



August 17, 2020

STATEMENT OF THE NEW YORK LANDMARKS CONSERVANCY BEFORE EMPIRE STATE DEVELOPMENT REGARDING THE EMPIRE STATION COMPLEX

The New York Landmarks Conservancy is a 47-year old organization dedicated to preserving, revitalizing, and reusing New York's historic buildings and neighborhoods.

The Conservancy understands the central role that this site plays for New York's future. For nearly three decades, we have heeded the call of Senator Daniel Patrick Moynihan and advocated for a new Moynihan Train Station. We thank Governor Cuomo for his commitment to that vision. But this proposal goes against Senator Moynihan's leadership in revitalizing buildings. It falls back on urban renewal, a discredited approach that tears down buildings and displaces businesses and residents. It abandons hard-fought zoning and community engagement practices.

The dynamic mix of old and new is what makes New York unique and successful, and it should not be so easily discarded.

Preservation rose from the ashes of the old Pennsylvania Station. We are deeply concerned that this plan calls for the demolition of over 50 historic buildings, some of which are listed or eligible for listing on the National Register of Historic Places. We ask that the scope of work include a survey of the study area to determine if there are additional buildings that are eligible for listing.

Preservation was also a response to the failures of urban renewal. This strategy cited blight and insanitary conditions to justify eminent domain and the demolition of historic buildings. Instead, preservation is a green strategy that calls for investment in existing resources and neighborhoods. It has been a successful engine for New York's revitalization through successive crises.

So, we were surprised to see this profoundly anti-urban proposal, based on eminent domain. It starts with the assumption that this neighborhood should be sacrificed. This is a vibrant commercial district with a mix of buildings that support a diverse array of activities and businesses. We request that the scope of work consider a preservation plan instead of a demolition plan. The State should consider reusing these buildings, to let them thrive and let this neighborhood evolve, instead of decimating it.

All of the existing buildings contain embodied energy that will be lost forever. The proposed new construction will use untold amounts of resources and take decades to reach carbon neutrality. We request an analysis of the sustainability impacts.



We ask that the applicant undertake a study of the effect of the proposed new buildings on view corridors of the Empire State Building, which more than any other building represents and anchors New York.

The proposal is lacking in all details about how it will raise money and administer those funds. It follows the guidelines of the East Midtown rezoning, but that plan offered minute details on how funds would be generated and exact metrics between additional FAR and specific transit improvements. It required developers to undertake transit improvements and complete them before a new building could receive a temporary certificate of occupancy. We request a financial analysis of the costs to acquire the development sites, construct the new buildings, and complete the transit improvements.

This plan seems to exist in a bubble where there is unlimited demand for new commercial office space, where East Midtown, Hudson Yards, and the World Trade Center site do not exist and where the impact of the Covid-19 pandemic, which might depress the need for office space for a generation, does not exist. The scope of work must expand the study area to determine the impact on commercial office space on those other development sites, and whether there is any need for additional office space.

This proposal undermines a century of local planning and zoning. In a city where every square inch and every additional floor is considered, it adds millions of square feet of new development with none of the local zoning rationales or controls that every other building owner has to follow. A project that will have such a significant impact on the City should follow ULURP, the City's well-established process for zoning applications. ULURP ensures that the public, community boards, and local elected officials have input into the changes that effect their neighborhoods.

The ambiguities and uncertainties regarding the substantive implications of the proposal also raise a significant procedural issue. We appreciate the desire to address expeditiously what are perceived as urgent needs. Nevertheless, the process currently proposed seems rash. As stated above, we believe that utilization of ULURP would serve the long-term interests of the city, state and region. The amorphous nature of the current draft scope of work calls for a refined revision that is subject to further public comment before the process goes further.

We fought to protect the integrity of the landmark Farley Post Office. We look forward to the day when Moynihan Station opens, and the Senator's vision is realized. The improvements at Penn Station should also be done the right way.

Thank you for the opportunity to express the Conservancy's views.