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Sent: Thursday, December 10, 2020 6:05 AM

To: Chappaqua Forward <chappaquaforward@mynewcastle.org>

Cc: PublicComment <PublicComment@mynewcastle.org>; TownBoard <townboard@mynewcastle.org>

Subject: FBC - As of Right vs. Negotiated Approval

Good morning,

Please see the below article from The Real Deal regarding a rezoning area in Queens that was only done in connection with a specific project and note the ability to negotiate a 25-30% affordable component within one of the buildings by not providing as-of-right development ability.

A city council member said, **“Clearly the as-of-right scenario is the worst option.”**

Please consider amending the FBC to provide for complete discretionary approval for projects over a certain size (ie. 10 units / 6,000 square feet) to allow for negotiation of the best outcomes for the town such as was done here.

Apologies for any formatting issues. The article is also available online.

Thank you,

Ben Herman

The Real Deal

Flushing development wins key vote, now on path to approval

Union deals clear path for \$2 billion transformation of waterfront

New York

Dec. 09, 2020 11:30 AM

By [Kathryn Brenzel](#)

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From left: New York Hotel Trades Council's Rich Maroko, 32BJ SEIU's Kyle Bragg and Council member Francisco Moya (Photos via 32BJ SEIU and Hotel Trades Council via Facebook; New York City Council)

UPDATED Dec. 9, 2020, 1:40 p.m.: The Flushing megaproject is a go.

Citing a deal with unions representing hotel and building service employees, two City Council panels on Wednesday approved a development district that will transform Flushing's waterfront.

The City Council's Subcommittee on Zoning and Franchises and then its Committee on Land Use voted in favor of the Special Flushing Waterfront District, meaning the proposal heads to the full Council on Thursday. Council members credited a deal reached between the development team and 32BJ and the New York Hotel & Motels Trades Council as paving the way for approval, which will allow several projects costing about \$2 billion in all. The agreements guarantee that the developers will hire union labor, though details were not immediately available.

The subcommittee had twice delayed voting on the matter in recent days, giving the labor talks a chance to conclude after a dozen Council members voiced objections to the developers' application.

Earlier this week, the development team — F&T Group, Young Nian Group and United Construction and Development Group — confirmed that it was in **late-stage talks with the unions**. Sources indicated Tuesday night that the unions had reached agreements.

The developers are seeking to create a 29-acre special district along the waterfront that would speed up their project and create public waterfront access. The companies plan to separately develop four sites, collectively building more than 1,700 residential units and 879 hotel rooms, along with retail and public space.

“We have worked tirelessly with community members for years to activate what is currently an empty and polluted waterfront and finally give Flushing the future it deserves,” the team said in a statement. “This is a pivotal vote for New York City’s economic recovery, especially for a hard-working immigrant community like Flushing.”

Only one of the sites would be rezoned under the city’s Mandatory Inclusionary Housing program, meaning that 75 to 90 apartments in a 304-unit building on the property will be set aside as affordable. That, along with the lack of a labor agreement, drew criticism from progressive members of the Council. Flushing Council member Peter Koo announced on Wednesday that the developers have pledged to include the higher number of affordable units, and to engage in discussions with the Department of Housing Preservation and Development on how to “maximize the amount of affordable housing on site.”

Koo praised the project as a much-needed economic boost for the city and blamed “misleading information from agitators” for driving opposition.

Not everyone was happy to approve the project. Just before voting in favor, Council member Antonio Reynoso said it was an “indictment” of the city’s land use process. Though he didn’t consider the concessions made by developers adequate, he said the proposal was preferable to the team moving forward without guarantees of union labor and affordable housing.

“This is definitely the lesser of two evils,” he said. “Clearly the as-of-right scenario is the worst option.”