

Press Release

Akerman Files *Amici Curiae* in Support of City of New York in Rezoning Appeal to Supreme Court of the State of New York

July 29, 2020

Akerman LLP, a top 100 U.S. law firm serving clients across the Americas, filed an *Amici Curiae* brief in support of the City of New York (City) in its appeal in the Supreme Court of the State of New York. The Appellate Division, First Department, Supreme Court of the State of New York (Appellate Division), ultimately issued a unanimous decision reversing a lower court order that annulled an amendment to the New York City Zoning Resolution.

The lower court originally ruled in favor of a group of opponents who argued the City did not properly study the environmental impacts of a proposed rezoning in the Inwood neighborhood of Upper Manhattan in an Environmental Impacts Statement (EIS) prepared in accordance with New York’s State Environmental Quality Review Act (SEQRA). The underlying issue involved whether the City acted rationally by relying on an extensive and detailed Technical Manual containing guidelines and methodologies for compliance with the SEQRA. The opponents sought to expand the EIS to cover issues unrelated to the environment and beyond the normal scope of review. The Appellate Division’s decision supported the proposition that reliance on the Technical Manual constitutes a “hard look” at the environment.

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Richard G. Leland
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Akerman represented Maddd Equities, Taconic Partners, ConEdison, and Shermans Creek Development Corp, who had received approvals for similar, significant development projects which the challenged rezoning would allow on an as-of-right basis. These approved projects include a significant number of affordable housing units in the area covered by the rezoning. Akerman's clients were not parties to the litigation.

Richard G. Leland, partner in Akerman's Real Estate Practice Group, and Steven Del Mauro, associate in the Litigation Practice Group in New York, filed the *Amici Curiae* in support of the City. New York Real Estate Partner Steven Sinacori was also involved in the case.

About Akerman

Akerman LLP is a top 100 U.S. law firm recognized among the most forward thinking firms in the industry by *Financial Times*. Its more than 700 lawyers and business professionals collaborate with the world's most successful enterprises and entrepreneurs to navigate change, seize opportunities, and help drive innovation and growth. Akerman is known for its results in middle market M&A and complex disputes, and for helping clients achieve their most important business objectives in the financial services, real estate and other dynamic sectors across the United States and Latin America.

Akerman's Real Estate Practice Group offers comprehensive and fully integrated project counsel services to clients across the United States and Latin America. With substantial industry experience and local market insights, the firm represents clients in complex real estate transactions and financings, development and redevelopment projects, public-private initiatives and litigation. Recognized as a national tier one law firm for real estate law by U.S. News - Best Lawyers, the group advises investors, developers, builders, lenders, retailers, owners and corporate end users, often in high profile matters.