing if we make an
19 apartment that is 80 percent luxury -- an apartment
20 building that is 80 percent luxury, that we know,
21 people of color and low-income people and working
22 class people cannot afford. Thank you.

23 THE HEARING OFFICER: Thank you
24 very much for your testimony. Our next speaker --
25 so I just want to briefly say -- at -- we have two

1

2 to three more speakers on this slot in this list.
3 And then we will plan to take a ten minute break.
4 This is for our interpreters and our stenographer,
5 to have a short break. And then we will reconvene
6 to continue with the list of speakers after that
7 short break.

8

But we'll finish the remaining
9 speakers on this slide, starting with Grace A.

10 Capobianco. Grace Capobianco, if you are --

11

MS. CAPOBIANCO: Yes. Hi. Can
12 you hear me?

13

THE HEARING OFFICER: Yes. We
14 can hear you. You can --

15

MS. CAPOBIANCO: Hi. Thank you.
16 Thank you for the opportunity to speak. I've lived
17 in Battery Park City for 21 years and I am a
18 business owner. I actually came down here just
19 before 9/11 and had to wait after 9/11 to move
20 here. And then I started a magazine to help this
21 area come back from the devastation and help
22 businesses have a platform so that they could tell
23 their stories, and also the leaders of our area.
24 So they could tell the stories on what they've done
25 for this area. So I definitely am embedded into

1

2 this neighborhood and community.

3

4 I do believe we need to have
5 affordable housing. Absolutely. We also need to
6 have the completion of World Trade Center five.
7 It's been 21 years since 9/11. And each year that
8 goes by it does not get any easier for families
9 who've lost their loved ones and friends.

9

10 Mr. Silverstein did lead the
11 mission to bring this community back to the
12 downtown area, back to life. And we've had many
13 developers follow after that. He's made a 24/7
14 work-life lived community. And I feel that I know
15 how safe I feel when I'm around this area. I'm
16 very thankful for that.

16

17 What I do believe is that we do
18 need affordable housing, but I don't fair -- think
19 it's fair that we go to one particular developer.
20 I think if we want to have affordable housing, we
21 should certainly look at every other building down
22 here that -- where affordable housing can be and
23 make it affordable. But I don't believe that we
24 should take 100 percent of the building at World
25 Trade Center five and make it affordable.

25

And I feel for everyone, I

1

2 understand what's happened down here. Like I said,
3 I'm a business owner, but I also think we really
4 need to look at the statistics and the other
5 buildings that are around here. In addition, if
6 you're going to have affordable housing down here,
7 we need to have more diversity down here, I agree
8 with that.

9 But then you also need to look at
10 the restaurants, the dog grooming, movie tickets.
11 We had someone on here from Convene office space.
12 I can't even afford to have an office space and I'm
13 a business owner. So we need to look at every
14 other area if we're going to make it affordable, to
15 make it 100 percent affordable, and not just choose
16 one building to go after. So thank you so much for
17 your time, and I appreciate it.

18 THE HEARING OFFICER: Thank you
19 very much for your testimony. Our next speaker may
20 be absent. I'll call Justine Cuccia. Justin
21 Cuccio, if you are in the meeting, please raise
22 your hand or dial star nine. And we will actually
23 reinsert you in the list if you joined.

24 So our next speaker will be Lucy
25 West. Oh, okay. Edward Cuccia. Yeah.

1

2

MR. CUCCIA: Hi. How are you?

3

If you can hear me?

4

THE HEARING OFFICER: Yes.

5

MR. CUCCIA: My sister is --

6

Justine is my sister. She is the actual the

7

chairperson of the Community Board 1 Battery Park

8

City Committee, which is meeting at this moment.

9

If I am permitted, she's given me a very short

10

statement. I can speak on her behalf. Would that

11

be permitted?

12

THE HEARING OFFICER: Yes. Yeah.

13

That's fine. Go ahead.

14

MR. CUCCIA: I'll keep it super

15

short. She -- Justine supports 100 percent, the

16

affordable housing, the coalition for 100 percent

17

affordable housing. She says -- Justine says, the

18

coalition's plan should be a model for all future

19

development projects in New York City. It brings

20

low, moderate, and middle income folks to live in

21

the areas where they work. And again, she supports

22

100 percent affordable housing. Thank you very

23

much. And have a good day all. Thank you.

24

THE HEARING OFFICER: Thank you

25

very much. So we will move to Lucy West? Lucy

1

2 West, if you are -- yes. We see you and you can
3 unmute yourself and began when you're ready.

4 MS. WEST: I work -- I mean, I
5 work and live down in Lower Manhattan. I actually
6 live on the edge of Chinatown, near the Brooklyn
7 bridge. And the -- I 100 percent support 100
8 percent low-income affordable housing. Battery
9 Park City is, like, rich persons playground. The
10 people around my neighborhood have no place to
11 play, number one, and then there's nowhere to live.

12 So this idea that we need to not
13 pick one building or there's not enough money for
14 other affordable housing. This is an opportunity
15 to make over 1,000 units available to people so
16 that they can live in the city and live downtown,
17 so that we can actually recover from 9/11. I was
18 here then. I was working in the schools that were
19 abandon -- that had to be evacuated. And the
20 buildings and buildings and buildings that went up
21 in Battery Park City, and not one of them have
22 affordable housing.

23 It's time to stop the nonsense of
24 building all these units for wealthy people in the
25 whole area there. Not only Battery Park City, but

1

2 now, you know, across from Battery Park City. The
3 -- all the buildings that went up have been for
4 wealthy people. It's time to build housing for
5 people like us, teachers. I was a teacher.

6 It's time to stop the nonsense of
7 just building and putting lots of money into
8 realtors pockets and using -- this is -- there's
9 government money here. Should be -- the biggest,
10 biggest issue we have in this city is homelessness.
11 They want to build more homeless shelters. We --
12 if we had affordable housing, you might not need so
13 many homeless shelters. It's time to attend to
14 that issue, 100 percent. Thank you.

15 THE HEARING OFFICER: Great.
16 Thank you very much for your testimony. We are
17 going to call one more speaker who has joined us,
18 who wasn't able to speak earlier. And then we will
19 go to our short break. And so that will be Taina
20 Prado. Taina Prado, you may --

21 MS. PRADO: Yes. Yes. I'm here.
22 Do you hear me?

23 THE HEARING OFFICER: Yes. We
24 can hear you. Go ahead.

25 MS. PRADO: Thank you so much. I

1

2 appreciate fitting me in, so much. So my name is
3 Taina Prado, I'm Chief of Staff for the Downtown
4 Alliance, and I'm going to read a short statement,
5 our testimony for tonight.

6 Over the last 20 years, Lower
7 Manhattan has experienced tremendous renaissance
8 and transformation. What was once an overwhelmingly
9 commercial district is now a vibrant mixed-use
10 community, home to over 63,000 residents and a
11 diverse mix of over 1,000 restaurants and
12 retailers. The rebuilding other World Trade Center
13 campus has been at the heart of the metamorphosis.
14 Brookfield Properties and Silverstein Properties
15 proposed development project for Site 5 would help
16 complete the Trade Center to redevelopment and
17 contribute greatly to Lower Manhattan's long-term
18 success and prosperity.

19 The Downtown Alliance has long
20 advocated for the development of Lower Manhattan
21 into a true mixed-use district. The residential
22 and retail uses being proposed at Site 5 are
23 consistent with the broader planning principles
24 that have guided Lower Manhattan's two decade loan
25 recovery from the September 11th attacks. Bringing

1

2 new residents into the area is more important now
3 than ever before, to provide a larger, consistent
4 customer base for our local retailers and
5 restaurants.

6 We believe the proposed project,
7 that Site 5, is a thoughtful response to the needs
8 of our community. Especially the permanent
9 affordable housing component, and is consistent
10 with the longstanding and broadly supported
11 planning goals that have helped shape Lower
12 Manhattan over the last two decades. The building
13 will provide 1,200 residential rental apartments,
14 of which 25 percent are approximately 300, would be
15 permanently affordable.

16 In addition, 5 World Trade Center
17 is projected to create 10,000 construction jobs,
18 1,900 -- and 1,900 permanent jobs, generating 1.9
19 billion in economic output. On behalf of our board
20 of directors, the Downtown Alliance strongly
21 encourages the Empire State Development Corporation
22 to approve the development project at 5 World Trade
23 Center.

24 THE HEARING OFFICER: Thank you
25 for your testimony. Given at a record pace. Okay.

1

2 At this time, we will take a short ten minute
3 break.

4

Again, this break is important
5 for our ASL interpreters and our stenographer to be
6 able to continue with their incredible work. And
7 so the time is now 6:24. We will reconvene at
8 6:34.

9

If you signed up to speak and you
10 have not yet had your turn, we still have your name
11 on the list. We have a -- at this time six more
12 registered speakers. And we will be continuing
13 with the same order of speakers when we return at
14 -- well, now, I guess, 6:35 p.m. So we will begin
15 a ten minute break now, the time is 6:25. We will
16 reconvene at 6:35. And there will be a count down
17 clock showing if you want to check. Thank you.

18

(At 6:26 p.m., the hearing was
19 temporarily recessed.)

20

(At 6:35 p.m., the hearing
21 resumed.)

22

THE HEARING OFFICER: Welcome
23 back to the World Trade Center Site 5, public
24 hearing. I'll say that again, now that we have the
25 interpreter back. Welcome back to the World Trade

1

2 Center Site 5, public hearing. I believe we have
3 -- we currently have two ASL interpreters visible.
4 If one of you would like to turn off your video.
5 Thank you.

6 Great. All right. So we will
7 reconvene. Thank you for your patience while we
8 took a short break. We will now reconvene with the
9 World Trade Center Site 5, public hearing. And we
10 have, our next list of speakers will include
11 Michael Kramer, Victoria Hillstrung -- Hillstrom,
12 excuse me. Vanessa Thill, Jill Goodkind. A phone
13 number which ends with the digits 874, and David
14 Fleming.

15 So Michael Kramer, please let us
16 know when you're ready to speak.

17 MR. KRAMER: Okay. Thank you.
18 My name is Michael Kramer. I've lived or worked in
19 Lower Manhattan throughout most of my career and I
20 was there on Vesey Street when the first plane went
21 into the first building. I think it's important to
22 emphasize the history of the World Trade Center
23 Site. Originally -- and I'm representing the
24 Seaport Coalition.

25 Originally, the World Trade

1

2 Center was going to be on the east side of Lower
3 Manhattan, on the -- off of the East River, just
4 below Schermerhorn Row. And then the governor of
5 New Jersey decided it had to be closer to the PATH
6 train and they moved it over to the existing site.
7 When they moved it over to the existing site, they
8 used eminent domain and they displaced 300 small
9 businesses.

10 That site was known as Radio Row
11 in the 19 -- from 1921 to 1966. Between Radio Row
12 and Little Syria, all of these businesses were just
13 thrown away. They were offered \$3,000 by the Port
14 Authority. And this master plan was created by
15 David and Nelson Rockefeller. It's important to
16 know that the reason that they used condom -- they
17 condemned the site and used eminent domain was for,
18 extensively, a public purpose.

19 Now the public purses -- purpose
20 they came up with was that a World Trade Center had
21 something to do with commerce, and commerce had
22 something to do with transportation for the Port
23 Authority. Now the Port Authority should not be in
24 the real estate business, they should be in the
25 transportation business.

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The reason that there's a public -- there was a public taking of these sites was because they had a public purpose. What more could you ask for than 100 percent affordable housing to be a public purpose? I know real estate. I know that if the land costs is low, it's possible to create a building that can be less heavily subsidized.

The purchase price of land is usually the biggest cost that you have in putting a project together. In this situation the coalition has shown that this can be done. And I strongly urge the commissioners to remember the commitment that was made to the public when this land was condemned, that it would have a public purpose. Thank you for your time.

THE HEARING OFFICER: Thank you very much for your testimony. Our next speaker will be Victoria Hillstrom. Victoria Hillstrom, let us know when you're ready to begin. Hi. We can see you and hear you.

MS. HILLSTROM: Hello, everyone.

THE HEARING OFFICER: Hello.

MS. HILLSTROM: Can you hear me?

1

2

THE HEARING OFFICER: Yes.

3

MS. HILLSTROM: Wonderful. My name is Victoria Hillstrom. You had it right in the first place. I am a member of the five World Trade at coalition for 100 percent affordable housing. I, along with Todd, find it absolutely abhorrent that you have developers and the people that seek to profit testifying. We don't really care what Open New York has to say. This is public land.

12

I think that many of us, and I should say, that we are residents of Lower Manhattan since 1982. Our lots are at the corner of 385 Greenwich and aka 71 North Moore. Our life savings are invested in these buildings. We found body parts on our roofs.

18

I think that all of us remember 9/11 when we said we would never forget. And this really seems as if it is a fraud conversion, fraud conveyance. I personally would like the President and the HUD Commissioner -- Secretary Fudge to sign their names, that in fact, we can use HUD owned land in order to build luxury housing. 40 percent of all new development has never been occupied

25

1

2 since pre-pandemic. Our malls are at 50 percent
3 vacancy. Our 21 -- Lucky 21 rent stabilized
4 buildings are being marketed at market rate.

5 And it just, for whatever reason,
6 Larry Silverstein seems to think that he's entitled
7 to this land. He is not. I would argue. And I
8 find it to be most offensive that you-all thought
9 that you would re-zone SoHo, destroy the seaports
10 with 250 Water, filled with lofts, filled with
11 creatives in fashion, film, music, entertainment,
12 and the art that require live, workspace, and art
13 wash Lower Manhattan.

14 We -- art does not happen in a
15 shed. We heard this at The Shed. And the CFDA
16 pulled fashion week out. And so we just very
17 strongly oppose this project. We would very
18 seriously like Joe Biden and the Secretary of HUDs
19 signature, before this property is ever
20 fraudulently conveyed to the Port Authority or
21 Larry Silverstein and we really will not take no
22 for an answer. Thank you very much.

23 THE HEARING OFFICER: Thank you
24 very much for your testimony. Our next speaker
25 will be Vanessa Thill. Vanessa Thill, please let

1

2 us know when you're ready.

3

MS. THILL: Hi.

4

THE HEARING OFFICER: Hi.

5

6 MS. THILL: Hi. My name is
7 Vanessa Thill, I am an organizer with a group
8 called Art Against Displacement. We are a member
9 of the coalition to protect Chinatown and Lower
10 East Side. And we organize with artists and arts
11 workers against displacement. So that's where
12 we're coming from. We are supportive of 100
13 percent affordability and we reject the current
14 proposal.

14

15 Our organizing has been in
16 solidarity with grassroots tenants for organizing
17 for control of our lives and homes. And that
18 includes community lead solutions such as the 100
19 percent affordable plan.

19

20 Specifically, I want to speak to
21 the arts and culture aspect of the proposal. You
22 know, we affirmed that gentrification and is not an
23 inevitable effect of urban development. And we
24 refused to let the work of cultural producers be
25 instrumentalized toward the displacement of
26 long-term residents and businesses. And so that's

1

2 a framework that we use, and I thank you to
3 Victoria, for bringing up the art washing aspect.

4 I'd like to just call out Jenna
5 Chrisphonte's testimony from performing arts center
6 as, you know, an amazing opportunity for community
7 of artists. Same goes to the speaker from Downtown
8 Alliance and Educational Alliance on these kinds
9 of, you know, commitments to community and these
10 words. You know, you have to actually put actions
11 behind these words. And, you know, if you're
12 looking for community engagement, here it is. And
13 the best thing that you can do for culture is cheap
14 rent. So thank you.

15 THE HEARING OFFICER: Thank you
16 for your testimony. Our next speaker will be Jill
17 Goodkind. Jill Goodkind, let us know when you're
18 ready to begin.

19 MS. GOODKIND: I am ready to
20 begin. And I apologize because the camera on my
21 computer is not working.

22 THE HEARING OFFICER: That's no
23 problem. We can hear --

24 MS. GOODKIND: Okay.

25 THE HEARING OFFICER: -- you

1

2 perfectly.

3

MS. GOODKIND: Great. First of all, I'm dedicating my testimony today, in honor of my late husband, Tom Goodkind, who died from 9/11 cancer in 2019. Tom has been advocating -- or had been advocating for decades, decades, to make 5 World Trade Center 100 percent affordable. I am a member of the coalition for 100 percent affordability. And this request to make this building 100 percent affordable, it's not new. This goes back decades.

13

This desire to make this 100 percent affordable is not new to LMDC. In fact, when neighbors were surveyed shortly after 9/11, affordable housing was one of the top priorities for this community. This area is -- has been said, has lost thousands and thousands of units of affordable housing, while luxury buildings supported by the government through Liberty bonds have sprung up. There is no need for luxury housing at 5 World Trade Center. There is no need for new affordable -- for new luxury housing in this community.

25

LMDC in no way fulfilled its

1
2 obligation, its stated obligation, to create
3 affordable housing. They received tens of millions
4 of dollars to do this. And to the best of my
5 knowledge, no new affordable housing was created in
6 the Community Board 1 zone, at all, during the 21
7 years that LMDC was in existence. Transferring
8 this property now will make it harder to increase
9 the affordability at 5 World Trade Center.

10 So I am 100 percent against
11 voting to transfer this property. There is a
12 self-imposed deadline to do this. LMDC would like
13 to close down. I'm sorry, but LMDC has not
14 fulfilled its obligation to this community to build
15 affordable housing. They have, I think it's over
16 \$100 million left that they would like to give to,
17 I believe it's the memorial rather than to
18 affordable housing. Their desire and their
19 commitment to create more affordable housing just
20 is not evident.

21 I keep hearing, you know, from
22 other people who seem to be pro this development.
23 But Downtown Alliance has executives from
24 Silverstein and Brookfield on their board. Real
25 Estate Board of New York, obviously, Larry

1

2 Silverstein is one of their Board of Governors.

3 Other people have a vested interest in the

4 Silverstein plan. But I am hoping that the

5 agencies are listening to the elected and the

6 people on this call. The need is desperate.

7 This site, the eyes of the world

8 are on this site. New York City needs this

9 housing. Please listen to the electeds, listen to

10 the people. 100 percent affordable 5 World Trade

11 Center is desperately needed. Thank you.

12 THE HEARING OFFICER: Thank you

13 very much for your testimony. Our next registered

14 speaker is a phone number that ends in 874, but we

15 are not sure that that participant is still with

16 us. If you are -- if you desire to speak and you

17 are from the phone number that ends in 874, please

18 dial star nine on your keypad, and so we'll get a

19 notification that you want to speak and can find

20 you. Okay. And I believe that was actually our

21 final registered speaker.

22 So we have now called all of the

23 speakers who registered to speak tonight who are

24 actually present on the meeting. And so at this

25 time, if you have already spoken or if you have not

1
2 yet spoken, we can take additional speakers,
3 because we have sufficient time left. So if you
4 would -- if you have not yet spoken or if you have
5 already had given your testimony, but you would
6 like to speak again, please use the raise hand
7 function or you may dial star nine on your keypad
8 if you're joining us by phone, and we will add your
9 name to the speaker list. We do that kind of in
10 real time.

11 We've had a few participants
12 raise their hand. So give us just a moment to add
13 -- to get your name and add it to our speaker list,
14 and then I'll call the first new speaker.

15 Okay. At this time we've had
16 four participants. We're happy to take more. But
17 I'll read the names of the four participants who
18 have requested to speak at this time. Those names
19 are Laura Tenenbaum, Victoria Hillstrom, Todd Fine,
20 Grace A. Capobianco.

21 So at this time, Laura Tenenbaum,
22 you may turn on your video, and let us know when
23 you're ready to begin speaking. Hi. We can see
24 you. You can unmute yourself.

25 MS. TENENBAUM: Hi. I'm sorry.

1

2 I'm trying to do two Zooms at the same time. So
3 this is driving me nuts.

4

THE HEARING OFFICER: I
5 understand. Hi. You may begin. We can hear you.

6

MS. TENENBAUM: Yeah. I want to
7 be brief, but I want to -- I live north of Canal
8 Street. But that first plane flew over my head.
9 And I am a member of the World Trade Center Health
10 Group because I have various medical issues due to
11 9/11.

12

I feel very strongly that LMDC
13 has an open commitment that it has not yet filled,
14 which is to create affordable housing in our Lower
15 Manhattan community. And World Trade Center, 5
16 World Trade Center is the absolute best place and
17 the only place this can be done. That we're taking
18 public land and giving it for private use is
19 unthinkable at this point, in the condition that
20 our city is under and the need for affordable
21 housing.

22

And I just want to point out,
23 when you take a large building and make it
24 primarily market rate, and then just put in a few
25 affordable housing units, you're not increasing

1

2 diversity, you're doing the absolute opposite. We
3 need more diversity in Lower Manhattan. We need
4 affordable housing, and we need 5 World Trade
5 Center to be 100 percent affordable. Thank you.

6

THE HEARING OFFICER: Thank you
7 very much for your testimony. Okay. At this time,
8 we'll move to our next speaker, Victoria Hillstrom.
9 Victoria Hillstrom, you may let us know when you're
10 ready to begin.

11

MS. HILLSTROM: Hello.

12

THE HEARING OFFICER: Yeah.

13

MS. HILLSTROM: Can you hear me?

14

THE HEARING OFFICER: Yes. We
15 can.

16

MS. HILLSTROM: Hi. I -- I also
17 just wanted to add, you know, Ron Perelman and Dr.
18 Anna Chapman are very good friends. Ron loves, you
19 know, to be the first to the party. He will be
20 persona non grata in Lower Manhattan. This is not
21 art. And I would just like to say that if it is
22 true over these bids, what we're really talking
23 about is an extension of operation bid rig. Which
24 is the US state's attorney and FBI investigation,
25 where it is very, very serious that Larry

1

2 Silverstein and Michael Bloomberg and Ron Perelman
3 seemed to have helped themselves to this property.

4 We just want to say that if this
5 building is not 100 percent affordable housing, it
6 is changed who we are and the terrorist have won.
7 We also feel that LMDC has not done their duty. We
8 absolutely will not accept this. There was \$40
9 billion to rebuild Lower Manhattan after 9/11. It
10 went to Navy Yards, it went to Bank One, it went to
11 New York Times.

12 We are here to say enough is
13 enough. And really, we don't believe that, in
14 fact, this land is being legally conveyed to Larry
15 Silverstein. And we really very, very much are
16 opposed to this. Public land is for public good.
17 And unless HUD signs off on luxury development on
18 public land, we want this project stopped
19 immediately. Thank you very much.

20 THE HEARING OFFICER: Thank you
21 very much for your testimony. Our next speaker
22 will be Todd Fine. Todd Fine, let us know when
23 you're ready to begin.

24 MR. FINE: Thank you. Yes. I'm
25 ready to begin.

1

2

THE HEARING OFFICER: Yes.

3

MR. FINE: And I'm really glad that this issue of the Ronald Perelman center is coming up tonight. Because I really, I think this is very important that people understand why these supposedly cultural institutions are so interested in a real estate deal. And, you know, the reason for that is that the MOU, this vaunted MOU, that everybody treats like the Bible, from 2006, says that, you know, at some point in time, there could be a lease agreement for these two entities of their land.

14

Now there's really no reason why a non-profit needs all these acres of public land. Like, I'm been begging for two years for these agencies to say, why is it a good idea to give land owned to the Port Authority, to these private non-profits? I mean, what's the reason that they could cancel the First Amendment? That it's kind of nice for them to own the land? You know, or maybe because they want to build real estate someday, or they just see land as power. I mean, that's the only thing I can think of.

25

So, you know, this Perelman

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2 non-profit didn't disclose that when this deal is
3 done, they potentially get fee interest as a lease
4 option to their land. And the Bloomberg non-profit,
5 the memorial gets the same thing. Why is that?
6 Why do they need that? Can somebody tell me? I
7 mean, that in itself is a huge, you know, taking of
8 the government from this deal. And in terms of
9 what the government will benefit is \$12.5 million.

10 I'm glad we have more time to
11 think about that, because we know that \$12 million,
12 maybe -- you know, we added two percent increase at
13 a time of ten percent inflation, maybe only
14 starting for five years. We don't actually know
15 when the 12.5 percent starts accumulating that this
16 great two percent is only balanced. And the reason
17 they have to balance it because they know it's
18 going to be inadequate. So they balance it with
19 this cash flow idea that some percentage -- 21
20 percent of the cash flow, if that's higher than
21 this 12.5 percent, the Port Authority might be able
22 to claim that.

23 Who's going to decide the cash
24 flow? These developers. They're going to have
25 every accounting trick in the book. Get to pay

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2 people millions of dollars to figure out how to
3 show their cash flow is not very significant. Is
4 that -- I mean, is that normal? That -- so we're
5 going to have to have the Port Authority going over
6 scrutinizing LMDC -- the Larry Silverstein's books
7 every year, just to get the rent for a property on
8 government land?

9 Can somebody explain to me why
10 that's a good idea? Especially with this two
11 percent increase garbage? I mean, that's not even
12 indexed to CPI. Why would we do this? This is
13 just -- this is just a corrupt, bad deal. And I
14 wish, you know, if we have a hearing -- this is
15 supposed to be public hearing.

16 Why don't they tell us why it's a
17 good deal? Because we know this \$12.5 million is
18 so important. There's no other way to support the
19 Port Authority in New York besides take away
20 affordable housing. And we're not even told why
21 that's a good deal. So, you know, it's really on
22 these agencies who are putting up all this
23 mumbo-jumbo, and also going to get tax credits that
24 far surpasses the rent. So the governments going
25 to lose from this. And it's just a shame. And I

1

2 didn't know why you don't see it.

3

4 This is the destruction of the
5 new deal. This is the destruction of everything
6 that New York City stood for. That why we created
7 these agencies. Why these liberal institutions
8 existed. Like the ESD, which was created to
9 promote government and development and help people.
10 But is now become a tool of enriching real estate.
11 And the only people who supported are lobbyists.
12 That's all the testimony we get in support of
13 government seizing property supposedly for this
14 public benefit. But you can't --

15

16 THE HEARING OFFICER: My
17 apologies, Mr. Fine. But the -- you have exceeded
18 the three minutes allotted for each person's
19 testimony. And so please feel free to submit
20 additional testimony via e-mail or mail to the
21 sites listed on the slides that are going by.

22

23 Thank you very much for your
24 testimony. Our next speaker will be Grace A.
25 Capobianco. Grace A. Capobianco, feel free to let
us know when you're ready to begin.

26

27 MS. CAPOBIANCO: Yes. Hi. Yes.
28 Can you hear me?

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THE HEARING OFFICER: Yes. We

3

can. Go ahead.

4

MS. CAPOBIANCO: Thanks again.

5

Sorry. Had two calls coming in at the same time I

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was speaking. I wanted to make sure that I make my

7

point clear. I feel that there's so much being

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said on this call and I appreciate and respect

9

everything everyone's saying.

10

But I think that people forget

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what happened after 9/11. That we had nothing down

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here. This area was devastated and we had these

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developers that came in and started building

14

immediately. And I feel that we would not be where

15

we are today in this beautiful, safe community with

16

beautiful schools, expensive real estate, expensive

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clothing stores and shops, if you didn't want to

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live here. But we wouldn't have that if this area

19

wasn't built back by these developers, namely, the

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start was Mr. Silverstein.

21

I also feel that 25 percent of

22

this building for affordable housing is more than

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any other building has given or has taken down here

24

in this community. So I don't understand, when I

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hear people talking about it, but I haven't heard

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2 them talk about affordable housing years and years
3 ago. But -- so why is it that we don't go and sit
4 down and really have a discussion on where
5 affordable housing can be put in place?

6 I also feel that that area
7 brought many, many businesses, corporations down
8 here that helped our area grow. Everyone here is
9 benefiting from it. So I feel that we really need
10 to sit and look at what is on the table and how we
11 can go about helping. But again, to take away the
12 -- because if we don't take the 25 percent, Mr.
13 Silverstein, and the whole building development,
14 they can turn around and do a commercial building.
15 And then where are we at? That's 25 percent that
16 you lost, that you didn't have.

17 Again, it's 300 apartments that I
18 think will really help people. So that's my
19 comment. And I thank you again for listening.

20 THE HEARING OFFICER: Excuse me.
21 Thank you very much for your testimony. So we have
22 two additional speakers who have asked to speak.
23 Joan Blessing and Lucy West.

24 So our next speaker will be Joan
25 Blessing (phonetic). If you want to let us know

1

2 when you're ready to begin. Yeah. We can see you
3 and you're unmuted. So go ahead.

4 MS. BLESSING: Thank you very
5 much. I'm a resident of Battery Park City. I
6 cannot speak as authoritative leaders eloquently,
7 and some of my neighbors. But I just want to say
8 that given the fact that affordable housing in our
9 area is practically nonexistent, and the need is so
10 high. And we have a moral imperative, I think, to
11 provide housing for the first responders.

12 As a resident, I just want to add
13 my name to those who are supporting 100 percent
14 affordable housing for this site. I think that the
15 developers have done a fine job. We appreciate
16 that. They reaping financial rewards from what
17 they've done so far. And I think this building
18 should be held 100 percent affordable. Thank you.

19 THE HEARING OFFICER: Thank you
20 very much for your testimony. Our next speaker
21 will be Lucy West. Lucy West, you may let us know
22 when you're ready to begin.

23 MS. WEST: I'm ready. I just
24 wanted to add, and I think the last speaker was
25 quite eloquent. I worked in the schools when -- in

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2 PS234, which was right next to the World Trade
3 Center when the first bombing hit. And obviously
4 it hadn't moved when the second bomb hit. I'm
5 talking about the 1990 something bomb. And then I
6 was working at PS89, which is right at Battery Park
7 City when the actual 9/11 happened. And I lived
8 downtown and lived here during that time as well.

9 What people don't -- I think may
10 not realize is when PS234 started, it was an
11 integrated school. And it was designed to be that
12 way. We wanted to have children from, you know,
13 every socio-economic class and race and whatever.
14 By the time I left being assistant principal there
15 and moved over to 89, we had a very, very hard time
16 making it anything but a rich white school. And
17 PS89 and 289 are basically rich white schools.

18 So what has happened in Battery
19 Park City and the other schools that are over
20 there, are essentially white, wealthy kids coming
21 to school and getting almost a private school
22 education. That's called segregating your schools.
23 And New York City is now known as one of the most
24 segregated city in -- cities in terms of schools.
25 Putting in affordable housing, 100 percent

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2 affordable housing will help de-segregate those
3 schools and will give other children an opportunity
4 to get the quality of education that other kids are
5 getting. So that's one notion.

6 The fact that there's all these
7 upscale stores and -- absolutely, the people who
8 build them, thank you for building them. However,
9 you're making a ton of money and most of us cannot
10 afford to buy what's in those stores. So
11 affordable housing, again, may bring in affordable
12 stores. We don't have a supermarket down here that
13 -- they just -- there are none really. We have to
14 go out of Lower Manhattan except over at Battery
15 Park City, right? You know, Whole Foods.

16 There need to be places where
17 people can afford things. And people who are
18 making a median income can get housing and live in
19 Manhattan. I moved here 60 years ago. Most people
20 cannot afford to even move to Manhattan anymore.
21 Never mind Lower Manhattan. Never mind Battery
22 Park City.

23 So it's time to build affordable
24 housing and there's an opportunity here. And it is
25 government money. Why is it -- why does it have to

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2 go to other people? It's government money. So
3 anyway, I just want to restate that and bring in
4 the education idea because that's not been stated.
5 Thank you.

6

THE HEARING OFFICER: Thank you
7 very much for your testimony. Our next speaker
8 will be Mariama James. Mariama James, you may let
9 us know when you're ready to begin.

10

MS. JAMES: Thanks. I'd actually
11 taken my hand down because I'm going to be late now
12 for my own meeting I'm supposed to be co-chairing.

13

But as a 9/11 survivor, I was
14 becoming disturbed hearing all of this defensive
15 buildings as if developers have done us a favor.
16 Of course, we're thankful for the redevelopment,
17 but it wasn't for free. They didn't just say, oh,
18 we feel bad for you we're going to put some
19 buildings here. They literally got billions and
20 billions of dollars to rebuild Lower Manhattan.
21 And part of that original charter did include
22 affordable housing that we've yet to see.

23

And I just want to agree with the
24 person that was speaking about the schools. That's
25 one of our premises and purposes in creating the

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2 coalition. The developers didn't give us that
3 either. The parents, the community, we literally
4 built, raise the money and built Millennium High
5 School ourselves after 9/11. I was one of the
6 people. I was there. So I know.

7 I was on the PTA of 234. I was
8 the first, second, and community vice president at
9 one time or another. I was in the SLT. We got
10 money from 9/11 for that PTA, and we budgeted that
11 money and held onto that money for so many years to
12 make sure that we could spread it wide. I mean,
13 nobody was doing us a favor.

14 The parents, the people, the
15 community members, we are who built -- rebuilt
16 Lower Manhattan. And, you know, many of us lost
17 family members, you know, our -- and friends. Not
18 just on that day, but continued to over the years.
19 So it's really, really insulting to have to sit
20 here and listen to somebody go on and on about
21 buildings and developers, you know, like we need to
22 protect buildings. And it's not fair to come down
23 on one building. Like, really. Let's prioritize
24 lives and human beings, please. Thank you.

25 THE HEARING OFFICER: Thank you

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2 for your testimony. I will just briefly check.

3 Excuse me. We do have a few additional speakers

4 who have -- who would like to speak, and you will

5 have an opportunity to speak again. But I just

6 wanted to give one an additional opportunity. If

7 there's anyone who has not yet spoken or who has

8 spoken once, please, you raise your hand now.

9

We do have some speakers who'd

10 like to speak again and you're welcome to. But

11 just want to give one an additional opportunity if

12 there's anyone who would like to speak who has not

13 yet spoken or who has spoken one time. Please

14 raise your hand or if you're joining us via phone,

15 dial star nine.

16

Okay. At this time we'll call

17 Pat Gray. Pat Gray, you may begin when you're

18 ready.

19

MS. GRAY: Hi. Can you hear me?

20

THE HEARING OFFICER: Yes. We

21 can. Go ahead.

22

MS. GRAY: Hi. So I did speak a

23 little earlier and I talked about the integration

24 socially and all other ways down here in Battery

25 Park City. But I did just want to kind of go back

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2 to the thing that had been brought up before. And
3 that was how the Rockefeller brothers were the ones
4 who had this great idea that Downtown New York
5 should be this hub, this wonderful business hub,
6 and it would attract major corporations and there
7 will be a lot of money involved in this. And in
8 the end, although their original site they were
9 looking at was on the east side. It did come over
10 here instead.

11 But in order to come over here,
12 there was a displacement, as a previous speaker
13 noted, of, like, the -- what was called the radio
14 hub. And the displacement of so many immigrant
15 families who had moved in down here when it was
16 affordable, who ran small businesses, et cetera.
17 They were displaced.

18 It sort of reminded me of the
19 Robert Moses displacement. All the projects that
20 he took over. So, like, for example the
21 corresponds Expressway, all these communities were
22 either split in half or made un-affordable for the
23 people who were living there. It was as though the
24 central purpose of the thing just over came
25 everything that was personal and human. And I kind

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2 of think that right now what we're in is an
3 opportunity to ebb human experience and need back
4 into something that is a huge operation.

5 And so I do firmly support. I'm
6 a member of the coalition for 100 percent
7 affordable World Trade Center. I think it's time
8 for major construction sites and -- and I don't
9 know. It's time to take into account the human
10 factor. What do we need in these areas? Besides
11 money making opportunities or someone's idea of the
12 best way to run transit.

13 We need to pay attention to the
14 human factor. And I just think that the coalition
15 is fighting for that human factor. And I'm really
16 delighted to be part of it. Thank you.

17 THE HEARING OFFICER: Thank you
18 very much for your testimony. So at this time, we
19 have three more speakers who have requested to
20 speak, who have spoken, but have another
21 opportunity to speak. And then at that time, we
22 will move towards, in about ten minutes, taking
23 another short break for our stenographer and our NR
24 and ASL interpreters.

25 So at this time, the next speaker

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2 will be Victoria Hillstrom. Victoria Hillstrom,
3 let us know when you're ready to speak.

4

5 hear me?

6

7 can.

8

9 MS. HILLSTROM: Okay. Wonderful.
10 I just wanted to speak to the notion that the
11 developers have done such a lovely job. Just to be
12 very clear, there are 46 buildings, in our case
13 alone, with accidents and fires that the city
14 illegally vacated, that had been under
15 investigation for over ten years. There was the
16 \$20 million illegal Airbnb scheme being run in our
17 loss that corporate console filed. There are class
18 actions, littering Lower Manhattan, where there are
19 illegal MCIs and every single 21 of the rent
20 stabilized buildings are being illegally rent --
21 marketed at market rate.

21

22 Grace is either from Tribeca
23 Citizen or Tribeca Tribune. They are both backed.
24 And their advertisements come from the real estate
25 and hospitality industry. So Grace, with all due
respect, you have nothing to contribute to this

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2 conversation. The fact of the matter is even my
3 wealthy neighbors are leaving. Nathan Lane, left.
4 Many of our very wealthy, very famous neighbors
5 have left Tribeca.

6 Half of Tribeca is being
7 warehoused. We have plenty of luxury housing.
8 Nothing to mitigate the fact that this is
9 government land and it is meant for public good.
10 It's HUD owned land. And the notion that it went
11 from HUD to Port Authority is what is in question
12 here.

13 And if anybody knows me, our
14 matters Tish James, the FBI, we will put this
15 matter under US state's attorney and FBI
16 investigation. It is extremely questionable, where
17 that \$40 billion went. There is a half \$1 billion
18 of building fraud in our case alone. The
19 developers have been absolutely atrocious, where
20 our neighbors are literally filing lawsuits in one
21 neighborhood after the other. So the notion that
22 the developers have contributed anything to the
23 community is absolutely hog wash.

24 And with all due respect, Tobi,
25 be very prepared to be under investigation. We

1

2 will not miss. This is an extension of operation
3 bid rig in Deal, New Jersey. We -- it absolutely
4 resonates in Lower Manhattan. We have the illegal
5 handbag trade. It's atrocious what is going on in
6 Lower Manhattan, where most of our rent stabilized
7 buildings, buildings that are rent stabilized, as a
8 matter of law, has been illegally converted to
9 market rate.

10 This matter is not over. We put
11 Daniel Goldman in office for a reason. And we will
12 not allow this project to be anything but 100
13 percent affordable housing. And anybody that knows
14 me knows, I do not miss when I come out swinging.
15 There is something very sinister, very illegal.
16 And whatever Michael Bloomberg has done, he can
17 take out his checkbook and undo the damage. The --

18 THE HEARING OFFICER: Excuse me.
19 I'm very sorry. You have actually exceeded your
20 allotted three minutes for this speaking time. And
21 so we'll need to move onto the next speaker. Our
22 next speaker at this time will be Todd Fine.

23 MR. FINE: Hello.

24 THE HEARING OFFICER: Todd, you
25 may begin when you're ready.

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MR. FINE: Sorry for taking so much time in this hearing, but there's some important points to still bring up. And I'm -- well, first, I want to say, I'm really glad that the Rockefellers, the David Rockefeller, Nelson Rockefeller are being talked about tonight because I really think this, what's happened here is a test of their legacy. It's kind of like if -- did the institutions that they create fulfill their liberal promise or they being captured?

And I think the way the Downtown Alliance is conceiving of David Rockefeller's legacy, Nelson Rockefeller's legacy tonight is such an insult. You know, one of the things that I came across when I was looking through the Lower Manhattan plan of 1965, which set this whole thing in motion. You know, that was kind of the last gas of the Moses idea of -- you know, of big development. But it was still part of the new deal vision. I think we have to remember that.

You know, the vision for Battery Park City was middle class housing. And what's so interesting about the world -- when the World Trade Center started to be conceived of on the west side.

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2 They actually, if you can believe it, were
3 planning, like, many World Trade Centers. Like
4 they wanted to -- I mean, I would've hated it, but
5 they really wanted to demolish the whole Lower West
6 Side, what we call Little Syria, which was
7 demolished for the big chunk of it for the tunnel.
8 But they wanted to demolish even more.

9 But if you actually read the
10 Lower Manhattan plan of 1965, the vision is middle
11 class housing, it is not luxury housing. The
12 Rockefeller vision of Lower Manhattan is not, is
13 not to build luxury condos and Omega campus for
14 Larry Silverstein. It's just not. And what is --
15 what the Downtown Alliance is doing and what this
16 -- this perversion of the World Trade Center ideal
17 is doing, is just -- it's just embarrassing New
18 York and this class of politicians. And it's just
19 never going to be forgotten.

20 It's going to be the cleanest
21 story for historian to right of the corruption of
22 the liberal dream of the 20th century. And it's
23 100 year story basically that we're seeing,
24 unfortunately, the end of now in just a naked, you
25 know, blow off phase. Take what you can, capture

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2 government, use lobbyist, play book. And it's a
3 shame.

4 And I really want people to
5 understand the gravity of what's happening here.
6 Because you guys are just doing your job, but
7 you're really, like, symbolically putting Dakota on
8 the New York LaGuardia, new vision deal. I mean,
9 that's kind of what's happening tonight. And I'm
10 just shocked.

11 And the reason why. You know, a
12 lot of people say, why does he care so much? Why
13 am I so involved in this? Well, it's because I
14 studied Arab American literature. I study American
15 history. And this area is one of the most
16 important working class neighborhoods in American
17 history that the government has destroyed through
18 eminent domain actions like are being contemplated
19 tonight. The World Trade Center, Brookfield,
20 Battery tunnel. And now you have one little site
21 left.

22 You have overwhelming demand from
23 every politician, all community members for
24 affordable housing, yet you are choosing money and
25 you-all are leaving government. And then you go

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2 work for the same corporations, like Mehul Patel,
3 who's on the Board of LMDC, and now working for
4 Rouden, which doesn't want World Trade Center.

5 It's disgusting how this board of corporation --

6 THE HEARING OFFICER: Thank you.

7 I'm sorry. I was trying to give you a warning.

8 But you've exceeded your allotted time at this
9 time. And so, you know, please feel free to submit
10 additional testimony.

11 We do have another speaker who
12 has requested to speak, Grace Capobianco. Grace
13 Capobianco, let us know when you're ready to begin.

14 MS. CAPOBIANCO: Yes. Hi. Can
15 you hear me?

16 THE HEARING OFFICER: Yes. We
17 can.

18 MS. CAPOBIANCO: I'm sorry. I
19 have to defend myself here by -- I can't remember
20 the lady's name. First of all, I own a magazine
21 called, Downtown. I do not have money. No one's
22 given me money to start this Magazine. I don't
23 work for a Tribeca Tribune or whatever other
24 publication it is. I took my money, my personal
25 money after 9/11, and I put it in a magazine to

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2 give this area a platform. Everyone here, to give
3 them a platform, because no one ever took the time
4 to do that before when it comes to publications,
5 other than the Broadsheet which is a great
6 publication.

7

8 So I do not get paid to do this.
9 No-ones asked me to do this. I feel serious about
10 what I'm saying because I feel it's not fair that
11 everyone goes after one developer. The developer
12 who's actually paying for the building. They're
13 not getting government money. But yet you've got
14 all these other buildings down here. And we all
15 know that. And they have government money to do
16 that.

16

17 THE HEARING OFFICER: I'm sorry,
18 Grace. Grace, I apologize for interrupting, but
19 your voice has gotten very faint and I don't think
20 the stenographer will be able to get it -- get the
21 recording.

21

22 MS. CAPOBIANCO: Can you hear me
23 now?

23

24 THE HEARING OFFICER: Yes. Much
25 better. Thank you.

25

MS. CAPOBIANCO: I'm sorry. So

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2 what I was saying was. I don't think it's fair
3 that we go after one developer. The developers
4 that are paying for this building and asking them
5 to give 100 percent of the building. What I do
6 feel is fair. I do feel that we should go after a
7 lot of the buildings that were built here that did
8 take a lot of government money and that did not
9 give any affordable housing. That is my point
10 here.

11 And as I said earlier, if you
12 didn't hear me, I am not getting paid to do this.
13 I own a magazine. I have -- it's called a labor of
14 love for me. I have not made a dime from this
15 magazine. I put my heart and soul into it, seven
16 days a week for the past 15 years because I want to
17 give this area platform.

18 But even if you do bring people
19 down here and I think we should have people to --
20 lives here, affordable housing. I certainly don't
21 make more than \$50,000 a year. But the bottom line
22 is, how are they going to afford to live here if
23 you don't bring the cost of everything else down?
24 So two points. Go around and get affordable
25 housing -- buildings that have money from the

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2 government that have been down here and get them to
3 give a percentage of their affordable housing and
4 stop going after just one developer. That's all
5 I'm saying.

6 I loved this area. I lived here
7 for over 21 years and I believe in it. But I do
8 think that is not fair that we go after people that
9 have done good for the community. I don't know
10 where you get the idea that these developers have
11 not helped this area. Anyway, I'm hanging up. But
12 thank you so much for listening and I appreciate
13 it. And have a good night.

14 THE HEARING OFFICER: Thank you
15 very much for your testimony. So at this time
16 we're going to take another short break. Or --
17 well, excuse me. Sorry. I'm kind of -- not
18 negotiating, navigating this. I believe we just
19 have one more speaker who has asked to speak, who
20 has spoken before. But let's have this one more
21 speaker and then we'll take another short break.

22 I will let folks know that the
23 option to sign up to speak does end at 7:30, which
24 will be in six minutes, and is half-an-hour before
25 the end of our hearing at 8:00. And so if you do

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2 want to speak again, please sign up by using the
3 raise hand function or dialing star nine on your
4 phone at this time, because the option to sign up
5 to speak will close in about five minutes.

6 So we will have -- we'll have one
7 more speaker, Todd Fine, at this time. And then
8 we'll take a short break and reconvene for any
9 final speakers. Todd Fine, you may start when
10 you're ready.

11 MR. FINE: Yeah. Thank you.
12 Yeah. I want to keep getting some legal issues on
13 the record. So one thing that's important is that
14 HUD has stopped doing audits of the LMDC for the
15 last two or three years. We don't really
16 understand why, especially at such a critical time
17 when they're talking about closing out their books.
18 One of their last statements said they have up to
19 \$160 million of unspent money and they have
20 initiated no public process, no -- no accounting of
21 this publicly, and yet they're telling us that
22 they're panicked to shut down. Is it possible that
23 what they're really doing is panic to give that
24 money to favored parties. We will see because we
25 haven't heard anything else.

1
2 We've been also been asking for
3 the HUD officials, the names of the HUD officials
4 who have -- who are supposedly telling them that
5 they need to do a luxury agreement in order -- and
6 close that out in order to close LMDC, that it
7 can't be closed out at ESD. But we've never gotten
8 those names. So I don't even really believe that
9 LMDC is requiring that this property to be disposed
10 of in a fake disposal. I've given it, you know, a
11 subsidiary of giving it to its parents. It's just
12 bogus and they need to give us these HUD contexts
13 like today. Not yesterday, not two days ago. I
14 mean, it's just absurd that they're hiding this.

15 But I want to also talk about
16 why, you know, I was trying to get to the point of
17 why this is so important. This neighborhood -- I
18 don't people -- I don't think people get this.
19 Like, it's government is destroying middle class
20 life in the city through the Brooklyn-Battery
21 tunnel, eminent domain through the World Trade
22 Center, eminent domain, through the demolitions
23 since September 11. Like, why can't people get
24 that, that this is like a aggressive tactic to
25 impoverish people. To take them from their homes.

1
2 It's been a consistent strategy
3 that's been going for 100 years. We've -- we've
4 documented it. We've written books about it.
5 We're going to hearings about it. And yet New York
6 City government is so intent to get, like, every
7 little cent tunneled to these billionaires. That
8 they can't get that. That they can't get that the
9 government is destroying the middle class life in
10 New York City intentionally.

11 And we're telling it, we're
12 documenting it. We are, you know, showing how
13 public assets are being used for private interests.
14 And it just, it's not sinking in. And I just want
15 people to think about that. Like, why is this a
16 good plan? Like, what is -- the only, I mean,
17 argument for it is that, like, you can then create
18 some mega campus owned by Silverstein and
19 Brookfield that can then, like, tunnel economic
20 activity and create their own little enclave.

21 The city, you know, basically
22 accompanied town. Where, you know, you go to
23 Silverstein restaurants, in his property, you go to
24 work, and then you sleep in Silverstein's bed.
25 That's your vision.

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Where it's like Silverstein has a mini city in our city. And that's the economic development you want rather than what makes New York great is, all the little owners, all the small businesses. You know, classes coming together. It's -- this is not -- this company town vision is disgusting. And I --

THE HEARING OFFICER: Okay.

MR. FINE: -- this needs to be on the record, okay?

THE HEARING OFFICER: Thank you. We've completed your allotted time at this time. Thank you very much.

So the time is now 7:28. We are approaching the -- the final -- 7:30, at which time the opportunity to sign up to speak will end. So if you would like to speak, if you have not yet spoken or if you have already spoken, please feel free in the next minute or two to sign up. To raise your hand or dial star nine on your keypad, and you may sign up to speak.

And then we are going to go on a brief break for our ASL interpreters and our stenographers and your hearing officer, to have a

1

2 brief break and we will reconvene. We'll go on our
3 break now and we will reconvene at 7:39. At which
4 point, if any additional speakers have signed up to
5 speak by 7:30, they will be able to speak again.
6 Thank you.

7

(Short recess taken.)

8

THE HEARING OFFICER: Hello,
9 everyone. And welcome back to the World Trade
10 Center Site 5, public hearing. We appreciate those
11 of you who are still participating and listening.
12 I am just checking our list to see. It looks like
13 possibly we have two additional -- we have two
14 speakers who signed up to speak prior to the 7:30
15 cut off time.

16

I'll -- I'll invite them to speak
17 and if they're still with us and would like to
18 speak, they are welcome to speak again. The first
19 one is Victoria Hillstrom. Victoria Hillstrom,
20 please let us know if you'd like to speak again and
21 if so you may begin. Victoria, I saw you. I saw
22 your video come on, but -- yeah. I see your video
23 again. You may unmute and begin when you're ready.

24

MS. HILLSTROM: Hello.

25

THE HEARING OFFICER: Hi.

1
2 MS. HILLSTROM: Hi. I don't know
3 if you received the two photos that I just
4 submitted to your help e-mail. But -- and let me
5 please just say, Grace, I had only assumed that you
6 were with Tribeca Citizen and Tribeca Tribune. I
7 most certainly would never be rude to our
8 neighbors. And I'm certain that you hope to add to
9 the community. And yet -- no, of course, the more
10 the merrier. And we support all local businesses.
11 So I apologize if I offended you.

12 And yet, you may not know since
13 you've only been here for the last 15 years. SoHo
14 and Tribeca were held 100 acres. Tribeca was
15 dangerous. There were guns. I have submitted a
16 photo of our lofts from 1982 and our lofts in 2014.
17 Our life savings went into re-purposing these
18 buildings. 385 Greenwich was originally a hotel
19 for sailors. 71 North Moore is the oldest home in
20 Tribeca dating back to 1805 and 1815.

21 The residents of Lower Manhattan
22 repurposed our industrial zones. Many of us are
23 artist, many of us are in the arts, in fashion,
24 film, music, entertainment in the arts. Tribeca
25 really began the Indie film industry. And so we

1
2 understood 12 foot ceilings. We understood the
3 light. We found beauty in industrial buildings and
4 repurposed them to industrial Code based on the
5 zoning for light manufacturing so that we could
6 live and work from home.

7 Some of the most important
8 American fashion stories, Cynthia Rowley was in
9 Tribeca for many years. Philip Lim. The list is
10 truly endless. Our really famous artist, Basquiat
11 Koons, still is in Chelsea. The reason that arts
12 and culture are relevant, many people don't know
13 this, that very famous designers, videographers,
14 really the most influential creative from around
15 the world have homes in New York, in Brooklyn, in
16 Lower Manhattan, because New York has always been
17 affordable to live and work.

18 Our industrial zones, that light
19 manufacturing allowed us the ability to live, work,
20 and create from home. And we are losing -- when we
21 moved, for instance, Fashion Week from Bryan Park,
22 you can see now Fashion Week is being shown in our
23 parks across the city. We moved it to Lincoln
24 Center, Bloomberg thought we would move it to The
25 Shed. CFDA came out and said, absolutely not. We

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2 are not supporting Stephen Ross and Trump's donors.
3 We are losing music.

4

THE HEARING OFFICER: My
5 apologies. You have actually gone over the three
6 minutes allotted. But thank you very much for your
7 testimony. And I believe we also have, Todd Fine,
8 who has registered to speak again. Todd fine, if
9 you are still with us and would like to speak
10 again, let us know in your ready. Hi. You may go
11 ahead.

12

MR. FINE: Hello. Hi. So, you
13 know, since we're are dealing with an issue where
14 pretty much every elected officials composes this
15 plan. And we -- the only person we need to get to
16 is Kathy Hochul. But it's the kind of the typical
17 policy arguments aren't reaching Kathy Hochul. And
18 I think the reason for that is two people, you
19 know. Let's be honest. It's Larry Silverstein and
20 Michael Bloomberg. And so I want to talk to them,
21 you know, just -- I'll -- you know, they're not
22 here, but I want to talk to them, you know, and
23 communicate this.

24

And so first time I'm going to
25 talk to Mr. Silverstein, who I respect. I mean,

1
2 he's a developer, he does things I can't do. But I
3 -- you know, Larry -- Mr. Silverstein, you need to
4 focus on two World Trade Center. You know, you guys
5 kind of keep saying, oh, we need to finish the
6 World Trade Center, we need to finish the World
7 Trade Center. You've got a big building of build,
8 buddy, and you're going to waste your time fighting
9 all the politicians, all the community for five
10 years while we're going to be hounding your
11 finances.

12 We're going to be protesting you,
13 we're going to be on you constantly. When rather
14 than doing that and getting your two World Trade
15 Center built and everyone applauding you. You're
16 going to dig in. And you're going to have an
17 illegal Port Authority action. You're going to
18 have all these problems. But that's the negative
19 side.

20 Let's look at on the positive
21 side. Your legacy man. You can be the hero. You
22 won this bid. You one bid basically, you know,
23 no-one was competing against you. Now you can be
24 the hero. You can put, Larry Silverstein,
25 affordable housing. You know, you did it. You

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2 did.

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4 Everybody will love you if you do
5 this. And instead you're going to kind of, you
6 know, you may not finish what you're doing. You
7 know, you're going to leave other people to do it
8 and it might not happen. And why not just -- you
9 know, you were able to take -- you put \$14 million.
10 That's not a lot of money.

11

12 You put \$14 million into this and
13 you were able to take hundreds of millions of
14 dollars in insurance money to pay your team to work
15 on this indefinitely. You don't even finish. Why
16 don't you just, you know, say that you were blessed
17 in some ways. You're blessed to be a freaking
18 American, to be a New Yorker. Give back. You
19 know, give back, Mr. Silverstein. Give back.
20 Now's your chance. Make the decision.

21

22 And Mr. Bloomberg, you know, you
23 have -- did save the memorial, you save this site,
24 you know, you're going to power through. But it's
25 the same thing, you know, give back. Let this area
be middle class. Let lower class people do it.
Otherwise, both of you guys are going to be dirt in
the history books.

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And this tail, this 5 World Trade Center cota (phonetic) is going to show that all of your excuses about why it took you 20 years, why the Port Authority this and Hitachi that, is bunked. That you just want to wait until you can get as much money out of it. That's the way we're going to perceive it. I mean, I -- that may not true.

I'm not saying you don't have a civic impulse. I mean, get me -- don't get me wrong. I believe you do because you wouldn't give up so much of your time to civic steps if you didn't. But you can be so much better in these history books. You can -- like, you don't have to fight all the politicians. You can get an award.

Otherwise, it's just going to be -- it's just going to be sadness, you know, until you guys get, you know, five, six more years. I don't know. You really want to be hated in Lower Manhattan for that long on this issue? Just do the right thing. And I -- look, I'm hostile, I'm aggressive, but, you know, other people are --

THE HEARING OFFICER: Oh, excuse me. I'm sorry. I wasn't able to see the timer.

1

2 And Todd, you've completed your allotted time at
3 this time.

4 All right. We have passed the
5 cut off for additional speakers to raise their
6 hand. So -- but we do have two additional --
7 sorry. Just checking. We are going to take a
8 brief five minute break -- five to six minute
9 break, and then we will come back. And if there is
10 we'll have one last opportunity for folks to speak
11 if they'd like.

12 So we'll go -- let's see. If my
13 timer could run the three minute timer twice. That
14 way will be able to be back at 7:55. And if anyone
15 would like a final opportunity to speak before we
16 close the hearing at 8:00 p.m. we will do that.

17 All right. So we will see every
18 -- we will still be here. I will stay on. I will
19 turn my video off briefly, but we won't have
20 interpretation, stenographer. We're just going to
21 break until 7:55. Thank you.

22 (Short recess.)

23 THE HEARING OFFICER: Hello. And
24 welcome back. If my -- thank you. To my
25 interpreters. Sorry. We changed the timing just a

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2 little bit, so I appreciate your flexibility. I
3 believe that we have two raised hands. So we're
4 happy to give you each an opportunity, those two
5 speakers, and a final opportunity to speak.

6

And we'll start with Victoria
7 Hillstrom. Victoria Hillstrom, you may begin when
8 you're ready.

9

MS. HILLSTROM: Yes. Just to
10 finish what I was saying. Grace, you don't know
11 this, but Elizabeth Von Guttman, who is the editor
12 of System magazine. Started industry magazine is
13 above me in Tribeca on North Moore. We obviously
14 are in the business. We've worked on Cipriani,
15 many of the clubs with the Mills and Tiny's are
16 copies of our lofts.

17

What I'm trying to say to you is
18 the residents of Lower Manhattan are the very
19 reason that you love to live in Tribeca. We are
20 not anti development. Close to be a developer, I
21 am an interior designer. I design stores. What
22 we're fighting for is to keep the arts, to keep
23 arts, entertainment, music, film, TV, and film in
24 Lower Manhattan. To preserve our historic
25 districts. This is Michael Bloomberg's plan to

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2 turn New York City into a luxury product. And what
3 we're saying is that is not who we are.

4 New York's greatness is based on
5 its diversity. It is the basis of rent
6 stabilization. And what Mr. Silverman and really
7 many of the development deals in Lower Manhattan
8 seek to do, is to de-regulate the market, which
9 compromises who we are. We are not anti anything.
10 We are in the business and we want arts and culture
11 to remain in New York. Otherwise, you might never
12 have moved to Tribeca.

13 And so I just wanted to share
14 that with you. We are more alike than you may
15 think. And of course, I apologize if I, in any
16 way, offended you. Thanks again, everyone.

17 THE HEARING OFFICER: Thank you
18 for your testimony. And our next and final speaker
19 will be Todd Fine. Todd Fine, you may begin when
20 you're ready.

21 MR. FINE: All right. Hi, again.
22 I wanted to do kind of a history lesson of sorts to
23 understand what really has happened to this lower
24 west side. So this area is all landfill. Landfill
25 that was done after the revolutionary war for the

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2 wealthy elite of New York City to set up mansions
3 along the river. This is the DeWitt Clinton
4 period. You know, this is the vaunted Alexander
5 Hamilton.

6 Everyone loves Hamilton except
7 thanks to Robert Moses and others. And of course,
8 the World Trade Center were demolishing all the
9 mansions from that period. So there's only a few
10 buildings left. But those buildings at that time,
11 1830s, 1840s, were filled in by Irish and German
12 immigrants. And as by Ellis Island and, you know,
13 even more immigration came in late 19th century.

14 The lower west side became one of
15 the most important working class immigrant
16 neighborhoods maybe in world history. I mean, it's
17 literally where you get off the boat, you know. So
18 incredibly diversity of the census. So many people
19 like made their start here and contributed to
20 America. And the biggest group that -- the reason
21 I got into this was the Arab Americans.

22 The -- this is the center of Arab
23 American life. In fact, on the same street where 5
24 World Trade Center was found, on Cedar Street.
25 After September 11, we discovered the -- a

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2 cornerstone of a Syrian church in the rubble. In
3 fact, at 9/11 memorial, who's getting this
4 property, has refused to even mention that, which
5 is pretty pathetic, thanks to Debra Burlingame and,
6 you know, the -- some of the racist views that she
7 has implanted into that institution.

8 But, you know, the truth is that
9 that neighborhood was really destroyed, like, by
10 the same type of action that's being contemplated
11 tonight. Eminent domain to seize for the Battery
12 tunnel. Which evicted, you know, that -- those
13 ramps. And then the World Trade Center, which
14 destroyed Radio Row and also a big place of Czech,
15 eastern European immigrants. And so there's a deep
16 -- like, among people who know that history,
17 there's a deep outrage at that.

18 The developers are actually
19 throwing a fig leaf by claiming that they're
20 including motifs of the Syrian church in their
21 architecture. But a letter of Arab American
22 leaders, like, 40 Arab American leaders have said
23 that's not what they want. They want affordable
24 housing in honor of Arab American heritage. And
25 that's another big pro for this. Is you can really

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2 show the people, the world that you care about the
3 history of this area. That you care about its past
4 as a middle class neighborhood.

5 To build this luxury schlock, you
6 know, to continue this destruction of this area, as
7 you -- as you don't landmark much. It's just an
8 insult to American history, to the idea of an
9 institution like US, you know, the Urban
10 Development Act, which now is ESD. It's just a --
11 it's a bastardization of something that came out of
12 a noble ideal to be captured by billionaires and
13 lobbyists. And that's what we see tonight.

14 And nobody -- you know, everyone
15 sees it. And it is important because this, the
16 World Trade Center is like the ultimate symbol. So
17 you can really move in a new direction if you sit
18 down and do the right thing here. You have to have
19 courage. Thank you.

20 THE HEARING OFFICER: Thank you.
21 I will say that I have learned more than I even
22 knew before about Lower Manhattan this evening. So
23 thank you to all of our speakers and participants
24 in this hearing who have been a part of this public
25 hearing, and who have shared your comments and your

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2 thoughts.

3

4 At this time we do not have any
5 more speakers registered to speak. The time is now
6 7:59, so it will shortly be 8:00. As your public
7 hearing officer, I will say how much my team -- and
8 I appreciate being a part of this process and the
9 public participation that it has been able to
10 create.

11

12 So it's now 8:00 p.m. As there
13 are no other speakers registered, we will close the
14 hearing at this time.

15

16 Thank you again for joining us
17 this evening for the public hearing for the
18 proposed amendment to the World Trade Center,
19 Memorial and Cultural Program, General Project Plan
20 and Proposed Property Transfers for the development
21 of World Trade Center Site 5.

22

23 Please note that you may submit
24 any comments You have via the addresses on the
25 screen. The e-mail address is W-T-C-S-I-T-E-5, WTC
26 Site 5 @esd.ny.gov. This information is also
27 available on the websites of LMDC and ESD.
28 Comments will be accepted until 5:00 p.m. on
29 Monday, October 17, 2022.

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Thank you. And have a good

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night. This hearing is now closed.

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(At 8:00 p.m., the proceedings

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were concluded.)

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STATE OF NEW YORK)
SS.
COUNTY OF NEW YORK)

I, MARC RUSSO, a Shorthand
(Stenotype) Reporter and Notary Public within and
for the State of New York, do hereby certify that
the foregoing pages 1 through 125 taken at the time
and place aforesaid, is a true and correct
transcription of my shorthand notes.

IN WITNESS WHEREOF, I have
hereunto set my name this 31st day of October,
2022.



MARC RUSSO

Concordance

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