

LOWER MANHATTAN DEVELOPMENT CORPORATION

Meeting of the Directors

Conducted Via Teleconference

April 20, 2022

MINUTES**In Attendance
Directors**

Holly Leicht, Chair
 Catherine McVay Hughes
 Thomas Johnson
 Joshua Kraus
 Mehul Patel

Staff Attending:**For Lower Manhattan Development Corporation:**

Daniel Ciniello, President
 Stephen Konopko, Vice President, Internal Audit
 Debbie Royce, Corporate Secretary
 Matthew Acocella, Associate Counsel - ESD

The meeting of the Lower Manhattan Development Corporation (“LMDC”) was called to order at 3:00 p.m. It was noted for the record that notice to the public and news media of the time and place of the meeting had been given in compliance with the New York State Open Meetings Law.

The Chair noted for the record that due to the public health concerns and in accordance with current legislation, this meeting would be conducted by teleconference. The Chair also noted for the record that the public was given the opportunity to comment on Agenda items by submitting written comments on or before noon Monday, April 18, 2022 to publiccomment@renewnyc.com and that no comments were received.

Before beginning with the substantive portion of the meeting the Chair asked the Directors whether anyone had any potential conflicts of interest with respect to any of the items on the proposed Agenda.

Hearing no conflicts, the Chair called for a motion to approve the Minutes of the Directors' meeting of November 17, 2021 and March 15, 2022. Noting no corrections, and upon motion duly made and seconded, the following resolution was unanimously adopted:

Approval of Minutes

RESOLVED, that the minutes of the meetings of the Corporation held on November 17, 2021 and March 15, 2022, as presented to this meeting, are hereby approved and all actions taken by the Corporation's employees, officers or Directors in furtherance of the matters referred to therein are hereby ratified and approved as actions of the Corporation.

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The Chair then called on Tobi Jaiyesimi, ESD Assistant Vice President and Project Manager for World Trade Center Site 5, to present the action items related to World Trade Center Site 5.

Ms. Jaiyesimi explained that the directors were being asked to affirm modifications to the World Trade Center General Project Plan, to affirm the finding of no significant impact and determination of non-significance of the lead agency findings pursuant to the National Environmental Policy Act and New York State Environmental Quality Review Act, and authorize staff to take related actions.

Ms. Jaiyesimi explained that in November 2021 the directors considered proposed General Project Plan modifications that provided an option to build a mixed-use building with residential that included affordable housing, and the related environmental assessment. She added that the directors also authorized that a public hearing be held.

Ms. Jaiyesimi explained that the public meeting was held on January 12, 2022 and that there were 85 commenters. Written comments on the proposed modification, environmental assessment and lead agency findings were accepted through February 15, 2022. She added that the meeting transcript, a copy of all written comments, and responses to the comments were provided to the directors in advance of this meeting and are available on LMDC's website.

Ms. Jaiyesimi added that in response to requests from the community, draft mixed-use design guidelines will be revised and made available for public review at a later date. Also, the proposed modifications to the General Project Plan were revised to defer the override of local zoning until the specific proposal for Site 5 is brought to the directors.

Ms. Jaiyesimi reiterated that the directors are being asked to affirm the Exhibit C modifications to the World Trade Center General Project Plan that would allow for, in addition to the already approved plan, mixed-use development on Site 5, that would include a minimum of 25 percent permanently affordable housing units, a connection to Liberty Park, and fitness and community facility uses. The directors are also requested to affirm the lead agency findings and authorize staff to take related action

The Chair thanked Ms. Jaiyesimi and the entire real estate team and consultants for their incredibly comprehensive response to comments and report on comments. The Chair then asked if any director had a question.

Director Johnson asked for a description of what the Liberty Park connection might be like. Ms. Jaiyesimi explained that pedestrian access through the mixed use tower at Site 5 to the elevated open space at Liberty Park should be part of the designated developers design to be presented at a later date.

Hearing no other questions or comments from the Directors, and with the Chair again noting that no comments were received from the public related to this agenda, upon motion duly made and seconded, the following Resolution was unanimously adopted:

Affirmation of Lead Agency Findings Pursuant to National Environmental Policy Act and New York State Environmental Quality Review Act; Affirmation of General Project Plan as modified; and Authorization to Take Related Actions

RESOLVED, that, on the basis of the materials presented to this meeting (the "Materials"), a copy of which is hereby ordered filed with the records of the Corporation relating to the World Trade Center Memorial and Cultural Program Land Use Improvement and Civic Project (the "WTC Project"), and pursuant to the New York State Environmental Quality Review Act, inclusive of the implementing regulations of the New York State Department of Environmental Conservation ("SEQRA"), the Corporation hereby affirms the Finding of No Significant Impact and Determination of Non-Significance (the "Lead Agency Findings") as presented to this meeting, and finds that the Lead Agency Findings meet the requirements of SEQRA and other

applicable laws and regulations in that the Findings affirm the general project plan for the WTC Project, as modified and presented to this meeting (the "Final MGPP"), and the other proposed actions (the "Proposed Actions") described in the Environmental Assessment (the "EA") will not, either individually or cumulatively, have a significant impact on the quality of the human environment or a significant adverse environmental impact not already analyzed and disclosed in the Final Generic Environmental Impact Statement ("FGEIS") for the World Trade Center Memorial and Redevelopment Plan, and that no Supplemental Environmental Impact Statement is needed in connection with the Proposed Actions; and be it further

RESOLVED, that, pursuant to Section 16 of the New York State Urban Development Corporation Act (the "UDC Act"), after due consideration of (i) all oral and written comments on the MGPP, (ii) the UDC Act findings made at the November 17, 2021 meeting, (iii) the FGEIS, EA and the Lead Agency Findings, and (iv) the UDC Act, NEPA, SEQRA, and other applicable law, the Corporation does hereby affirm the Final MGPP as modified and presented to this meeting, a copy of which Final MGPP is hereby ordered filed with the records of the Corporation; and be it further

RESOLVED, that the Chair and President of the Corporation or their respective designee(s), acting singly, be, and each of them hereby is, authorized and directed in the name and on behalf of the Corporation to execute and deliver any and all documents and to take any and all actions necessary or proper, in their respective sole discretion, as may be necessary or appropriate to effectuate the foregoing resolutions.

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There being no further business, the meeting was adjourned at 10:46 a.m.

Respectfully submitted,

Debbie Royce
Corporate Secretary